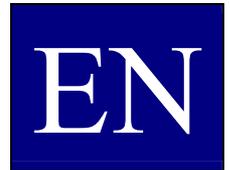




**COUNCIL OF
THE EUROPEAN UNION**



11155/07 (Presse 151)

PRESS RELEASE

2811th Council Meeting

Competitiveness (Internal Market, Industry and Research)

Luxembourg, 25 June 2007

President **Ms Annette Schavan**
Federal Minister for Education and Research of Germany

P R E S S

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11155/07 (Presse 151)

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Main results of the Council

*The Council agreed on a general approach on a draft regulation aimed at establishing a **European Institute of Technology**.*

*The Council adopted conclusions on **knowledge transfer** and the use of **intellectual property** in the European research area, as well as on coordination between Community **funding instruments for research**.*

Without discussion, the Council adopted:

- a regulation for reducing **mobile phone roaming tariffs** in the EU;*
- a political agreement aimed at modernizing the **EU's customs code**;*
- a resolution on a new strategy on **health and safety at work** for 2007-2012.*

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- Where declarations, conclusions or resolutions have been formally adopted by the Council, this is indicated in the heading for the item concerned and the text is placed between quotation marks.
- Documents for which references are given in the text are available on the Council's Internet site (<http://www.consilium.europa.eu>).
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PARTICIPANTS

The governments of the Member States and the European Commission were represented as follows:

Belgium:

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Vice-Minister-President of the Flemish Government and
Flemish Minister for Economic Affairs, Enterprise,
Science, Innovation and Foreign Trade

Bulgaria:

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Deputy Permanent Representative

Czech Republic:

Mr Pavel KOMAREK

Deputy Minister of Education

Denmark:

Mr Uffe Toudal PEDERSEN

Permanent Secretary, Ministry for Science, Technology
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Germany:

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Mr Frieder MEYER-KRAHMER

Federal Minister for Education and Research
State Secretary, Federal Ministry of Education and
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Mr Thomas RACHEL

Parliamentary State Secretary to the Federal Minister for
Education and Research

Estonia:

Mr Tõnis LUKAS

Minister for Education and Science

Ireland:

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Greece:

Mr Ioannis TSOUKALAS

Secretary General

Spain:

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Deputy Permanent Representative

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Latvia:

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State Secretary at the Federal Ministry for Transport,
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Deputy State Secretary, Ministry of Science and Higher
Education

Portugal:

Mr José MARIANO GAGO

Minister for Science, Technology and Higher Education

Romania:

Mr Anton ANTON

State Secretary for Research, President of the National
Authority for Scientific Research, Ministry of Education
and Research

Slovenia:

Mr Jure ZUPAN

Minister for Higher Education, Science and Technology

Slovakia:

Mr Ján MIKOLAJ

Deputy Prime Minister and Minister for Education

Finland:

Mr Mauri PEKKARINEN

Minister for Trade and Industry

Sweden:

Mr Göran HÄGGLUND

State Secretary, Ministry of Enterprise, Energy and
Communications

United Kingdom:

Mr Malcolm WICKS

Minister of State for Science and Innovation

Commission:

Mr Janez POTOČNIK
Mr Ján FIGEE

Member
Member

ITEMS DEBATED

EUROPEAN INSTITUTE OF TECHNOLOGY

The Council held an exchange of views and reached an agreement on a general approach¹ on a draft regulation aimed at establishing a European Institute of Technology (EIT) (11058/07).

The debate took place during a public session on the basis of a compromise text elaborated by the presidency with the objective of achieving an agreement with the European Parliament at first reading during the upcoming EU presidency.

According to the agreement, the financial envelope for the implementation of the EIT during a period of 6 years as from 1 January 2008 is set at EUR 308.7 million.

The general approach reflects the two-step approach concept, according to which two to three initial Knowledge and Innovation Communities (KICs) would be set up in a first step; and further KICs as well as a longer-term strategy of the EIT would be developed in a second step, subject to the evaluation of the EIT's activities. For the selection of initial KICs, priority EU policies, such as renewable energy and climate change will be taken into account.

The EIT would perform most of its activities through the KICs, which are partnerships between the private sector, the research community and excellent teams from research communities and universities. They would fulfil a unique role in the European Research Area by combining all sides of the "knowledge triangle" (education, research and innovation) and thus enable the latest results from excellent basic research to be converted rapidly into new technologies to achieve breakthrough innovation in the market.

The agreement gives a large measure of autonomy to both the EIT and the KICs in terms of operation and implementation. At the same time, long-term strategic policy guidance will be provided by the Parliament and the Council, which will adopt an strategic innovation agenda for future EIT activities.

¹ A "general approach" is reached when there is a broad consensus on the substance of a legal act, although further fine-tuning is still required for a political agreement.

The agreement also recognises the principle of non-discrimination regarding the future language regime of the EIT.

On 22 June 2007 the European Council noted that work on the EIT is advancing well. It invited the Council to reach, at its meeting on 25 June, a general approach on the regulation, including adequate financing in accordance with Community budgetary procedures, with a view to taking a final decision together with the Parliament before the end of 2007.

EUROPEAN RESEARCH AREA

The Council held an exchange of views on new perspectives for the European Research Area (ERA).

EU delegations discussed, on the basis of a questionnaire drawn up by the presidency (10153/07), the following aspects of the Commission's Green paper "The European Research Area: new perspectives":

- Strengthening research institutions. The Green Paper states that universities and public research organisations face growing funding and organisational challenges. Most lack critical mass and have difficulties meeting expectations with the resources available to them.
- Knowledge sharing. The Green Paper pleads for better sharing and exploitation of knowledge throughout Europe by further opening access to knowledge.
- The international dimension of the ERA. The Green Paper suggests that international scientific and technological cooperation should contribute more effectively to the main external policy objectives of the EU.

The Green Paper (8322/07 +ADD1) was issued last April and at its last meeting, on 22 May, EU research ministers examined: the priorities defined in the Green Paper; the division of labour between the national and the EU level; the role and importance of modern basic research for the ERA; perspectives for implementing a roadmap for European research infrastructures.

At its last summit, on 21/22 June, the European Council invited the Commission to present early in 2008 initiatives to follow up on the Green paper on the ERA.

The ERA concept combines: a European "internal market" for research where researchers, technology and knowledge circulate freely; effective European-level coordination of national and regional research activities, programmes and policies; and initiatives implemented and funded at European level.

ERA was first presented in January 2000 (5643/00) and has since been gradually implemented through EU research framework programmes.

KNOWLEDGE TRANSFER - Council conclusions

The Council adopted the following conclusions:

" RECALLING its Resolutions of 15 June 2000 on "Establishing a European Area of Research and innovation"¹; of 16 November 2000 on "Making a reality of the European Area of Research and Innovation"²; of 22 September 2003 on "Investing in Research for European Growth and Competitiveness"³; the Presidency conclusions of 25 and 26 November 2004 entitled "Future European Policy to support Research"⁴; and of 4 December 2006 entitled "A Broad-based Innovation Strategy: Strategic Priorities for Innovation Action at EU level"⁵;

RECALLING that it is essential for the competitiveness of Europe to turn the results of research into more successful innovation; that appropriate handling of intellectual property originating from publicly funded universities and research institutes in European and international cooperation is a key factor for achieving this success; that rapidly advancing globalisation makes it necessary to prevent the unwanted outflow of knowhow; that Europe needs to establish common understanding and a common code of conduct in these matters; that concrete description of good practices will create the necessary framework conditions for improving the cooperation between research actors and industry;

THE COUNCIL

1. WELCOMES the Commission's communication entitled "Improving Knowledge Transfer between research institutions and industry across Europe: embracing open innovation - Implementing the Lisbon Agenda"⁶ and the associated "Voluntary guidelines for universities and other research institutions to improve their links with industry across Europe"; WELCOMES the consultation on the Commission's Green Paper - The European Research Area: New Perspectives⁷;

¹ OJ C 205, 19.07.2000, pp. 1-3.

² OJ C 374, 28.12. 20000, pp.1-3.

³ OJ C 250, 18.10.2003, pp. 2-3.

⁴ Doc. 14687/04 (Presse 323).

⁵ Doc. 15717/07 (Presse 337).

⁶ Doc. 8323/07 EDUC 67 RECH 100 COMPET 93.

⁷ Doc. 8322/07 RECH 99.

2. RECOGNIZES the opportunity afforded by the proposed policy orientations and guidelines and the need for a common European understanding on the knowledge transfer to improve;
 - i) the exploitation of publicly funded research results and
 - ii) R&D collaborations between research institutions and industry,in the form of a voluntary charter;
3. WELCOMES in this regard the work done so far by Member States in the context of CREST and by important stakeholders;
4. WELCOMES the Presidency's initiative in moving forward a process with a view to establishing a voluntary charter for the use of Intellectual Property from public research institutions¹ that received wide acclaim at the informal meeting of Competitiveness Ministers at Würzburg, Germany, on 26 and 27 April 2007;
5. INVITES the Commission to develop such a European Charter based on a structured dialogue with stakeholders, building on the policy orientations on the sharing of knowledge put forward by the Commission, and taking account of initiatives in member states and the consultation on the European Research Area Green Paper, consisting of a Recommendation to public authorities and guidance for stakeholders. This should promote European competitiveness by better exploitation of know-how and the prevention of unwanted outflow of know-how. In addition, the Commission is invited to make suggestions for the sustainable improvement of international research cooperation through the transfer of relevant knowledge. The Intellectual Property Charter should follow the precedent of the European Charter for Researchers in addressing all relevant decision-makers and should be on a voluntary basis."

¹ Doc. 8434/07 RECH 103 EDUC 69 COMPET 98.

**COORDINATION OF COMMUNITY FUNDING PROGRAMMES FOR RESEARCH -
Council conclusions**

The Council adopted the following conclusions:

" The COUNCIL

1. HAVING REGARD TO its Resolution of 28 September 1995 on CREST which defines the mandate of CREST as the European Community's high-level advisory body on strategic questions of research policy, serving both the Commission and the Council¹;
2. ACKNOWLEDGING the importance of improving synergies and complementarity between large Community funding programmes, including in the area of research and innovation policy as well as regional policy, in light of their respective goals;
3. NOTING in this context, the conclusions of the Spring European Council 2007, in particular concerning strengthening innovation, research and education;²
4. RECOGNIZING the substantial work done by CREST in analysing the possibilities to better coordinate the use of the Research Framework Programme and the Structural Funds to support R&D, WELCOMES the guidelines document and the 14 recommendations adopted at the 314th CREST meeting on 7 May 2007;³

¹ OJ C 264, 11/10/1995, p. 0004 - 0005.

² Doc. 7224/07.

³ CREST 1203/07.

5. RECALLS the six priority domains identified in the CREST guidelines:
 - Develop RTDI strategies and strengthen the governance,
 - Strengthen and develop the RTDI basis,
 - Develop RTDI excellence,
 - Develop R&D cooperation at European and international level,
 - Strengthen exploitation and economic and social valorisation of R&D results,
 - Improve communication and information.
6. UNDERLINES the importance of improved communication between actors involved in FP and SF activities, and improved, easily available and targeted information about the opportunities offered by each instrument;
7. INVITES the MS to implement the guidelines at national and regional level on a voluntary basis; ENCOURAGES policy-makers to disseminate them widely in their area of responsibility; WELCOMES the Commission's intention to bring forward a Communication on Competitive European Regions Through Research and Innovation;
8. SUPPORTS the idea that the impetus created by the adoption of FP 7 should be used and that the subject merits further discussion and follow-up activities at a European, national and regional scale, for example through qualified bodies such as CREST, COCOF, EURAB, involving the Committee of the Regions and regional policy and research and innovation experts; UNDERLINES the particular importance of further discussion and follow-up activities on the development of RDTI strategies and the strengthening of governance and the development of RDTI excellence in this context; INTENDS to return to the topic in the light of new developments."

ANY OTHER BUSINESS

The Council took note of information regarding:

- A draft regulation presented by the Commission on the Joint Technology Initiative "Clean Sky" (10148/07).
- A draft regulation on the Joint Technology Initiative "ENIAC" in the field of nanoelectronics.
- A draft decision on participation by the Community in a research and development programme aimed at enhancing the quality of life of older people through the use of new information and communication technologies, undertaken by several EU member states (10959/07).
- The preparations for a future Commission proposal on "article 169" initiative "Euro STARS".
- The outcome of the first Euro-Mediterranean ministerial conference on education and research, held in Cairo (Egypt) on 18 June 2007 (10154/07).
- The state of play on a draft directive relating to restrictions on the marketing of certain measuring devices containing mercury.
- The work programme of the incoming Portuguese Presidency on EU competitiveness.

OTHER ITEMS APPROVED

RESEARCH

Agreement on scientific and technical cooperation with Switzerland

The Council adopted a decision approving the signature of a scientific and technical cooperation agreement with Switzerland in order to associate this country with the EU's 7th framework programmes for research and development (10421/07).

The agreement is aimed at extending scientific and technical cooperation with this country and at contributing to its further integration into the European Research Area. It will apply provisionally as of 1 January 2007 pending its final conclusion at a later date.

The agreement was signed today in the margins of the Council by Mrs Annette Schavan, German Federal Minister of Education and Research and President-in-office of the EU Council; by Mr Janez Potečnik, Commissioner for Science and Research; and by Mr Pascal Couchepin, Swiss Federal Councillor.

CUSTOMS UNION

Community customs code

The Council reached a political agreement on a draft regulation aimed at modernizing the Community customs code (10911/07).

The draft regulation, aimed at implementing the Lisbon programme on growth and creation of jobs in the EU, is intended to replace the current Community customs code, which dates back to 1992, in order to adapt EU customs to changes in the international trade environment.

The modernized code addresses issues concerning the requirements of an electronic environment, the simplification of rules and the changing nature of the tasks performed by the customs authorities. It is aimed at simplifying legislation and administration procedures from the point of view of both customs authorities and traders.

(more details in press release 11021/07).

Tariff quotas for agricultural, fishery and industrial products

The Council adopted a regulation amending regulation 2505/96 opening and providing for the administration of autonomous Community tariff quotas for certain agricultural and industrial products (9825/07).

The Council also adopted a regulation amending regulation 1255/96 temporarily suspending the autonomous common customs tariff duties on certain industrial, agricultural and fishery products (9826/07).

World Customs Organisation *

The Council adopted a decision aimed at granting the Community *ad interim* membership rights and obligations within the World Customs Organization, pending the definitive accession of the Community to this organisation (10764/1/07 + 10766/07 ADD1).

COMMON FOREIGN AND SECURITY POLICY

Zimbabwe - Restrictive measures

The Council adopted a decision amending the list of persons from Zimbabwe affected by restrictive measures (9521/07).

The decision implements common position 2004/161/CFSP, which imposes a freezing of assets and a visa ban in the EU to individuals who engage in activities which seriously undermine democracy, respect for human rights and the rule of law in Zimbabwe.

Following the recent brutality by the government of Zimbabwe against opposition supporters, and the specific role of the police in these events, the names of the assistant police commissioner in charge of law and order and the senior assistant police commissioner in charge of Harare are added to the list.

Liberia - Restrictive measures

The Council adopted a regulation amending regulation (EC) no 234/2004 concerning certain restrictive measures in respect of Liberia (9862/1/07).

Further to the adoption of United Nations Security Council Resolution 1753 (2007) terminating the prohibition on import of rough diamonds from Liberia, regulation repeals provisions contained in the regulation 234/2004 concerning this prohibition with retroactive effect as of 27 April 2007.

ECONOMIC AND FINANCIAL AFFAIRS

Taxation of savings - Council conclusions

The Council adopted the following conclusions:

"The Council welcomes the two Commission Staff Working Papers of 22 May 2007 on the functional and technical specifications for the exchange of information under Directive 2003/48/EC. These specifications, which were prepared with the help of Member States' experts within the framework of the Commission's Working Group on Administrative Cooperation in the field of direct taxation, aim at implementing the revised version of the standard format for the exchange of information from 2008 onwards, thus facilitating the Taxation of Savings exchange of information between Member States.

The Council recognises that the implementation of the revised standard format for the exchange of information, in the form agreed by the Council on 12 December 2005, will ensure a correct application of Articles 4(2) and 9 of Directive 2003/48/EC, which provides for automatic exchange of information concerning interest payments, where applicable.

The Council confirms its agreement on the functional and technical specifications for implementing the revised standard format, from 2008 onwards, as contained, respectively, in docs. 9786/07 FISC 80 and 9785/07 FISC 79 and on the use of CCN-Mail 2 as the channel for the exchange of information after the end of 2007, noting the Commission's statement as set out in doc. 15306/05."

JUSTICE AND HOME AFFAIRS

European Fund for the integration of third-country nationals (2007-2013)

The Council adopted a Decision establishing the European Fund for the Integration of third-country nationals for the period 2007 to 2013 as part of the General programme "Solidarity and Management of Migration Flows". (16923/06)

The general objective of the Fund is to support the efforts made by the Member States in enabling third-country nationals of different economic, social, cultural, religious, linguistic and ethnic backgrounds to fulfil the conditions of residence and to facilitate their integration into the European societies.

Financial rules on the Schengen Information System (C.SIS)

The Council adopted a decision adjusting financial rules on the costs of installing and operating the technical support function for the Schengen Information System (C.SIS) for 2007 (9950/07).

"SIRENE" manual - Schengen Convention

The Council adopted a decision declassifying some parts of the SIRENE manual adopted by the executive committee established by the 1990 Schengen Convention (9952/07).

"SIRENE" is an acronym standing for Supplementary Information REquest at National Entry.

TELECOMMUNICATIONS

Roaming charges

The Council adopted a regulation on roaming on public mobile networks within the Community and amending Directive 2002/21/EC on a common regulatory framework for electronic communications networks and services (*PE-CONS 3624/07*).

The regulation will be published in the Official Journal of the EU on 29 June 2007. It will enter into force one day after its publication.

The regulation is aimed at ensuring that users of public mobile telephone networks when travelling within the Community do not pay excessive prices for roaming services when making calls and receiving calls.

(For more details on its provisions see also press release 10492/07).

TRANSPORT

Agreement on air services with Jordan

The Council adopted a decision approving the signing and provisional application of an agreement between the EU and Jordan on certain aspects of air services.

The agreement is the result of negotiations under a mandate enabling the Commission to negotiate with any third country with a view to bringing Member States' existing bilateral aviation agreements with that country into line with Community law.

Retrofitting of mirrors to heavy goods vehicles

The Council adopted a directive on the retrofitting of mirrors to heavy goods vehicles registered in the Community (*PE-CONS 3620/07*).

The directive will apply to lorries registered after 1 January 2000. The Member States will have to transpose and implement the directive on 31 March 2009 at the latest.

The directive is aimed at improving the safety of vulnerable road users such as pedestrians, cyclists and motorcyclists, who are particularly exposed to dangers arising from the lateral blind spot which lorries have on the passenger side.

The Commission estimates that retrofitting existing heavy goods vehicles with blind-spot mirrors could save more than 1200 lives on European roads between now and 2020. The current cost of retrofitting mirrors should in principle not present a huge financial burden and is estimated at 100/150 EUR.

This directive is a temporary measure and aimed at improving the field of indirect vision of existing heavy good vehicles. The existing directive 2003/97/EC stipulates a mandatory improved set of mirrors for new lorries from 2006/2007. According to that directive, new heavy-duty vehicles of more than 3.5 tons will have to be equipped with blind spot mirrors from 2007 onwards. However, existing heavy goods vehicles will not be affected by this legislative measure. This means that directive 2003/97/EC will not apply to 5 million heavy good vehicles currently in circulation in the EU. The Commission therefore proposed retrofitting such mirrors to the existing fleet of heavy goods vehicles.

ENVIRONMENT

Air quality *

The Council adopted, by qualified majority,¹ a common position on the draft directive on ambient air quality and cleaner air for Europe (16477/06, 10388/07 ADD1 REV2).

The text will be sent to the European Parliament for a second reading, in the framework of the codecision procedure.

The draft directive aims to consolidate existing ambient air quality legislation into a single directive, introducing two new elements:

- provisions on fine particles (PM_{2.5}) in order to integrate the latest health and scientific developments;
- possibility of time-limited derogations from the limit values: such derogations may be granted only under strict conditions and the Member States are required to establish special air quality plans and to take appropriate measures in order to ensure compliance with the directive.

The common position incorporates the following changes in the Commission proposal:

- a non-binding target value for PM_{2,5} in 2010 to be replaced by a binding limit value in 2015 (25µg/m³ for both target value and limit value);
- the possibility of postponing attainment of the limit value for PM₁₀ until three years after entry into force of the directive;

¹ The Netherlands and Polish delegations voted against and the Swedish delegation abstained.

- the possibility of postponing the deadlines for nitrogen dioxide (NO₂) and benzene by a maximum of five years (until 1 January 2015);
- the principle that limit values should apply everywhere, but in certain locations compliance with limit values should not be assessed.

Half of the amendments suggested by the European Parliament at first reading¹ were accepted by the Council.

ENERGY

Relations with Korea

The Council adopted a decision authorising the Commission to negotiate renewal of the agreement between the European Atomic Energy Community (Euratom) and the Korean Peninsula Energy Development Organisation (KEDO).

SOCIAL POLICY

Community strategy 2007-2012 on health and safety at work - *Council resolution*

The Council adopted the following resolution:

"THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Commission Communication of 21 February 2007 on improving quality and productivity at work: a Community strategy 2007-2012 on health and safety at work, which is one of the points included in the European Social Agenda,

¹ 3189/06.

Whereas:

- (1) Article 137 of the Treaty establishing the European Community has led to the adoption of a substantial corpus of Community legislation on health and safety at work.
- (2) Quality at work has a considerable human, but also an economic dimension, and the Member States have acknowledged under the Lisbon Strategy that health and safety policy makes an important contribution to economic growth and employment.
- (3) The European social model is based on a smoothly operating economy, on a high level of social protection and education and on social dialogue, and thus involves improving the quality of employment, particularly health and safety at work.
- (4) The European Union has to strengthen the competitiveness of businesses in the light of ongoing demographic change, taking into account the Conclusions of the Stockholm European Council on 23 and 24 March 2001, the Barcelona European Council on 15 and 16 March 2002 and the Brussels European Council on 8 and 9 March 2007.
- (5) The new Community strategy on health and safety at work (2007-2012) (hereinafter referred to as "the Community strategy") should promote further progress by building on the momentum created by the previous Community strategy on safety and health at work (2002-2006), which was based on an overall approach to well-being at work and led to relaunched prevention policies and significant improvements.
- (6) The implementation of existing legislation remains one of the most important obligations for all Member States to stimulate the creation of a healthy and safe work environment.
- (7) The figures for accidents at work and the incidence of occupational illnesses, which differ from Member State to Member State, are still too high in absolute terms in certain sectors and for some categories of workers, and it is therefore important that the new strategy should remedy this situation,

HEREBY ADOPTS THIS RESOLUTION:

I.

1. The Council notes the Commission's opinion that, in order to achieve an ongoing, sustainable and consistent reduction in accidents at work and occupational illnesses, the parties involved must pursue a number of objectives, including:
 - (a) placing more emphasis on the implementation of Community legislation;
 - (b) supporting compliance with Community legislation, in particular in sectors and undertakings considered to be at risk and for categories of workers who are most vulnerable;
 - (c) adapting the legal framework to changes in the workplace and simplifying it;
 - (d) promoting the development and implementation of national strategies;
 - (e) creating a general culture that values health and risk prevention by encouraging changes in the behaviour of workers and at the same time by encouraging employers to adopt health-focused approaches;
 - (f) finalising the methods to identify and evaluate new potential risks;
 - (g) assessing the implementation of the Community strategy;
 - (h) promoting health and safety at work at international level.
2. The Council notes the Commission's opinion that in order to achieve these objectives, an overall approach has to be further developed, taking into account the following areas of action:

- (a) National strategies should give priority to implementing a package of instruments which guarantee a high level of compliance with the legislation, in particular in small and medium enterprises (SMEs) and high-risk sectors:
- dissemination of good practice at local level,
 - training and education,
 - development of simple tools and guidelines,
 - better access to high-quality preventive services,
 - adequate financial and staff resources for labour inspectorates,
 - use of economic incentives at national and Community level.

These strategies should, where appropriate and in accordance with national priorities and circumstances, especially address demographic change, preventive effectiveness of health surveillance, rehabilitation and reintegration of workers, better and more effective enforcement and the strengthening of policy coherence;

- (b) National strategies should seek to establish measurable targets for reducing the incidence of occupational accidents and illnesses for relevant categories of worker, types of company and/or sectors;
- (c) The improvement of the administrative and institutional regulatory framework will remain a key priority at national and Community level, and evaluation has an important role to play in this;
- (d) The coherence of the relevant policies such as public health and employment policy with policies for health and safety at work has to be strengthened;

- (e) New and existing risks at the workplace need more research in areas such as:
- psychosocial issues and musculoskeletal disorders,
 - dangerous substances, reproductive risks and risks caused by new technologies, e.g. nanotechnologies,
 - risks arising from new forms of work organisation, and
 - occupational health and safety management,
 - taking appropriate account of gender aspects;
- (f) Workplaces must be designed in such a way that the employability of workers is ensured throughout their working lives. At the same time, workplaces should be tailored to the individual needs of older and disabled workers;
- (g) Changes in behavioural patterns with regard to safety and health at work need to be promoted at all levels of education and in all fields;
- (h) New instruments to measure progress achieved and the efforts made by all players at both national and European level need to be further developed, in particular, by using score boarding;
- (i) It is necessary to step up international cooperation and to continue to cooperate actively with the International Labour Organisation, the World Health Organisation and other international organisations.

II.

The Council:

1. welcomes the Commission Communication on a new Community strategy on health and safety at work (2007-2012);
2. considers that the Communication in question provides a valuable framework for further effective implementation of Article 137 of the EC Treaty at Community level;
3. shares the Commission's opinion that occupational health and safety not only safeguards workers' life and health and enhances their motivation but also plays a vital role in increasing the competitiveness and productivity of enterprises and in contributing to the sustainability of social protection systems by reducing the social and economic costs of occupational accidents, incidents and diseases;
4. emphasises that collective protective measures and combating risks at source are fundamental principles of prevention;
5. considers that Community policy on health and safety at work based on an overall approach to well-being at work should have as its purpose an ongoing, sustainable and consistent reduction in accidents at work and occupational illnesses;
6. supports the Commission in seeking to reduce the incidence rate of accidents at work by 25 % at Community level, taking into account the Member States' experiences, circumstances and opportunities;
7. stresses the need to:
 - (a) recognise the importance of Good Work and its underlying principles, i.e. workers' rights and participation, equal opportunities, safety and health protection and a family-friendly organisation of work;

- (b) take into account new challenges such as demographic change and ageing of the workforce, new employment trends, and new and increasing flows of migrants towards and within Europe;
- (c) ensure a modern and effective legislative framework for health and safety at work,
 - guarantee a proper implementation of Community legislation,
 - simplify Community legislation without reducing the level of protection already in place and
 - adapt Community legislation to changes in the workplace;
- (d) enhance awareness among those concerned of the need for rehabilitation and reintegration of workers excluded from the workplace for a long period of time because of an accident at work, an occupational illness or a disability;
- (e) deploy additional efforts including economic incentives to trigger changes in attitudes with a view to a more participatory, integrated management of health and safety in undertakings;
- (f) invite the European Agency for Safety and Health at Work to foster the exchange of information and good practice and to draw up, through its risk observatory, high-quality information on the specific challenges. More consideration should be given to the wider socio-economic trends and influences;

8. calls on the Member States to:

- (a) develop and implement coherent national health and safety at work strategies geared to national conditions, in cooperation with the social partners, and, where appropriate, with measurable targets set in this context for further reducing accidents at work and the incidence of occupational illnesses, especially in those sectors of activity in which rates are above average;

- (b) give the national social protection and health care systems, as appropriate, a more active role in improving prevention and in the rehabilitation and reintegration of workers;
- (c) consider the possibilities offered by the Community Programme for Employment and Social Solidarity (Progress), the European Social Fund and other Community funds for the promotion of the Community strategy;
- (d) encourage national research centres to exchange information and collaborate on their programmes at national and European level, focusing on problem-solving and on the prompt transfer of results to enterprises, in particular SMEs;
- (e) raise awareness by improving the information, training and participation of workers, providing simple guidance, particularly for small enterprises, and analysing and disseminating examples of good practice, in particular by means of networking of the parties involved at the local level;
- (f) promote a systematic approach to well-being at work through initiatives for quality of work by integrating, in particular, health and safety, lifelong learning and gender into business management and all levels of education;
- (g) ensure better and more effective enforcement in all Member States and to take appropriate steps to provide adequate resources for labour inspectorates;
- (h) further implement the International Labour Organisation Global Strategy on Occupational Safety and Health, adopted in 2003, by all appropriate means;
- (i) give particular attention to new employment trends, such as the increase in self-employment, outsourcing, subcontracting, migrant workers and posted workers;

9. calls on the Commission to:
- (a) promote occupational safety and health by taking appropriate measures with regard to changes in the world of work;
 - (b) ensure better cooperation with and between different organisations and committees, such as the Advisory Committee on Safety and Health at Work (ACSH), the Senior Labour Inspectors' Committee, the European Agency for Health and Safety at Work, and the European Foundation for the Improvement of Living and Working Conditions, and to take account of the information provided by those organisations and of the views of the committees in developing new policies and legislation in this area;
 - (c) continue to monitor and support the implementation of legislation in all Member States;
 - (d) draw up, in conjunction with the ACSH and the social partners, guides on how to apply directives, especially for SMEs;
 - (e) improve coordination with other Community policies, in particular on the manufacture and marketing of work equipment and chemicals and on public health, education and anti-discrimination policy;
 - (f) encourage the exchange of views and experiences within the ACSH regarding national strategies;

- (g) with the support of the ACSH, improve the implementation of Article 7 of Council Directive 89/391/EEC of 12 June 1989 on the introduction of measures to encourage improvements in the safety and health of workers at work¹ with regard to the quality, coverage and accessibility of prevention services;
- (h) establish a common methodology for evaluating the directives on health and safety at work in close cooperation with the ACSH and to intensify efforts to further improve and simplify the administrative and regulatory framework, taking into account the target expressed by the Brussels European Council on 8 and 9 March 2007 and the Commission's activities on reducing administrative burdens, without lowering the level of protection already in place and giving appropriate attention to the needs of micro-firms in relation to the implementation of this legislation;
- (i) ensure that any new legislation brought forward under the Community strategy respects the principles of Better Regulation reasserted by the Brussels European Council in 8 and 9 March 2007 and is thus accompanied by an effective impact assessment, where appropriate;
- (j) work with the ACSH to examine ways in which employers can work together when several levels of sub-contracting coexist at the same workplace;
- (k) cooperate with the legislative authorities in establishing an appropriate European statistical system in the area of occupational safety and health, which takes account of the different national systems and which avoids imposing additional administrative burdens;

¹ OJ L 183, 29.6.1989, p. 1. Directive as amended by Regulation (EC) No 1882/2003 of the European Parliament and of the Council (OJ L 284, 31.10.2003, p. 1).

10. calls on the social partners to:
- (a) draw up initiatives in the context of the sectoral social dialogue and ensure that workers' representatives are given more opportunities to participate in the systematic management of occupational risks;
 - (b) play an active part in disseminating the basic principles of the Community strategy at European, national, regional and individual business level;
 - (c) cooperate actively with their countries' authorities on developing and implementing national health and safety at work strategies;
 - (d) promote and publicise in the workplace the proper application of occupational risk-prevention principles;
 - (e) continue negotiations on preventing violence and harassment at the workplace and to take account of the assessment of the implementation of the European framework agreement on work-related stress;
 - (f) enhance, both at national and Community level, technical assistance and training to worker representatives with health and safety responsibilities and to employers, particularly SMEs."

FISHERIES

Reference levels of fishing fleets - derogations for Bulgaria and Romania

The Council adopted a regulation granting derogations to Bulgaria and Romania from certain provisions of Regulation (EC) No 2371/2002 relating to reference levels of fishing fleets (9022/07).

Article 12 of Council Regulation (EC) No 2371/2002 on the conservation and sustainable exploitation of fisheries resources under the common fisheries policy provides that reference levels are to be established for each Member State's fleet as the sum of the objectives per segment of the Multiannual Guidance Programme 1997-2002.

As Bulgaria and Romania will not have such objectives corresponding to the reference period in question, a derogation to this obligation is granted for these two new Member States.

The regulation applies from 1 January 2007.

TRANSPARENCY

Public access to documents

The Council adopted the reply to confirmatory application 11/c/02/07 (10079/07).
