European and External Affairs Committee

EUR(3)-01-08 (p1): 7 February 2008

Title: European Commission's Annual Legislative and Work Programme 2008

1. Purpose

To inform Members of the European Commission's Legislative and Work Programme for 2008 and to identify items of relevance and interest to the National Assembly for Wales.

2. Recommendations

It is recommended that the Committee agrees its own work priorities in relation to the EU agenda for 2008 to include some (or all) of the items on the list suggested in section 4 and any further items identified in the annex.

It is recommended that the Committee writes to the Assembly's Scrutiny Committees to bring to their attention items within the Commission's Work Programme which are relevant to their respective remits; and to request that the European and External Affairs Committee is informed of whether they will pursue these matters.

It is recommended that the Committee writes to the Welsh Assembly Government to request information on its key EU priorities for 2008 and to explain how it intends to pursue its interests in these priorities.

3. Background

The European Commission published its Annual and Legislative Work Programme for 2008 on 23 October 2007. It can be found on the European Commission's website:

http://ec.europa.eu/atwork/programmes/docs/clwp2008_en.pdf

As has been the trend of the Commission under the Presidency of Jose Manuel Barroso, with the emphasis on better regulation, the work programme is focused and concentrates on a limited number of new policy initiatives. It sets out major political priorities and identifies legislative and non-legislative initiatives that the Commission intends to propose over the coming year to realise these priorities.

The Work Programme has been prepared taking into account the results of the consultation on the Commission's 2008 Annual Policy Strategy (21 February 2007). Some of the major items on the EU's agenda for 2008 include:

The new cycle for the Lisbon Strategy for growth and jobs to be agreed at the 2008 Spring European Council by the EU's Heads of State and Government;

Tackling climate change and developing the new Energy Policy for Europe;

Implementing the internal market review and the ongoing stocktaking of European society;

The EU Budget Review;

Ratification of the Reform Treaty, following the formal signing of the Treaty on 13 December;

Preparations for 2009 European Parliament elections.

4. Suggested areas of interest for the European and External Affairs Committee

Members' Research Service has undertaken an initial analysis of the Work Programme. The following issues are suggested in view of their strategic importance and relevance to devolved matters in Wales. It also takes into account the Committee's discussion on its Forward Work Programme at its meeting on 25 September 2007 where Members identified a number of areas of interest (see paper EUR(3) 02-07(p.2)):

EU Budget consultation and preparation for the 2008-2009 Budget Review which will address how the EU should reform the budget and to input into proposals for the post 2013 financial framework;

The **future of regional policy** within the framework of the consultation of the EU Budget Review - initial results of the consultation on regional policy which was launched by the Commission in September 2007 will be published in the 5th progress report on economic and social cohesion; a Green Paper on European territorial cohesion will also be launched;

Common Agricultural Policy "Health Check" consultation and follow up legislative proposals and the review of the Less Favoured Areas Scheme;

Climate Change - several initiatives will address the EU's objectives in this area: the climate change package expected on 23 January

2008 including, legislative proposals for achieving renewable energy targets, reviewing the European Emissions Trading Scheme and carbon capture and storage; the 2nd Strategic Energy Review; a green transport package; and white paper on adaptation to climate change;

Implementation of the **Lisbon Strategy** - the Commission's Strategic Report on the Lisbon Strategy will be presented on 11 December 2007. It will assess the implementation of reforms by Member States over the first 3 year cycle of the renewed Lisbon strategy. It will make formal proposals to the Spring European Council in March 2008 on reform priorities for the next three year cycle. The next annual progress report will then be published in December 2008.

Social Reality Stocktaking - the Commission has extended the consultation period on the stocktaking exercise (until 15 February 2008); it has recently published a supplementary paper on its "social vision" to provide further stimulus for the consultation which accompanied the Internal Market Review communication ("Opportunities, access and solidarity: towards a new social vision for 21st century Europe", 21 November 2007). The results of the stocktaking exercise will be the basis for developing a modern social agenda for Europe.

Implementation of the EU Integrated Maritime Policy Action Plan (published in October 2007);

Green paper on education and migration;

Implications of the Reform Treaty for the National Assembly for Wales in relation to the principle of subsidiarity and proportionality.

Further details and expected dates of adoption can be found in Annex A.

The Committee may wish to pursue some or all of these proposals by:

Requesting further information from the Welsh Assembly Government on the implications of the proposal for Wales; its view of the proposal and any input it has had into the UK Government's position;

Conducting consultation of Welsh stakeholders to formulate an informed view of the implications for Wales;

Maintaining a dialogue with Members of the European Parliament on the issue, particularly where they are co-legislators along with the Council of Ministers;

Exchanging views with the European Commission to help inform the Committee's understanding of the issues and, where appropriate, to raise issues of concern or to respond to Commission consultations.

The Members' Research Service, in particular the Brussels Office, will keep Members informed of developments in the policy areas of interest identified for the European and External Affairs Committee.

5. Recommendations for other Committees

As the Assembly's other committees will not be considering the Work Programme individually, it was agreed that this Committee would identify items to bring to the attention of other committees, via the Chair. Details of initiatives in the Work Programme which are relevant to the remit of other Committees can be found in Annex B.

Members may wish to pursue some of these items within the European and External Affairs Committee in addition to the ones suggested above.

Relevant items which are still under consideration from the 2007 work programme can be found in the paper considered on 25 September 2007 (paper EUR(3) 02-07(p.2)).

Annex A

Commission initiatives expected in 2008 in the suggested areas of interest for the European and External Affairs Committee

In addition to the European Commission's Annual and Legislative Work Programme, the Commission publishes a "Forward Programming" document for the year which indicates all other legislative and non-legislative initiatives which they are planning for 2008 which is published on the Commission's website: http://ec.europa.eu/atwork/programmes/docs/2008 forecast report.pdf

These are included in the list below where relevant, their title noted in italics.

Title	Subject	Timing
EU Budget Review		

Budget review (Non- legislative)	The objective is to examine what reforms are needed to optimise Europe's contribution in addressing key challenges of the next decade, based on the principles of added value in pursuing the common interest and effectiveness of spending. This analysis is therefore potentially an important input to proposals to be presented by the next Commission for a new multi-annual financial framework, covering the period from 2014 onwards.	4 th quarter 2008
Future of Regional Policy		
"Fifth progress report on economic and social cohesion " "(Non- legislative)"	Update situation and trends in European regions on certain key areas and on the basis of latest statistics; - Report on the debate launched by the 4th Cohesion report on the future of cohesion policy.	2 nd quarter 2008
Green Paper on European territorial cohesion (Non- legislative)	The objectives of this action are: to analyse from an institutional, political and operational perspective the way in which Member States understand and apply the concept of territorial cohesion. This work will be mainly based on questionnaires and analysis of operational programmes. to provide a common definition of the concept and to propose possible tools for a better integration of this territorial dimension in the Structural funds and in some sectoral policies having a territorial impact. to initiate an in-depth dialogue between Member States and the Commission.	October 2008
Common Agricultural Policy		
Legislative proposals arising from the Communication on the 'Health Check' in the Common Agricultural Policy Revision (Legislative)	Following the 2007 Communication on the "Health Check" in the Common Agricultural Policy (CAP), the legislative proposals will provide options aiming at making the Single Payment Scheme more effective, adapting the market support instruments and addressing the new challenges facing the sector. The "Health Check" is not a fundamental reform, rather it essentially aims to ensure that the CAP functions effectively and to simplify it where possible. This initiative arises from the review clauses regarding the Single Payment Scheme and certain agricultural markets that were included 2003/04 CAP reforms.	May 2008

Title Subject Timing

White Paper on Adaptation to Climate Change (Non-legislative) Green transport package: a) Communication on greening the transport sector b) Communication on the internalisation of external costs of transport (smart charging) (Non-Legislative) Energy package: 2nd Strategic Energy Review Communication - (Non-legislative)	change and anticipate and accompany those changes. The objective is to avoid significant effects on human health, biodiversity and habitats, and on EU citizens' quality of life. Measures in the White Paper will also imply changes in existing Community policies. a) This Communication will present the main findings of three initiatives in the area of transport (Internalisation of external costs, Green Propulsion and ITS Action Plan) and will draw possible recommendations for the future. b) This second Communication will provide a generally applicable, transparent and comprehensible model for the assessment of external costs of various modes of transport. It will analyse how internalisation measures can correct a specific type of market failure that is very relevant in the transport field and which consists in the presence of large negative externalities. The Communication will short-list available policy tools to address the issue (ETS, taxes, charges etc. and combinations of individual policy tools) and analyse the likely economic, social and environmental impacts of each of the short-listed options. It may be accompanied with legislative proposals or announce that they will be presented later in 2008. The Review will assess the progress towards strategic objectives agreed in March 2007, including how the internal market is taking shape, action to increase the share of renewable energy in the energy mix, trends in greenhouse gas emissions from energy, key energy technology developments and achievements in the EU's external energy policy. It will help in formulating recommendations for future policy development, and in taking forward further work on an EU energy policy for Europe. It will particularly examine how the security of energy supply of the European Union may be enhanced by a fully functioning internal market, by improved and diversified infrastructures and interconnections, including storage and LNG terminals, by better stocks management, by solidarity mechanisms, by a more diversified energy mix, throu	November 2008
Adaptation to Climate Change (Non-legislative) Green transport package: a) Communication on greening the transport sector b) Communication on the internalisation of external costs of transport (smart charging)	 human health, biodiversity and habitats, and on EU citizens' quality of life. Measures in the White Paper will also imply changes in existing Community policies. a) This Communication will present the main findings of three initiatives in the area of transport (Internalisation of external costs, Green Propulsion and ITS Action Plan) and will draw possible recommendations for the future. b) This second Communication will provide a generally applicable, transparent and comprehensible model for the assessment of external costs of various modes of transport. It will analyse how internalisation measures can correct a specific type of market failure that is very relevant in the transport field and which consists in the presence of large negative externalities. The Communication will short-list available policy tools to address the issue (ETS, taxes, charges etc. and combinations of individual policy tools) and analyse the likely economic, social and environmental impacts of each of the short-listed options. 	2008
Adaptation to Climate Change	human health, biodiversity and habitats, and on EU citizens' quality of life. Measures in the White Paper	
Climate Change	Policy statement covering measures to ensure adaptation to climate change in a broad range of areas fundamental to the EU way of life (e.g. industry, agriculture, energy, fisheries, forestry, tourism, social policy), reduce their vulnerability, increase their resilience to the inevitable negative impacts of climate	
Council Regulation - Review of the Less Favoured Areas Scheme (delimitation of designated areas) (Legislative)	Support for Less Favoured Areas (LFAs) is granted with the objective to contribute through the continued use of agricultural land to maintaining the countryside, as well as to maintaining and promoting sustainable farming systems. It is a vital part of the Rural Development Policy. The initiative will result in an improved delimitation system for areas with handicaps, thus adjusting the measure to changed circumstances.	4 th quarter 2008

Energy package: Recasting of Directive 2002/91/EC of 16 December 2002 on the Energy Performance of Buildings (*) (Legislative)	The Energy Performance of Buildings Directive makes certificates for the energy performance of buildings mandatory and requests (non-specified) minimum energy performance requirements for new buildings and existing building which undergo major renovation. Furthermore, the Directive requests regular inspections of boilers and air-conditioning systems in order to guarantee an energy efficient operation of these appliances. An updated Directive could strengthen and specify some of these requirements and could add financing aspects to the Directive. An Impact Assessment shall specify and analyse these possible amendments.	
"Effort Sharing Decision to achieve greenhouse gas reduction targets 2020 "	The 2007 European Spring Council endorsed ambitious greenhouse gas reduction targets by 2020. It decided that a differentiated approach to the contributions of the Member States is needed, based on Community policies and on an agreed internal burden-sharing. The Commission, in close cooperation with the Member States will come forward with a legislative proposal that covers this burden sharing.	January 2008
"Directive on the promotion of renewable energy "	Implementation of the renewable energy aspects of the European Council conclusions of March 2007.The objectives are to put into legal practice a binding 20% target of renewables, a 10% binding target for biofuels, a sustainability scheme for biofuels as well as a range of flanking measures required for these objectives to be reached.	January 2008
Lisbon Strategy		
Annual Progress Report on the Lisbon Strategy (Non-legislative)	The annual report sets our progress achieved both at Community and Member States level, whilst identifying a limited number of actions for decision. It is the main document for discussion at the Spring Council. In this context, the importance of education and training will be highlighted.	December 2008
Social Agenda		
Commission Recommendation on Active Inclusion, Follow- up to the second stage consultation	At the start of 2008, political attention within the EU will be driven by the lessons drawn by the Commission from the Social Reality Stocktaking exercise. This initiative constitutes the final stage of a process initiated in 2006 with art. 138-based consultation on active inclusion of people furthest from the labour market, which was based on three pillars, namely (a) a link to the labour market through job opportunities or vocational training, (b) income support at a level that is sufficient for people to have a dignified life, and (c)better access to quality services. In the framework of the Lisbon strategy, this initiative is complementary to the flexicurity approach by reaching out to people further from the labour market. The Recommendation would aim to update the 1992 Recommendation on minimum income. This initiative would strengthen the delivery of Europe's social objectives and clearly support and complement the agreed flexicurity principles. It will also build on the strengthening of the Open Method of Co-ordination and the promotion of Social Services of General Interest.	October 08

Title	Subject	Timing
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Commission Communication on "A renewed commitment to social justice in Europe: deepening the open method of coordination in social protection and social inclusion" (Non-legislative)	As a result of inequalities of opportunities, not all EU citizens can achieve their full potential. There is scope for improving the existing process supporting Member States' efforts to eradicate poverty, promote social inclusion, and modernise social protection. Policy coordination and mutual learning should be strengthened. "Deepening the OMC" means helping Member States identify more clearly the challenge of social inclusion and the gaps in their social protection systems as well as the policies best suited to tackle them through closer monitoring and benchmarking, and a clearer focus on policies and the mechanisms for implementing them.	September 08
"Communication on the mid-term review of the implementation of the Social Agenda (2005- 2010)" (Non-legislative)	The Communication will aim at taking stock of the implementation of the Social Agenda, in particular to what extent it has contributed to realising the social objectives of the Lisbon Strategy. In light of this assessment, it will if necessary signal a refocus of priorities in the employment and social fields and details ways to improve the governance and implementation of the Agenda until 2010.	2 nd quarter 2008
"Stocktaking of European social reality "	The Commission has committed in its communication on a Citizen's agenda to take comprehensive stock of the reality of European society. The stocktaking process should allow to analyse major trends in societal change and assist in identifying appropriate policy responses, alongside the single market review and as a basis for launching an agenda for opportunity, access and solidarity.	1 st quarter 2008
Others		

Maritime Transport package: a) Communication on the future EU Maritime Transport Policy (Non-legislative) Accompanied by legislative proposals:	 a) This Communication will take account of developments since the 1996 maritime transport strategy. It will address all the questions raised in connection with the role and contribution of maritime transport to the European economic system as a whole. All implications resulting from the intensification of the globalisation process, the growth in trade, energy and climate change constrains, security factors, sustainable development, human factor, competitiveness and emerging logistics trends will be examined. (This initiative is part of the Integrated Maritime Policy Action Plan) b) The maritime legislation of the EU has considerably evolved since the creation of EMSA as witnessed by the three modifications already adopted of the founding regulation. The third maritime safety package proposed by the Commission in 2005 will further enhance EMSA's tasks. The following extensions are under consideration: taking over certain activities of the Paris Memorandum of Understanding in the area 	October 2008
 b) Revision of Regulation (EC) No 1406/2002 establishing a European Maritime Safety Agency c) Legislative proposal on a Maritime Space without Barriers 	of Port State Control; new tasks in the areas of security, research and general maritime policy. Cooperation with third countries and governance issues will also be examined. c) To establish an effective Internal Market for short sea shipping, the administrative procedures for short-sea shipping need to be simplified. This will result in less congestion, negative environment impacts and energy consumption, as well as improved safety. The effective implementation of Single Market concepts in coastal waters around the EU requires a change in the existing regulatory and administrative framework. (This initiative is part of the Integrated Maritime Policy Action Plan)	
Title	Subject	Timing
Green Paper on Migration and Education (Non-Legislative)	The Green Paper will underline the central role of education in integration policies, raise awareness on the problems faced by migrant pupils and analyse possible solutions and good practices. It will also address what Community programmes and funds can do to support policy development.	April 2008
"Communication "Communicating the Reform Treaty and discussing it with the citizens"" (Non-legislative)	Taking stock of the results of Plan D, the Commission will present new proposals to nurture and widen the democratic debate throughout the EU during the ratification of the Reform Treaty and in the run-up to the European parliamentary elections of 2009.	February 2008

Annex B: Items to be drawn to the attention of other committees

In addition to the European Commission's Annual and Legislative Work Programme, the Commission publishes a "Forward Programming" document for the year which indicates all other legislative and non-legislative initiatives which they are planning for 2008 which is published on the Commission's website: <u>http://ec.europa.eu/atwork/programmes/docs/2008_forecast_report.pdf</u>

These are included in the list below where relevant, their title noted in italics.

"Communities and Culture"

Title	Туре	Timing	
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Communication on the next multi-annual strategy to establish an area of freedom, security and justice	Non- legislative	June 2008
Commission Recommendation on Active Inclusion, Follow-up to the second stage consultation	Non- legislative	October 08
Commission Communication on "A renewed commitment to social justice in Europe: deepening the open method of coordination in social protection and social inclusion"	Non- legislative	September 08
"Communication on the mid-term review of the implementation of the Social Agenda (2005-2010)"	Non- legislative	2 nd quarter 2008
"Stocktaking of European social reality "	Non- legislative	1 st quarter 2008

"Enterprise and Learning"

Title	Туре	Timing
EU Budget Review communication	Non-legislative	4 th quarter 08
Annual progress report on the Lisbon Strategy	Non-legislative	December 08
Green transport package Communication on greening the transport sector and a Communication on the internalisation of external costs of transport (smart charging)	Communication possibly with legislative proposals	June 08
Green Paper on European territorial cohesion	Non-legislative	October 08
Communication and Action Plan on Sustainable Industrial Policy	Non-legislative	March 08
Sustainable Production and Consumption Action Plan	Non-legislative	February 08
Communication on the future EU Maritime Transport Policy accompanied by legislative proposals	Communication with legislative proposals	October 08
"Commission Communication on Marine and Maritime related research strategy and implementation roadmap"	Non-legislative	June 2008
Communication on anticipating and managing change.	Non-legislative	July 08
Communication "Small Business Act (SBA) for Europe"	Non-legislative	July 08

State aid: General Block Exemption Regulation - final adoption (Commission regulation on the application of Articles 87 and 88 of the treaty to regional aid, SME, R&D, environmental aid, employment, training)		2 nd quarter 08
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"Enterprise and Learning (continued)"

Title	Туре	Timing
Communication on Multilingualism: Addressing the challenge of European Society Communication	Non- legislative	September 2008
Green Paper on Migration and Education	Non- legislative	April 2008
"Fifth progress report on economic and social cohesion "	Non- legislative	2nd quarter 2008
"Modernising school education in Europe"	Non- legislative	February 08
"Proposal for a Recommendation on the Establishment of the European Credit System for Vocational Education and Training"	Legislative	March 2008
"Commission Communication on an updated strategic framework for open coordination on Education and Training policies and systems"	Non- legislative	December 2008
"Action Plan on Urban Mobility"	Non- legislative	October 2008
"Green Paper on the future of TEN-T policy "	Non- legislative	November 2008

"Health Wellbeing and Local Government Committee"

Title	Туре	Timing
Health package: a) Communication and Council Recommendation on Patient Safety and Quality of Health Services b) Council recommendation on health care associated infections	Non-legislative	November 2008
Green paper on health professionals in Europe	Non-legislative	4 th quarter 2008

Pharmaceuticals package: a) Communication on the future of the single market in pharmaceuticals for human use b) Directive on Pharmaceuticals - Information to patients c) Strengthening and rationalising EU Pharmacovigilance	Communication with legislative proposals	October 2008
Organ donation and transplants: directive on quality and safety accompanied by an Action plan for closer cooperation between Member States	Legislative	4 th quarter 2008
Revision of the Pharmaceutical "Variations" Regulations: change to the legal basis, in Directives 2001/83/EC on the Community code relating to medicinal products for human use and 2001/82/EC for veterinary use	Legislative	July 2008
Commission Communication on a European Action in the field of Rare Diseases	Non-legislative	November 2008
Communication on telemedicine and innovative technologies for chronic disease management	Non-legislative	October 2008
Community initiative on work-related musculoskeletal disorders	Non-legislative	4 th quarter 2008
"Green public procurement directive"	Legislative	September 2008

"Sustainability "

Title	Туре	Timing
EU Budget Review communication	Non-legislative	4 th quarter 2008
Green transport package: communication on greening the transport sector and a Communication on the internalisation of external costs of transport (smart charging)	Communication possibly with legislative proposals	June 2008
White Paper on Adaptation to Climate Change	Non-legislative action	November 2008
2nd Strategic Energy Review Communication	Non-legislative	November 2008
Energy Performance of Buildings: recasting of Directive 2002/91/EC of 16 December 2002	Legislative	November 2008
"Directive on the promotion of renewable energy "	Legislative	January 2008

"Effort Sharing Decision to achieve greenhouse gas reduction targets 2020 "	Legislative	January 2008
"Communication on new mechanisms for the development and demonstration of sustainable coal technologies."	Non-legislative	January 2008
"Communication on national energy efficiency action plans in the frame of the Directive on the promotion of End-use efficiency and Energy Services"	Non-legislative	January 2008
Common Agricultural Policy: legislative proposals arising from the Communication on the CAP Health Check	Legislative	May 2008
Less Favoured Areas: Council Regulation Review of the Scheme (delimitation of designated areas)	Legislative	4 th quarter 2008
Green Paper on agricultural product quality policy	Non-legislative	October 2008
Biodiversity: Mid-term report on implementation of Biodiversity Action Plan	Non-legislative	November 2008
Communication on policy options to tackle invasive alien species	Non-legislative	September 2008
Communication and Action Plan on Sustainable Industrial Policy	Non-legislative	March 2008
Sustainable Production and Consumption Action Plan	Non-legislative	February 2008
Waste: Draft Directive of the European Parliament and the Council on Waste Electric and Electronic Equipments WEEE), amending the Directive 2002/96/EC.	Legislative revision and simplification	September 2008
Waste: Revision of regulation on substances that deplete the ozone layer, amending Regulation 2037/2000/EC	Legislative simplification and recast	October 2008
Communication on the future EU Maritime Transport Policy accompanied by legislative proposals	Communication with legislative proposals	October 2008
"Action Plan on Urban Mobility"	Non-legislative	October 2008
"Commission Communication on "European research addressing the challenge of climate change and clean energy: towards a Sustainable Europe""	Non-legislative	November 2008

"Sustainability (continued)"

Title Type Timing

"Regulation on the protection of animals at slaughter or killing "	Legislative	June 2008
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"Children and Young People Committee"

Title	Туре	Timing
A programme to protect children using the Internet and the new media (2009-2013)	Non-legislative	February 2008

"Equality of Opportunity"

Title		Timing
Asylum package		
a) Policy Plan on Asylum,		
b) proposal amending Council Directive 2003/9/EC on reception conditions for asylum-seekers,		
c) proposal amending Council Regulation (EC) No 343/2003 on the criteria and mechanisms to determine		July 2008
the Member State responsible for assessing asylum applications	with legislative proposals	
d) modification of the asylum procedures directive;		
e) modification of the directive on the recognition of refugee status and on the approximation of forms of		
subsidiary protection		
Proposal for a directive on the conditions of entry and residence of seasonal workers	Legislative	November 2008
Green paper on migration and education	Non-legislative	April 2008
Proposal for a directive implementing the principle of equal treatment outside employment	Legislative	June 2008
Proposal for a directive on the introduction of measures to encourage improvements in the safety and health at work of pregnant workers and workers who have recently given birth or are breastfeeding amending (Directive 92/85/EEC of 19 October 1992)	Legislative	September 2008
Communication on Multilingualism: Addressing the challenge of European Society	Non-legislative	September 2008
"Communication "Meeting the needs of an ageing population""	Non-legislative	October 2008
"Communication on the follow-up of the 2007 European Year for Equal Opportunities or all - Setting the future for antidiscrimination policy"	Non-legislative	June 2008

"Finance Committee"

Title	Туре	Timing
EU Budget Review Communication	Non-legislative	4 th quarter 08