

Modtaget via elektronisk post. Der tages forbehold for evt. fejl

Europaudvalget (2. samling)
(Alm. del - bilag 444)
rådsmødereferater
(Offentligt)

ERU, Alm. del - bilag 181 (Løbenr. 7370)

Medlemmerne af Folketingets Europaudvalg
og deres stedfortrædere

Bilag	Journalnummer	Kontor	
1	400.C.2-0	EU-sekr.	8. marts 2002

Til underretning for Folketingets Europaudvalg vedlægges Økonomi- og Erhvervsministeriets redegørelse for rådsmøde (indre marked, forbruger og turisme) den 1. marts 2002.

2002

Sag 01-874-23

TKR/MV

Rådsmøde (Indre Marked, Forbruger og Turisme) den 1. marts 2002

Formandskabet konkluderede, at overgangen til euro'en er forløbet godt. Forbrugerne gik hurtigt over til at bruge euro'en, og der har ikke været store problemer med uberettigede prisstigninger. Kommissionen fremlægger den 6. marts 2002 en meddelelse om alle aspekter (dvs. ikke kun forbruger-aspekterne) af euro'ens indførelse. Sagen skal drøftes igen på rådsmødet (indre marked, forbruger og turisme) den 21. maj 2002.

Debatten tog udgangspunkt spørgsmål, som formandskabet på forhånd havde bedt euro-landene tage stilling til: 1) hvordan det generelt er gået med indførelsen af euro'en, 2) hvordan forbrugerne har reageret, herunder især handicappede, ældre og økonomisk svagt stillede, 3) har der været tilfælde af uberettigede prisstigninger, og hvad er der gjort for at modvirke dette og 4) hvor længe bør den dobbelte p elig:rkning fortsætte, og er der risiko for, at priserne på længere sigt justeres opad.

Rådet vedtog resolutionen om beskyttelse af forbrugere, især unge, om mærkning af visse videospil og computerspil efter aldersgrupper. Der var ikke yderligere bemærkninger.

Formanden konkluderede, at sagen drøftes igen på rådsmødet den 21. maj 2002, hvor Kommissionen vil fremlægge

et skriftligt oplæg om resultaterne af høringen samt forslag til næste skridt.

Kommissionen orienterede om baggrunden og indholdet af grønbogen samt om resultaterne af høringen.

Der var kommet mange høringssvar – i alt 180. Der var mange forbehold i høringssvarene, hvilket nok skyldtes, at grønbogen ikke er så detaljeret med hensyn til konkrete forslag til lovgivning.

Kommissionen oplyste, at de fleste gik ind for den blandede metode fremfor den specifikke metode. Både forbruger- og erhvervsorganisationer og medlemsstater er positive overfor spørgsmålet om styrket håndhævelse.

Rådet vedtog Cardiff-konklusioner om den økonomiske reformproces (vedlagt).

Kommissionen præsenterede sin synteserapport. Kommissionen og medlemsstaterne havde herefter en bred debat om forberedelsen af Det Europæiske Råds møde i Barcelona. Medlemsstaterne betonedede vigtigheden af at følge op på Lissabon-dagsordenen. Mange medlemsstater mente, at Cardiff-processen burde justeres, og mange pegede også på, at bioteknologi er en vigtig sektor. Mange medlemsstater fremhævede og så liberalisering af energimarkederne og reduktion af administrative byrder. Formanden konstaterede, at topmødet bør give retningen for fx offentlige udbud og EF-patentet.

Fra dansk side blev der lagt vægt på bedre gennemførelse af EU-direktiver og forenkling af regler samt fortsat liberalisering af forsyningsvirksomheder – især el og gas. Der blev også lagt vægt på vedtagelse af revisionen af udbudsreglerne, vedtagelse af EF-patentet, færdiggørelse af den finansielle handlingsplan. Danmark lagde også vægt på, at der skabes optimale rammevilkår for anvendelsen af bioteknologi og biovidenskab gennem sikker og gennemskuelig regulering, og at der bliver skabt tillid til udnyttelsen af bioteknologien ved at indrage etiske aspekter.

Rådet vedtog konklusionerne. Portugal og Grækenland afgav en erklæring om, at de eksisterende nationale kontaktpunkter burde modtage finansiering fra fællesskabet.

På baggrund af drøftelse under frokosten konstaterede formandskabet, at der var enighed om, at Rådet skulle arbejde målrettet mod at nå et kompromis om væsentlige udeståender som sprog, omkostninger og domstolsspørgsmålet til Rådsmødet den 21. maj 2002. Formandskabet konstaterede, at statusrapporten var taget til efterretning, og bad Coreper arbejde videre med de udestående vigtige punkter.

Kommissionen forklarede, at den havde gennemført en høring, hvor hovedparten af svarene havde været negative. Årsagerne til den negative indstilling er, at en europæisk brugsmodel vil have negativ effekt på konkurrenceevnen og underminere patenterne. Kommissionen vil på et senere tidspunkt afgive en skriftlig rapport. Formandskabet så frem til, at Kommissionen afgav sin skriftlige rapport, så R&ari ng;det den 21. maj 2002 ville kunne drøfte sagen i detaljer.

Kommissionen forklarede, at forslaget blot gør eksisterende praksis klar. Forslaget giver ikke mulighed for, at softwareprogrammer i sig selv kan patenteres. Patenterbare opfindelser skal give et teknisk bidrag. Formandskabet konkluderede, at Rådet tog præsentationen til efterretning.

Kommissionen opfordrede kraftigt til hurtig vedtagelse af forslagene, fordi man allerede er bagud for Lissabon-tidsplanen, og opfordrede medlemsstaterne til at være fleksible. Da parlamentet har udtalt sig, er der ikke noget til hinder for en hurtig vedtagelse.

Formandskabet vil søge at nå til politisk enighed om udbudsdirektiverne ved næste rådsmøde den 21. maj. Dette blev støttet af flere medlemsstater og Kommissionen, som opfordrede medlemsstaterne til at være fleksible. Fra

dansk side var der tilfredshed med de hidtidige forhandlinger om at sikre bedre muligheder for at inddrage miljø- og sociale hensyn, og Danmark ville derfor anlægge en fleksibel linie i de videre forhandlinger. Formandskabet konstaterede, at statusrapporten var taget til efterretning.

Kommissionen henviste til at industrien meget gerne ville have forslaget vedtaget hurtigst muligt. Kommissionen mente, at der var tale om et fleksibelt og moderne instrument, som ikke afløser national lovgivning, men bygger oven på. Kommissionen mente, at andelsselskaber bør kontrolleres og ejes af medlemmerne. Formanden konstaterede, at statusrapporten var taget til efterretning og henviste til at forslaget burde kunne vedtages på rådsmødet (indre marked) den 21. maj 2002.

Rådet vedtog konklusionerne, og at konklusionerne kan offentliggøres i EF-Tidende. Kommissionen holdt et kort indlæg om standardiseringens betydning og nævnte, at rådskonklusionerne var af betydning for de politiske beslutningstagere.

NOTE

From :	Council (Internal Market, Consumer Affairs and Tourism)
To :	Barcelona European Council (15-16 March, 2002), ECOFIN Council
No. prev doc:	6496/02 MI 35
Subject :	Internal market aspects of the Cardiff economic reform process: Council conclusions

In the Annex to this note are reproduced the Conclusions adopted by the Council (Internal Market, Consumer Affairs and Tourism) at its meeting on 1 March 2002 on the internal market aspects of the Cardiff economic reform process.

The Council forwards these Conclusions to the European Council as its contribution to the assessment of progress on economic reform at its forthcoming meeting in Barcelona.

The Conclusions are also forwarded to the ECOFIN Council, to assist with its further work on the development of the Broad Economic Policy Guidelines for 2002, and to the Commission in the context of its annual review of its Strategy for the Internal Market.

ANNEX

INTERNAL MARKET, CONSUMER AFFAIRS AND TOURISM COUNCIL CONTRIBUTION ON ECONOMIC REFORMS FOR THE BARCELONA EUROPEAN COUNCIL

COUNCIL CONCLUSIONS

In the context of the new strategic goal for the European Union defined by the Lisbon European Council and as the contribution of the Internal Market, Consumer Affairs and Tourism Council to the forthcoming Barcelona European Council;

welcoming the progress which has already been achieved with economic reforms in terms of market opening and lower prices for consumers whilst preserving the universal service and quality dimensions of services of general interest;

noting, however, that in the present economic conditions it is important to give a new impetus to product market reforms, particularly in those areas where progress has been slow, building on the stability resulting from the successful introduction of the euro, in order to achieve the objectives set out by the Lisbon European Council;

emphasising the need to strengthen the confidence of business and consumers in markets, goods and services;

recalling that the proper functioning of the internal market needs to contribute to the objectives set out in the Treaty of promoting the overall harmonious and sustainable development of the Community and of strengthening the horizontal integration of economic, social and territorial cohesion;

stressing the importance of well-functioning markets in view of the approaching enlargement of the European Union;

recalling its contribution to the Göteborg European Council regarding a strategy for the integration of sustainable development and environmental protection into internal market policies;

recalling the internal market aspects included in the 2001 Broad Economic Policy Guidelines;

with reference to the forthcoming review and update of the Commission's Strategy for the internal market;

drawing on the analysis of the annual reports of the Member States and the Commission on the functioning of product and capital markets within the framework of the Cardiff process;

developing its contribution of 31 January 2002 on key issues for the 2002 Broad Economic Policy Guidelines in the area of the internal market, and considering the relevant aspects of the internal market issues included in the Commission's Communication to the Spring European Council in Barcelona "The Lisbon strategy - Making change happen";

THE COUNCIL HAS ADOPTED THE FOLLOWING CONCLUSIONS:

Creating optimum conditions for business

1. The Internal Market, Consumer Affairs and Tourism Council stresses the need to take decisive action to deliver the reform agenda agreed upon by successive European Councils in order to further improve the internal market as a dynamic environment for business.

2. Member States should pursue their efforts to reduce the overall level of **State aid**, in particular ad hoc aid, and redirect it towards horizontal objectives of common interest including economic and social cohesion. To this end, the Commission is encouraged to continue to provide regular information through the State Aids Register and Scoreboard.

3. Modernisation of the **competition rules** should be actively pursued with a view to approval by the Council of the proposal to that effect by the end of this year. Competition rules need to be applied coherently by the Commission and by effective, independent national competition authorities.

4. Efforts should be intensified with a view to rapid adoption by the Council and the European Parliament of the **public procurement** legislative package. The Council particularly encourages the Commission to pursue work to facilitate SME access to procurement markets.

5. In the light of the high priority which the Council and the Commission attach to **simplifying and improving the regulatory environment**, and taking into account the conclusions of the Laeken European Council, the Council urges the Commission to present its action plan as early as possible in the first half of 2002, taking into account in particular the report of the Mandelkern

Group. The Community and the Member States should step up current efforts to simplify and modernise legislation and administrative procedures having an effect on business and consumers at Community, national and regional levels. In addition, legislative acts at both Community and national level should be preceded by a regulatory impact assessment.

6. The elimination of remaining **technical barriers to trade** in the internal market should be pursued more vigorously. A specific scoreboard should be developed which clearly identifies technical barriers still in place and those Member States in which they remain, as well as progress in standardisation work.

With regard to **standardisation**, the Council has adopted separate conclusions on 1 March 2002, bearing in mind the strategic importance of standardisation to the implementation of different Community policies and the need to give urgent consideration to the follow-up to the Commission's report of September 2001. Particular priority should be given in this context by standards bodies to setting targets with a view to improving their efficiency and to developing a graduated system of new products.

The Commission is invited to present as soon as possible a report on the implementation of the Council Resolution of 28 October 1999 on **mutual recognition** and to reflect on determining those areas in which mutual recognition is more appropriate and those in which harmonisation is more appropriate.

7. The Council awaits the report which the Commission will present on the issue of the exhaustion of trade mark rights in response to the European Parliament's Resolution of 5 October 2001.

8. Improving the internal market in **services** is a crucial strategic challenge for the Community. Competition should be reinforced in services sectors, supported by the removal of barriers to cross-border trade and market entry. To this end, the Council urges the Commission to present as soon as possible its promised follow-up to its Communication on an Internal Market Strategy for Services and calls upon Member States to cooperate with the Commission to this end.

9. Further efforts are needed to remove barriers to the **right of establishment** of natural and legal persons and to the **cross-border provision of professional and technical services**. Measures should also be taken to promote improved mobility within the Union. To this end, priority should be given to the proposal for a Directive on the mutual recognition of academic and professional qualifications, which the Commission is expected to present shortly.

10. Full implementation of all internal market legislation is a legal obligation on all Member States and a prerequisite for the proper functioning of the internal market. Although progress has been made towards this goal in recent years, Member States should reinforce their commitment to the complete and timely **transposition of internal market legislation** and to an accelerated reduction of transposition deficits in accordance with the interim transposition target of 98,5% by the time of the Barcelona European Council, as established by Stockholm.

In assessing the results achieved, the Barcelona European Council should consider what further measures need to be taken. The Commission is also invited to pursue vigorously its efforts as the guarantor of correct **application** and effective **enforcement** of Community legislation, including through prompt and effective pursuit of infringement.

Building confidence in markets, goods and services

11. Business and consumer confidence in goods and services and the functioning of markets is an essential prerequisite for the development of business in the internal market. **Consumer confidence in cross-border trade**, including **e-commerce**, will be enhanced by open and accessible markets and should be fostered by strengthening consumer protection, by easier access to information and to appropriate judicial and other redress mechanisms, by ensuring a **high level of quality and safety of goods and services**, and by regular **monitoring of price developments**.

12. Priority should be given to effective follow-up to **the Commission's Green Paper on Consumer Protection**.

Work should be continued on the proposal for a Regulation on sales promotion.

13. With regard to the improvement of the present **problem-solving mechanisms** in order to strengthen confidence of business and consumers in the internal market, the Council has adopted separate conclusions on 1 March 2002 on the "SOLVIT" initiative.

14. Priority should be given to full and timely implementation of the **Action Plan for Financial Services**. The introduction of the euro is an additional reason why it is essential to reduce the cost of and time taken to make cross-border commercial transactions for consumers and businesses. In this context, implementation of the Regulation of the European Parliament and of the Council of 19 December 2001 on cross-border payments in euro, the final adoption of the Directive on the distance marketing of financial services and increasing security in the use of new means of payment are of particular importance.

15. The Council awaits with great interest the Commission's forthcoming proposal on take-over bids.

Utilities and network industries

16. While progress is being made on the **opening to competition of utilities and network industries**, a renewed commitment is called for to implement the reforms agreed at Lisbon in order for the internal market to perform more effectively in key sectors, taking due account of the Council Conclusions on services of general interest adopted on 26 November 2001.

17. Priority should be given to reaching agreement on the basis of the proposals relating to the opening and further development of **energy markets**, taking into account the requirement to satisfy user needs and the need for transparency in the market through appropriate regulatory instruments with a view to implementing the objective of market-opening in these sectors.

18. Recalling the importance of the accession of the Community to Eurocontrol, work should be pursued actively on the **Single Sky initiatives** which aim at the creation of a Single European Sky by 2004.

19. In accordance with the Conclusions of the Stockholm and Laeken European Councils and following the first horizontal assessment of the market performance of **network industries providing services of general interest** presented by the Commission in the framework of the Cardiff process, the Commission is invited to present further assessments.

20. Action should be taken to ensure effective **interconnection and interoperability**, particularly in the sectors where deficits are identified such as transport and energy. In this context, work on the Commission's proposal on **TENs**, including their financing, should be intensified.

Innovation policy

21. Particular emphasis should be placed on **improving access of business, and in particular SMEs, to information and communication technologies** in order to enable them to take full advantage of the opportunities these technologies offer. Recalling the Stockholm European Council Conclusions, the Sixth Research Framework Programme should therefore make full use of the new instruments, among others, for promoting networks of excellence, integrated projects and the joint implementation of national programmes within its focused set of priorities, taking into account inter alia the need to reinforce cohesion and small and medium-sized enterprises.

22. Efforts should continue to **promote innovation, research and development, and entrepreneurship by SMEs in particular** and to improve their access to venture capital, including for business start-ups in high-tech sectors, through timely implementation of the Risk Capital Action Plan. An environment favourable to private sector investment in research and development should be encouraged.

23. Taking into account the Conclusions of several European Councils, work should be continued on the Community patent and utility model. As stated by the Laeken European Council, the **Community patent** should be a flexible instrument involving the least possible cost while complying with the principle of non-discrimination between Member States' undertakings and ensuring a high level of quality.

24. Efforts should also continue to provide a coherent and effective framework for **new technologies**. This will enable Community businesses to exploit the full potential of biotechnology, which is a key sector, while taking

due account of the precautionary principle, respecting fundamental values and meeting ethical and social concerns. In this context, the Council welcomes the Commission's recent communication on life sciences and biotechnology.

Further attention should be paid to the contribution that new technologies can make to employment, competitiveness and growth in the Union.

Review of the methods used in the context of the Cardiff economic reform process

25. The Council invites the Permanent Representatives Committee to conduct a thorough review of the methods used so far with regard to the internal market aspects of the annual Cardiff exercise and to report to it by September 2002 at the latest.

o

o o

These Conclusions are forwarded to the Barcelona European Council. They also serve as a contribution to the preparation of the Broad Economic Policy Guidelines for 2002 and to the Commission's annual review of its Strategy for the Internal Market.
