

17141/1/13 REV 1

(OR. en)

PRESSE 517  
PR CO 61

## PRESS RELEASE

3276th Council meeting

### Competitiveness (Internal Market, Industry, Research and Space)

Brussels, 2 and 3 December 2013

Presidents **Evaldas Gustas**  
Minister for Economy of Lithuania  
**Dainius Pavalkis**  
Minister for Education and Science of Lithuania

# P R E S S

---

Rue de la Loi 175 B – 1048 BRUSSELS Tel.: +32 (0)2 281 6715 / 6319 Fax: +32 (0)2 281 8026  
[press.office@consilium.europa.eu](mailto:press.office@consilium.europa.eu) <http://www.consilium.europa.eu/press>

## Main results of the Council

*The Council agreed on a general approach concerning a draft directive on **electronic invoicing in the field of public procurement**.*

*It also reached a general approach on a draft directive concerning actions for **damages for breaches of antitrust law**, which aims to facilitate claims by victims of antitrust violations and to allow them to receive full compensation.*

*The Council exchanged views on the **European Semester 2014** for coordination of economic policies. In this context, it adopted conclusions on **industrial policy, single market policy and smart regulation**.*

*Ministers took note of the progress made towards modernisation of the EU's **trade mark system**, which includes improved accessibility for EU companies, lower costs and increased speed and predictability.*

*The Council took note of the provisional agreement with the European Parliament regarding a draft directive on collective management of **copyright** and multi-territorial licensing of rights for **online music**.*

*During the research part of the session, the Council reached general approaches on nine **public and private partnerships** that will allow large-scale, long-term innovation activities to be carried out under the umbrella of **Horizon 2020**, the EU's next research framework programme.*

*The Council reached a political agreement with a view to amending the decision establishing the **European joint undertaking for ITER** (called "Fusion for Energy") in order to provide a better basis for the financing of the activities of this joint undertaking for the period 2014-2020.*

*Research ministers held a debate on ways to render the **public sector more innovative**.*

*The Council agreed on a general approach concerning the "**Copernicus programme**", the space programme for monitoring the Earth from the space, with a view to entering into negotiations with the European Parliament for its timely adoption. The Council also took note of the progress made on a proposal for establishing a **European surveillance and tracking service for space infrastructures**.*

*A number of other legislative acts were formally adopted without discussion, including the regulation laying down the **EU's multiannual financial framework for 2014-2020**, the **Horizon 2020 package** and the **Erasmus+** programme.*

**CONTENTS<sup>1</sup>**

<b>PARTICIPANTS</b> .....	<b>6</b>
<b>ITEMS DEBATED</b>	
INTERNAL MARKET and INDUSTRY .....	8
Public procurement: electronic invoicing .....	8
Antitrust law: actions for damages.....	9
European Semester 2014 : industrial policy, single market and smart regulation.....	10
– industrial policy.....	10
– single market .....	11
– smart regulation.....	11
Review of the trade mark system.....	12
RESEARCH and INNOVATION POLICY .....	13
Private and public partnerships for research and innovation .....	13
ITER experimental reactor: joint undertaking "Fusion for Energy".....	14
A more innovative public sector .....	15
SPACE POLICY .....	16
Copernicus space programme for 2014-2020 .....	16
Space surveillance and tracking service.....	16
ANY OTHER BUSINESS.....	18
– Defence industries.....	18
– Product safety and market surveillance package .....	19
– Collective management of copyright and multi-territorial licensing for online music .....	19

<sup>1</sup>

- 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>).
- Acts adopted with statements for the Council minutes which may be released to the public are indicated by an asterisk; these statements are available on the Council's Internet site or may be obtained from the Press Office.

–	Unitary patent protection system.....	20
–	State aid: General block exemption regulation.....	20
–	Work programme of the upcoming Greek Presidency .....	20

## **OTHER ITEMS APPROVED**

### *GENERAL AFFAIRS*

–	Multiannual financial framework for 2014-2020 .....	22
---	---	----

### *ECONOMIC AND FINANCIAL AFFAIRS*

–	Single Supervisory Mechanism: Memorandum of Understanding.....	23
---	--	----

### *RESEARCH*

–	Research infrastructures .....	23
–	HORIZON 2020: research programme for 2014-2020.....	24

### *TRADE POLICY*

–	Tariffs on imports of solar panels from China.....	24
–	WTO agreement on government procurement .....	25
–	WTO: Moratoria on customs duties on electronic transmissions .....	25
–	Yemen - WTO accession.....	25

### *JUSTICE AND HOME AFFAIRS*

–	Mobility partnerships - Azerbaijan - Tunisia.....	25
---	---	----

### *EDUCATION*

–	ERASMUS + programme .....	26
---	---------------------------	----

### *EMPLOYMENT*

–	Mobilisation of the European Globalisation Adjustment Fund - Finland, Denmark and Germany .....	26
---	---	----

### *AGRICULTURE*

–	Sugar sector: levies paid in excess .....	27
---	---	----

### *FOOD LAW*

–	Food supplements.....	27
---	-----------------------	----

### *TRANSPORT*

–	Documents for international coach and bus services.....	28
---	---	----

*TRANSPARENCY*

– Public access to documents ..... 28

## **PARTICIPANTS**

### **Belgium:**

Mr Johan VANDE LANOTTE

Mr Olivier BELLE

Deputy Prime Minister and Minister for the Economy,  
Consumers and the North Sea  
Deputy Permanent Representative

### **Bulgaria:**

Ms Aneliya KLISAROVA

Ms Anna YANEVA

Minister for Education and Science  
Deputy Minister for the Economy and Energy

### **Czech Republic:**

Mr Pavel ŠOLC

Mr Tomas HRUDA

Mr Jakub DURR

Deputy Minister for Industry and Trade  
Deputy Minister for Education  
Deputy Permanent Representative

### **Denmark:**

Mr Morten ØSTERGAARD

Mr Ole TOFT

Minister for Science, Innovation and Higher Education  
Deputy Permanent Representative

### **Germany:**

Mr Stefan KAPFERER

Mr Guido PERUZZO

State Secretary, Federal Ministry of Economic Affairs and  
Technology  
Deputy Permanent Representative

### **Estonia:**

Mr Juhan PARTS

Mr Clyde KULL

Minister for Economic Affairs and Communications  
Deputy Permanent Representative

### **Ireland:**

Mr John PERRY

Mr Seán SHERLOCK

Minister of State with responsibility for Small Business  
(Department of Jobs, Enterprise and Innovation)  
Minister of State with responsibility for Research and  
Innovation (Departments of Jobs, Enterprise and  
Innovation and Education and Skills)

### **Greece:**

Mr Konstantinos HATZIDAKIS

Mr Christos VASILAKOS

Minister for Development and Competitiveness  
General Secretary for Research and Technology

### **Spain:**

Mr Iñigo MÉNDEZ DE VIGO Y MONTOJO

Ms Carmen VELA OLMO

Mr Luis VALERO

State Secretary for the European Union  
State Secretary for Research, Development and Innovation  
Secretary General of Industry for Small and Medium  
Enterprises

### **France:**

Mr Arnaud MONTEBOURG

Ms Geneviève FIORASO

Minister for Economic Regeneration  
Minister for Higher Education and Research

### **Croatia:**

Mr Gordan MARAS

Mr Saša ZELENKA

Minister for Enterprise and Small Business  
Deputy Minister for Science, Education and Sport

### **Italy:**

Mr Enzo MOAVERO MILANESI

Ms Maria Chiara CARROZZA

Minister responsible for European Affairs  
Minister for Education, Universities and Research

### **Cyprus:**

Mr Stelios D. HIMONAS

Mr Alecos MICHAELIDES

Ms Maria HADJITHEODOSIOU

Permanent Secretary, Ministry of Energy, Commerce,  
Industry and Tourism  
Permanent Secretary, Ministry of Communications and  
Works  
Deputy Permanent Representative

### **Latvia:**

Mr Vjačeslavs DOMBROVSKIS

Mr Juris ŠTĀLMEISTARS

Minister for Education and Science  
Deputy Permanent Representative

**Lithuania:**

Mr Evaldas GUSTAS  
Mr Dainius PAVALKIS

Minister for the Economy  
Minister for Education and Science

**Luxembourg:**

Mr Georges FRIDEN

Deputy Permanent Representative

**Hungary:**

Mr Zoltán CSÉFALVAY

State Secretary for Parliamentary Affairs and Economic Strategy, Ministry of the National Economy

**Malta:**

Mr Stefan BUONTEMPO

Parliamentary Secretary for Research, Innovation, Youth and Sport within the Ministry for Education and Employment

**Netherlands:**

Mr Sander DEKKER  
Mr Wepke KINGMA

State Secretary for Education, Culture and Science  
Deputy Permanent Representative

**Austria:**

Mr Harald GÜNTHER

Deputy Permanent Representative

**Poland:**

Ms Grażyna HENCLEWSKA  
Mr Jacek GULIŃSKI

Deputy State Secretary, Ministry of the Economy  
Deputy State Secretary, Ministry of Science and Higher Education

**Portugal:**

Mr António PIRES DE LIMA  
Mr Nuno CRATO

Minister for the Economy  
Minister for Education and Science

**Romania:**

Mr Andrei-Dominic GEREA  
Mr Mihnea Cosmin COSTOIU

Minister for the Economy  
Minister with responsibility for Higher Education, Scientific Research and Technological Development

**Slovenia:**

Ms Metka IPAVIC

Deputy Permanent Representative

**Slovakia:**

Mr Dušan ČAPLOVIČ  
Mr Alexander MICOVČIN

Minister for Education, Science, Research and Sport  
Deputy Permanent Representative

**Finland:**

Mr Lauri IHALAINEN  
Ms Marja RISLAKKI

Minister for Labour  
State Secretary, Ministry of Employment and the Economy

**Sweden:**

Mr Håkan EKENGREN

State Secretary (responsible for business development, competitiveness development and innovation)  
State Secretary responsible for higher education and research, Ministry of Education

Mr Peter HONETH

**United Kingdom:**

Ms Shan MORGAN

Deputy Permanent Representative

**Commission:**

Mr Joaquin ALMUNIA  
Mr Antonio TAJANI  
Mr Michel BARNIER  
Mr Neven MIMICA  
Ms Máire GEOGHEGAN-QUINN  
M. Günther OETTINGER

Vice-President  
Vice-President  
Member  
Member  
Member  
Member

## **ITEMS DEBATED**

### **INTERNAL MARKET and INDUSTRY**

#### **Public procurement: electronic invoicing**

Following a public debate, the Council agreed on a general approach<sup>1</sup> to develop e-invoicing in the field of public procurement ([16162/13](#)).

It invited the Presidency to start negotiations with the European Parliament on the basis of the general approach with a view to reaching an agreement at first reading.

The objective of the proposal is to introduce a European e-invoicing standard that would reduce market access barriers in cross-border public procurement caused by insufficient interoperability of electronic technical standards.

The EU is taking another step towards the digitisation of public procurement contracts by using e-invoicing in such procedures. It will supplement the recent reform carried out following the adoption of the three new directives for the modernisation of public procurement.

The adoption of e-invoicing in public procurement across the EU could generate savings of up to EUR 2.3 billion a year. Currently, the uptake of e-invoicing across Europe is very low, accounting for only 4 to 15% of all invoices.

E-invoicing in public procurement should improve the functioning of the internal market, reduce obstacles to market access, especially for SMEs, and solve the problem of the compatibility of different e-invoicing systems in various member states. Procedures will become faster and less costly.

Although most member states provide an environment for electronic publication of public contracts, the terms of the tendering procedure and bids from tenderers, these opportunities are still not fully used in practice. The business sector welcomed the initiative for the uptake of e-invoicing for public procurement and acknowledged that it would be highly beneficial for business.

This is part of the ongoing modernisation of the public administration sector and the development of the European digital agenda, which includes facilitating cross-border online trade. It will also be of great importance in the context of the establishment of a Single Euro Payments Area (SEPA).

*Further information:* [http://europa.eu/rapid/press-release\\_MEMO-13-614\\_en.htm?locale=en](http://europa.eu/rapid/press-release_MEMO-13-614_en.htm?locale=en)

---

<sup>1</sup> A general approach is an agreement on the essential elements of a legal act, pending the opinion of the European Parliament.



## **Antitrust law: actions for damages**

Following a public debate, the Council agreed on a general approach on a draft directive concerning actions for damages for breaches of antitrust law. The agreement is based on a compromise proposal put forward by the Presidency ([15983/13](#)).

It invited the Presidency to start negotiations with the European Parliament on the basis of the general approach with a view to reaching an agreement at first reading.

The initiative aims to facilitate claims by victims of infringements of EU competition rules. It will harmonise and ensure the effective enforcement of antitrust rules within the EU, thereby allowing the victims of a cartel to receive full compensation for both the actual loss suffered and for lost profits.

While the right to full compensation is guaranteed by the EU treaty, it is often difficult or nigh on impossible to exercise this right in practice because of the different national rules and procedures which apply. Despite recent improvements, to date most victims of infringements of EU competition rules do not in practice obtain compensation for their losses.

The effectiveness of current leniency programmes, which comprise an important element of the enforcement of EU competition law, should be maintained after adoption of the directive.

Infringements of EU competition law such as cartels or abuses of dominant market positions cause serious harm, not only to the economy as a whole, but also to businesses and consumers.

*Further information:* [http://europa.eu/rapid/press-release\\_MEMO-13-531\\_en.htm](http://europa.eu/rapid/press-release_MEMO-13-531_en.htm)

## **European Semester 2014 : industrial policy, single market and smart regulation**

Ministers for competitiveness held a debate on the European Semester 2014 for economic policy coordination, with a focus on the role of the internal market and the reforms to create growth and jobs. In this context, they approved three sets of conclusions on industrial policy, single market policy and smart regulation.

The outcome of the debate and the conclusions will feed into the forthcoming discussions of the European Council on the European Semester and on the implementation of the Growth Agenda.

The debate followed a presentation by the Commission of the recent communication on the Annual Growth Survey (AGS) for 2014 ([16171/13](#)). The AGS launches the 2014 European Semester for economic policy coordination, which ensures that member states align their budgetary and economic policies with the Stability and Growth Pact and the Europe 2020 strategy for growth and jobs.

The discussion was structured by means of policy questions put forward by the Presidency ([16173/13](#)).

Ministers highlighted the areas within the remit of the Competitiveness Council where closer coordination of economic policies would produce positive effects on European competitiveness. These included the effective coordination of industrial policy, the promotion of innovation, taking account of the impact of other policy areas (such as energy, environment, trade or education) on the competitiveness of the economy, further deepening the single market, the development of the digital market, facilitating business access to finance, especially for SMEs, and the creation of a favorable environment for EU companies.

### – *industrial policy*

The Council adopted conclusions on industrial policy ([17202/13](#)). The conclusions put forward recommendations on a broad range of issues affecting industrial competitiveness such as innovation, measures to facilitate access to finance, improved market conditions (internal market, third country markets, energy markets, including a level playing field vis-à-vis third country energy producers and access to raw materials) and human capital, in the run up to the February 2014 European Council.

The conclusions incorporate the results of discussions held at the last Competitiveness Council on 26 September ([13593/13](#)), the work carried out by national experts during the Lithuanian Presidency and contributions by the Commission.

– *single market*

The Council adopted conclusions addressing three main strands that will lead to a better functioning internal market: governance of the single market; steps to unlock the full potential of the services sector and action to promote the transition to electronic procurement ([16443/13](#)).

Furthermore, the Commission presented the second edition of the annual "Single Market integration" report ([16171/13](#)).

– *smart regulation*

The Council adopted conclusions addressing the need to ensure that EU regulation is transparent and simple and achieved at minimum cost, while fostering competitiveness and job creation, taking into account the protection of citizens ([17227/1/13](#)).

In particular, they cover aspects such as a review of the whole body of EU legislation and the development of systematic analysis, based on evaluation and fitness checks; the reduction of the regulatory burden on SMEs and micro-enterprises; the quality of transposition and implementation of EU directives in national law and transparency and ease of access to information.

## **Review of the trade mark system**

The Council took note of a report by the Presidency on the progress made in the ongoing reform of the Community trade mark system ([16218/13](#)).

The reform seeks to modernise the framework for trade marks in order to improve the conditions for business to innovate. It will thus make the Community trade mark system more accessible to SMEs and make trade mark protection more effective. It will furthermore improve cooperation between the Office for Harmonization in the Internal Market (OHIM), which is responsible for registering and administering Community trade marks, and national offices.

Over the years there has been a steady growth in the commercial value and number of trade marks. In 2012, a record number of Community trade mark applications were filed and OHIM received, in 2011, its millionth application since starting operations in 1996. This development has been accompanied by growing expectations on the part of stakeholders for more streamlined and high-quality trade mark registration systems, which are more consistent, publicly accessible and technologically up-to-date.

The establishment of OHIM has therefore been a great success and has contributed substantially to strengthening the competitiveness of the EU. The OHIM is located in Alicante, Spain.

The Community trade mark established a stand-alone system for the registration of unitary rights having equal effect throughout the EU. A trade mark serves to distinguish the goods and services of a company. It is the mark through which a business can attract and retain customer loyalty, and create value and growth. The mark works as an engine of innovation and has a favourable impact on employment. The system was designed to co-exist with national trade mark systems, which are still necessary for those undertakings which do not want their trade marks protected at EU level.

*Further information:* [http://europa.eu/rapid/press-release\\_MEMO-13-291\\_en.htm?locale=en](http://europa.eu/rapid/press-release_MEMO-13-291_en.htm?locale=en)

## **RESEARCH and INNOVATION POLICY**

### **Private and public partnerships for research and innovation**

The Council reached general approaches on a new generation of public and private partnerships that will implement major elements of the Innovation Union and other relevant EU strategies to stimulate the creation of growth and jobs.

These partnerships will allow large-scale, long-term innovation activities to be carried out under the umbrella of Horizon 2020, the EU's next research framework programme.

Five private-public partnerships are proposed to be set up or further developed as Joint Technology Initiatives (JTIs) in the fields of:

- bio-based industries, to develop new and competitive bio-based value chains that replace the need for fossil fuels and have a strong impact on rural development ([16540/13](#));
- aeronautics ("Clean Sky 2"), to reduce the environmental impact of the next generation of aircraft ([16551/13](#));
- electronics, to keep Europe at the forefront of electronic components and systems and bridge the gap from research to market more quickly ([16542/13](#));
- fuel cells and hydrogen, to develop commercially viable, clean solutions that use hydrogen as an energy carrier and fuel cells as energy converters ([16544/13](#)); and
- innovative medicines ("IMI 2"), to improve European citizens' health and wellbeing by providing new and more effective diagnostics and treatments such as new antimicrobial treatments ([16547/13](#)).

The Commission communication "Public-private partnerships in Horizon 2020: a powerful tool to deliver on innovation and growth in Europe" ([12344/13](#)), states that these five JTIs are expected to mobilise a total investment of over EUR 17 billion, of which the EU budget contribution will be up to EUR 6.4 billion.

Four public-public partnerships are proposed to be further developed on research programmes jointly undertaken by member states with the participation of the Union in the areas of:

- active and assisted living, to improve the quality of life for the elderly and the availability of technology-based products and services ([16549/13](#));
- clinical trials in African countries, to contribute to the reduction of the social and economic burden of poverty-related diseases ([16535/13](#));
- metrology, to provide fit-for-purpose metrology solutions as well as measurement technologies addressing societal challenges such as energy, environment and health ([16548/13](#)); and
- research and development performing SMEs ("Eurostars-2" programme), to stimulate the competitiveness of innovative SMEs ([16533/13](#)).

The Commission called upon the European Parliament and the Council to adopt the necessary legislative decisions to launch these partnerships at the start of Horizon 2020.

### **ITER experimental reactor: joint undertaking "Fusion for Energy"**

The Council reached a political agreement with a view to amending the decision establishing the European joint undertaking for ITER (called "Fusion for Energy") in order to provide a better basis for the financing of the activities of this joint undertaking for the period 2014-2020 under the Euratom Treaty ([16536/13](#)).

The agreement will be formally adopted by the Council at an upcoming meeting.

Following the European Council conclusions of 7-8 February 2013, which stated that the International Thermonuclear Experimental Reactor (ITER) would be financed under the EU general budget for 2014-2020, the Commission presented a proposal on 28 August.

Unlike the approach of the Seventh Framework Programme for research (2007-13), the proposal is not designed as a research programme under Article 7 of the Euratom Treaty. It is instead based on Article 47 and refers to the participation of Euratom in the financing of the joint undertaking.

The purpose of the proposal is to transfer funds from the Commission to Fusion for Energy for the European contribution to ITER without the requirements specific to research programmes. Europe, as the main contributor - providing around 45% of the whole investment - has a particular responsibility to make ITER a success.

ITER is a first-of-a-kind global collaboration project to build and operate an experimental reactor with the aim of demonstrating the scientific and technological feasibility of fusion energy for peaceful purposes.

*Further information:*

[http://ec.europa.eu/research/energy/euratom/index\\_en.cfm?pg=fusion&section=iter](http://ec.europa.eu/research/energy/euratom/index_en.cfm?pg=fusion&section=iter)

### **A more innovative public sector**

Ministers held a policy debate on ways to make the public sector more innovative. They had an exchange of views on best practice in the public sector in the various member states.

They broadly welcomed a report by an independent group of experts, whilst indicating that further analysis of its recommendations ([16066/13](#)) would be required.

Many delegations emphasised the importance of more efficient use of public procurement procedures as a means to provide better access to public services and help improve companies' competitiveness.

The integration and use of information and communication technologies was also mentioned as a way of providing services more cost-effectively.

Some other elements that would help to modernise public administrations were highlighted: digitisation and e-administration methods, reduction of bureaucracy, development of online infrastructures at government and local levels, training of civil servants and promotion of pre-commercial procurement.

While acknowledging that reforms in the public sector are a matter of national competence, a number of delegations considered that coordination at EU level on cross-cutting issues could be of added value for taking forward national reform efforts.

The subject was discussed at the Informal Competitiveness Council in July 2013 in Vilnius, Lithuania. It tackled the importance of making public administrations more responsive to the needs of SMEs and the role that digital public administrations can have in fostering growth.

The October 2013 European Council stated that the modernisation of public administrations should continue through the swift implementation of e-services such as e-health, e-invoicing and e-procurement.

## **SPACE POLICY**

### **Copernicus space programme for 2014-2020**

During a public debate, the Council reached a general approach on "Copernicus", the European programme for monitoring the Earth from satellites ([17235/13](#)).

Copernicus will provide important support for a wide range of areas such as agriculture and fisheries, land use and urban planning, the fight against forest fires, disaster response, maritime transport or air pollution monitoring. It also contributes to economic growth by boosting commercial applications (the so-called downstream services) in many different sectors.

Together with the "Galileo" navigation satellite system, it will play a key role in ensuring that Europe has independent access to space.

Copernicus, previously known as GMES (Global Monitoring for Environment and Security), will provide Europe with continuous, independent and reliable access to earth observation data and information.

*Further information:*

[http://ec.europa.eu/enterprise/policies/space/copernicus/index\\_en.htm](http://ec.europa.eu/enterprise/policies/space/copernicus/index_en.htm)

### **Space surveillance and tracking service**

The Council took note of a progress report on a draft decision for establishing a surveillance and tracking service (SST) for space.

The establishment of a European SST will contribute to the safety of space infrastructures, which are increasingly threatened by collision risks due to the growing population of satellites and the amount of space debris. Economic losses for European satellite operators stemming from collisions or costly and risky manoeuvres to avoid collisions are currently assessed at around EUR 140 million per year and rising.



In order to mitigate the risk of collision it is necessary to identify and monitor satellites and space debris, catalogue their positions, and track their movements when a potential risk of collision has been identified so that satellite operators can be alerted to move their satellites.

As operational SST services at European level do not exist, European satellite operators currently rely to a large extent on information provided by the US.

*Further information:*

[http://ec.europa.eu/enterprise/newsroom/cf/itemdetail.cfm?item\\_type=251&lang=en&item\\_id=6463](http://ec.europa.eu/enterprise/newsroom/cf/itemdetail.cfm?item_type=251&lang=en&item_id=6463)

## ANY OTHER BUSINESS

### – *Defence industries*

Over their informal working lunch, ministers exchanged views on the European Defence Technological and Industrial Base (EDTIB) in the context of preparatory discussions for the next European Council. The European Council of 19-20 December will be devoted to the Common Security and Defence Policy (CSDP).

Ministers highlighted the fact that a competitive EDTIB is a prerequisite for stimulating innovation, growth and jobs and securing up-to-date capabilities.

A key element for strengthening both the EDTIB and the internal market for defence is to ensure security of supply between member states. Armed forces, as end users and customers, must be sure that their supplies will be delivered on time no matter whether their suppliers are established in their own or another member state.

Many highlighted the essential role of SMEs in the defence supply chain, which normally access defence markets as sub-suppliers of larger prime contractors.

Other important elements were mentioned as a means of reinforcing the EDTIB, especially when defence budgets are under constraint, such as exploring how synergies between the civilian and military sectors could be improved both at national and EU level.

On 26 September 2013, the Competitiveness Council discussed the action plan proposed in the Commission communication “Towards a more competitive and efficient European defence and security sector”.

On 25 November 2013 the Council adopted conclusions on CDSP<sup>1</sup>. Among other things, the conclusions called on the Commission to ensure full implementation of the two EU defence directives on procurement and intra-EU transfers.

---

<sup>1</sup> [http://www.consilium.europa.eu/uedocs/cms\\_data/docs/pressdata/EN/foraff/139719.pdf](http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/EN/foraff/139719.pdf)

– ***Product safety and market surveillance package***

The Council took note of a Presidency report on the state of play regarding two proposals for regulations on market surveillance ([5890/13](#)) and on consumer product safety ([5892/13](#)) which are currently under discussion in the Council preparatory bodies ([16872/13](#)).

The report shows a high degree of overall convergence on the package. However, it also points out an outstanding political issue in the package which remains unsolved, which concerns the proposed provision for establishing mandatory country of origin marking for non-food products.

A number of delegations considered that this provision would improve the traceability of products and consumer information. Other delegations, on the other hand, argued that a mandatory country of origin provision was not justified and could be burdensome for economic operators. Some delegations pointed out the lack of any accurate economic analysis on the potential effects of this provision.

The Internal Market Committee of the European Parliament voted its reports on 17 October 2013.

– ***Collective management of copyright and multi-territorial licensing for online music***

The Council took note of the provisional agreement reached with the European Parliament on new rules governing the collective management of copyright and the multi-territorial licensing of rights in musical works for online uses<sup>1</sup>.

The agreement, which is the result of three rounds of negotiations concluded on 4 November, will be set in a directive that pursues two complementary objectives:

- to improve the functioning of copyright collecting societies in the internal market, and
- to facilitate cross-border licensing of authors' rights in online music.

See also press release [17205/13](#).

---

<sup>1</sup> <http://www.eu2013.lt/en/news/pressreleases/lithuanian-presidency-successfully-concluded-negotiations-with-european-parliament-on-collective-management-of-copyright-and-licencing-music-online->

– ***Unitary patent protection system***

The Council took note of the progress made by the two committees in charge of preparations for the early establishment and entry into operation of the unitary patent protection system and of the Unified Patent Court ([15819/13](#)).

The "Select committee": set up in the framework of the European Patent Organisation, it consists of representatives of the 25 EU member states participating in enhanced cooperation for the creation of unitary patent protection, and the Commission as an observer.

The "Preparatory committee" for the establishment of the Unified Patent Court: [www.unified-patent-court.org](http://www.unified-patent-court.org).

The work of both committees is closely connected in order to ensure a consistent approach.

– ***State aid: General block exemption regulation***

The Council took note of information from the Czech delegation concerning preparations to update the "General block exemption regulation" on state aid measures, which enables the Commission to declare certain categories of state aid compatible with internal market aid.

Several delegations pointed out that it would be a good idea to improve the system of state aid while carrying out the general reform.

The review of the regulation is part of the wider reform designed to modernise state aid rules launched in 2012. It aims to ensure that member states and stakeholders have a clear set of rules as of 2014 as a reference point for the development of their policies and aid interventions.

– ***Work programme of the upcoming Greek Presidency***

The Greek delegation informed ministers about the Presidency's work programme on competitiveness for the first half of 2014.

In the field of internal market and industry, the top priorities of the Greek Presidency will include the progress and finalisation of pending legislative initiatives contained in the Single Market Act I and II packages. It will also pay particular attention to industrial policy coordination and to ways of facilitating access to finance for SMEs.

As regards research, the upcoming Presidency intends to focus its efforts on concluding the public and private partnerships for innovation so that they can be launched as soon as possible.

Finalising negotiations on the Copernicus space programme will also be a main priority.

The work programme for competitiveness is in line with the 18-month programme jointly prepared by the trio of EU presidencies ([17426/12](#)).

## **OTHER ITEMS APPROVED**

### **GENERAL AFFAIRS**

#### **Multiannual financial framework for 2014-2020**

The Council adopted a regulation laying down the EU's multiannual financial framework (MFF) for 2014-2020 ([11791/7/13](#)) enabling the European Union to spend up to EUR 959.99 billion in commitments and EUR 908.40 billion in payments over the next seven years. This follows the European Parliament's consent of 19 November.

The Council also approved

- the draft interinstitutional agreement (IIA) on budgetary discipline, cooperation in budgetary matters and sound financial management; this is aimed at facilitating the annual budgetary procedure and complementing the provisions of the MFF regulation, notably on special instruments outside the multiannual financial framework ([11838/13](#)); and
- the statements forming part of the political agreement reached on the MFF at the end of June ([15997/13 ADD 1](#)).

The MFF regulation and the IIA set out in legal terms the political agreement reached between the Council and the European Parliament on 27 June 2013. The expenditure limits for the next seven years are the same as in the European Council's conclusions of 8 February 2013 ([37/13](#) + [COR 1](#); [summary of conclusions](#)), and on four issues (flexibility, review/revision, unity of the budget and own resources) the texts address the European Parliament's wishes ([11732/13](#)).

*For details see [15259/1/13 REV 1](#).*

## **ECONOMIC AND FINANCIAL AFFAIRS**

### **Single Supervisory Mechanism: Memorandum of Understanding**

The Council agreed to mandate the presidency to sign, on its behalf, a memorandum of understanding with the European Central Bank on cooperation on procedures related to the single supervisory mechanism ([15963/13](#)).

The MoU covers the ECB's accountability and reporting obligations to the Council and the Euro Group under regulation (EU) No 1024/2013 transferring supervisory tasks to the ECB.

For more information on the SSM, see press release [14044/13](#).

## **RESEARCH**

### **Research infrastructures**

The Council amended the European Research Infrastructures Consortium (ERIC) legal framework in order to make it easier for associated countries to become members of an ERIC ([15660/13](#)).

The ERIC regulation was adopted in 2009 to facilitate the establishment and operation of European research infrastructures.

*See also:* [http://ec.europa.eu/research/infrastructures/index\\_en.cfm?pg=eric](http://ec.europa.eu/research/infrastructures/index_en.cfm?pg=eric)

## **HORIZON 2020: research programme for 2014-2020**

The Council adopted the "Horizon 2020" programme for research and innovation for the years 2014 to 2020 ([PE-CONS 67/13](#)).

Horizon 2020 will replace the EU's 7th Research Framework Programme (FP7), which runs until the end of 2013. Compared with FP7, the new programme is expected to further eliminate fragmentation in the fields of scientific research and innovation.

Horizon 2020, which has a budget of around EUR 77 billion, will underpin the objectives of the Europe 2020 strategy for growth and jobs, as well as the goal of strengthening Europe's scientific and technological bases by contributing to achieving a European Research Area in which researchers, scientific knowledge and technology circulate freely.

Horizon 2020 focuses on three priorities, namely generating excellent science in order to strengthen the Union's world-class scientific excellence and make the Union research and innovation system more competitive, fostering industrial leadership to speed up the development of technologies that will support businesses and innovation, including for small companies, and tackling societal challenges in order to respond to the priorities identified in the Europe 2020 strategy by supporting activities covering the entire chain from research to market.

*See also press release: [16939/13](#).*

## **TRADE POLICY**

### **Tariffs on imports of solar panels from China**

The Council adopted anti-dumping and anti-subsidy regulations on tariffs on imports of solar panels from China ([15702/13](#) and [15706/13](#)). The regulations follow the amicable settlement reached between the European Commission and China on the solar panel case last August.

The new tariffs on imports will be applicable for two years.

On 6 June 2013, the Commission imposed a provisional anti-dumping duty on imports of solar panels from China.

Following adoption of the provisional anti-dumping measures, a group of cooperating exporting producers, together with the Chinese Chamber of Commerce, offered a joint price undertaking in accordance with EU rules. The undertaking offer was also supported by the Chinese authorities and accepted by the Commission.

*See also press release: [http://europa.eu/rapid/press-release\\_IP-13-1190\\_en.htm](http://europa.eu/rapid/press-release_IP-13-1190_en.htm).*



## **WTO agreement on government procurement**

The Council adopted a decision approving, on behalf of the EU, a protocol amending the WTO agreement on government procurement ([7917/13](#) + [7918/13](#)). It also adopted a decision establishing the EU's position on decisions implementing certain provisions of the protocol ([7921/13](#) + [7997/13](#)).

The negotiations on the revision of the 1994 agreement on government procurement were launched in January 1999. A political agreement at ministerial level was reached in December 2011.

## **WTO: Moratoria on customs duties on electronic transmissions**

The Council adopted a decision stating that the EU's position within the WTO ministerial conference should be to support the extension until the next ministerial conference of a moratorium on customs duties on electronic transmissions ("e-commerce moratorium") and of a moratorium on non-violation and situation complaints.

## **Yemen - WTO accession**

The Council and the representatives of the member states adopted a decision stating that the EU's position within the WTO ministerial conference should be to approve the accession of Yemen to the WTO.

## **JUSTICE AND HOME AFFAIRS**

### **Mobility partnerships - Azerbaijan - Tunisia**

The Council confirmed agreements on joint declarations establishing mobility partnerships with Azerbaijan and Tunisia, to be signed on 5 December 2013, in the margins of the Justice and Home Affairs Council.

**EDUCATION****ERASMUS + programme**

The Council adopted a regulation establishing "ERASMUS +", the Union Programme for Education, Training, Youth and Sport for the period 2014-2020 ([PE-CONS 63/13](#)). It brings together in a single programme activities previously covered by a number of separate programmes (including the Lifelong Learning Programme, Erasmus Mundus and Youth in Action) and it also covers activities in the new area of European competence, sport.

The new programme has a total budget of about EUR 14.7 billion - which represents an increase of 40% on the previous budget; its main operational priorities are the simplification of procedures and a performance-based allocation of funds, as well as closer links between the formal, informal and non-formal education and learning sectors.

*For further details see press release [17184/13](#).*

**EMPLOYMENT****Mobilisation of the European Globalisation Adjustment Fund - Finland, Denmark and Germany**

The Council adopted three decisions mobilising a total amount of EUR 18.5 million under the European Globalisation Adjustment Fund (EGF), providing support for workers made redundant in Finland, Denmark and Germany.

EUR 9.8 million was allocated to 4 509 workers dismissed from the Finnish mobile phone producer Nokia, Nokia Siemens networks and its 30 subcontractors, which had to reduce its investments and staff in Europe due to major structural changes in world trade patterns. EUR 6.4 million was mobilised for 611 former workers of the Danish Vestas Group, which operates in the sector of wind turbines. Due to strong competition from Asian producers, in particular from China, the Vestas Group lost an important share of the European market. A further EUR 2.3 million was made available for 1 244 workers made redundant by the German producer of solar modules, Solar Manufacturing GmbH. The company had to close its plants in Europe because strong competition from Asian producers, in particular from China, led to a collapse in prices.

The EGF helps workers find new jobs and develop new skills when they have lost their jobs as a result of changing global trade patterns, e.g. when a large company shuts down or a factory is moved to outside the EU. The EGF's help consists in financing measures such as job-search assistance, careers advice, tailor-made training and re-training, mentoring and promoting entrepreneurship. It also provides one-off, time-limited individual support, such as job-search allowances, mobility allowances and allowances for participating in lifelong learning and training activities.

## **AGRICULTURE**

### **Sugar sector: levies paid in excess**

The Council adopted a regulation fixing new production levies for the marketing years 2001/2002 to 2005/2006, by virtue of which Member States will be able to determine and reimburse with interest the sums unduly paid by the sugar sector over the period 2001-2006 ([16233/13](#)).

*See also press release [17160/13](#).*

### **Spirit drinks - Amendment of the list of geographical indications**

The Council decided not to oppose the adoption of the Commission's amendments to annexes II and III to regulation 110/2008 on the definition, description, presentation, labelling and the protection of geographical indications of spirit drinks ([15404/13](#); [15405/13](#))

The amendment to annex II adjusts the definition of the categories of some spirit drinks such as gin or distilled gin. In addition the amendments to annex III add new spirit drinks to the list of products protected by a geographical indication (fruit spirit from Hungary, Polish or Lithuanian flavoured vodka and rum from Guatemala).

These Commission regulations are subject to the so-called regulatory procedure with scrutiny. This means that now that the Council has given its consent, the Commission may adopt the regulation, unless the European Parliament objects.

## **FOOD LAW**

### **Food supplements**

The Council decided not to oppose the adoption of a Commission regulation authorising ChromoPrecise® chromium yeast for the manufacture of food supplements and chromium(III) lactate tri-hydrate to be added to foods, provided that certain conditions are met ([15294/13](#)).

The Commission regulation is subject to the so called regulatory procedure with scrutiny. This means that now that the Council has given its consent, the Commission may adopt it, unless the European Parliament objects.

## **TRANSPORT**

### **Documents for international coach and bus services**

The Council decided not to oppose adoption by the Commission of a regulation laying down detailed rules for the application of regulation 1073/2009 as regards documents for the international carriage of passengers by coach and bus and repealing Commission regulation 2121/98 ([14424/13](#)).

The Commission regulation is subject to the regulatory procedure with scrutiny. This means that now that the Council has given its consent, the Commission may adopt the regulation, unless the European Parliament objects.

## **TRANSPARENCY**

### **Public access to documents**

On 2 December 2013, the Council approved:

- the reply to confirmatory application No 22/c/02/13 ([15831/13](#) + [COR 1](#)).
  - the new reply to confirmatory application No 1/c/01/09 ([16166/13](#)).
-