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From:	Mr Urmas Reinsalu, President of the Council Justice and Home Affairs
To:	Ms Vera Jourova, Member of the European Commission for Justice, Consumers and Gender Equality
No. prev. doc.:	11619/17, 13124/17
Subject:	The digital contracts package

Delegations will find attached a copy of a letter of Mr Urmas Reinsalu, President of the Council Justice and Home Affairs, to Ms Vera Jourova, Member of the European Commission for Justice, Consumers and Gender Equality.

REPUBLIC OF ESTONIA
MINISTRY OF JUSTICE

Estonia's Presidency of the Council of the European Union
EU2017.EE

Ms Věra Jourová
European Commission

09.10.2017

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The digital contracts package

Dear Commissioner Jourová,

I would like to thank you for your letter with the aim to inform the Council about the state of play with the contract law package. I can reassure you that Digital Europe is one of the focuses of the Estonian Presidency and therefore our special attention is devoted to all the files under the DSM Strategy. We are committed to the creation of the DSM and believe that the contract law package forms an important part of it. Therefore, this package has been dealt with under the Estonian Presidency as a matter of priority.

Regarding the digital content proposal the Presidency is ready to engage in trilogues as soon as the vote on the report will be completed in the European Parliament. Although the vote has unfortunately been postponed, I sincerely hope, we can start the trilogues still in the near future.

Concerning the goods proposal, work in the Council has been hindered by a number of obstacles. Even though the Council clearly acknowledged the need for coherent rules both for online and offline sales, many substantial concerns were raised regarding the possible extension of the scope by the co-legislators. In particular, the need for a thorough impact assessment and the need to forward the proposal to the national parliaments have been stressed by Member States.

In the light of this, the Presidency is pleased to see that the Commission has heard the concerns voiced by the Member States and has decided to adopt a modified proposal with an extended scope, which will be accompanied by an analysis of potential impacts, as pointed out in your letter. I welcome this decision and hope that this will allow us to restart the discussions in the Council. The Presidency also recognizes the importance of this in regard to the negotiations on the digital content proposal with the European Parliament. However, keeping in mind that the new proposal is envisaged to be adopted before the end of October, I do not deem it feasible to start the negotiations in the Council before the second half of November, because Member States need time to examine the new text. I ask for your understanding in this regard.

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Once again, I can assure you that the Estonian Presidency stays committed to the work on both proposals. We are looking forward to the amended proposal and thank you in advance for your cooperation. A copy of this letter will be sent to the respective chairs and rapporteurs in the European Parliament.

Yours sincerely,

Urmas Reinsalu
Estonian Minister of Justice

Cc goes to: Pavel Svoboda, Anneleen Van Bossuyt, Pascal Arimont, Evelyne Gebhardt, Axel Voss

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