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NOTE

From: The European Commission
To: The High Level Working Group on Competitiveness and Growth
Subject: Background document on the Single Market Strategy

Delegations will find in Annex a background document on the Single Market Strategy in view of the High Level Working Group on Competitiveness and Growth meeting on 4 May 2017.

Background document on the Single Market Strategy

The European Council has repeatedly called for a further deepening of the Single Market. On October 28, 2015 the European Commission adopted its Single Market Strategy as one of its key priority actions¹. The European Council adopted Conclusions on the Single Market Strategy on February 29, 2016. The report on the Single Market Strategy (prepared by Ms. Comi (EPP/IT)) was adopted by an overwhelming majority (569 total votes, 423 in favour, 92 against, 54 abstention) in the European Parliament.

The European Council, held in June 2016, concluded that “The Council will report annually to the June European Council on progress in deepening the Single Market in all its aspects”. In September 2016 EU Member States met in Bratislava to discuss the future of the Union. The adopted “Bratislava declaration” includes the need to help the European people “to live, study, work, move and prosper freely” across the continent. The European Council and the European Commission also announced in “the Bratislava roadmap” a common work programme for the coming months. This roadmap calls on the European Council planned in June 2017 to “review progress as regards delivering on the different Single Market strategies (including Digital Single Market, Capital Markets Union, Energy Union)“.

Based on these commitments by EU Member States and the European Commission, the following information gives an overview of the implementation of the Single Market Strategy. The European Commission has adopted about two-thirds of the announced measures and is committed to deliver the remaining initiatives by the end of 2017.

¹ Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions “Upgrading the Single Market: more opportunities for people and business”.

As a first step, the European Commission presented its initiatives on Standardisation, Collaborative Economy and Geo-blocking before the summer 2016. The Standardisation package included guidance on services standards and the Joint Initiative on Standardisation, which has been presented to the European Council and signed by Member States. For the Collaborative Economy, the European Commission also presented legal guidance and policy recommendations, to make sure that these new business models can develop in Europe in a balanced manner. The legislative proposal to address unjustified geo-blocking and other forms of discrimination on the grounds of nationality, residence or establishment has been adopted in May 2016. On 28 November 2016, the Council agreed on common position for a draft regulation and, once the European Parliament's final report is approved, the draft regulation can move forward to trilogue.

On 22 November 2016, the European Commission put forward the Start-up and Scale-up Initiative containing a package of measures helping start-ups with an ambition to scale up in Europe. This communication – and a related staff working document on putting intellectual property at the service of SMEs – includes 46 different work streams, of which 31 are already in their implementation phase.

On 10 January 2017, the European Commission adopted the Services Package, announced in the Single Market Strategy. This package includes the European Services e-Card, a proportionality test and guidance on regulated professions as well as an improved notification mechanism for services legislation. All files are legislative, except the guidance on the regulated professions, and are currently being discussed at Working Group level in the Council. The European Parliament has also launched their first discussions.

The Compliance Package scheduled to be adopted on 2 May 2017 includes the Single Digital Gateway, the Action Plan on SOLVIT and the Single Market Information Tool. Both the Single Digital Gateway as well as the Single Market Information Tool are legislative files which will be discussed by the Council and the European Parliament. The implementation of the communication on an "Action Plan on the reinforcement of SOLVIT: bringing the benefits of the Single Market to citizens and businesses" requires the support of the Member States.

For the remainder of 2017, the adoption of a goods package (Mutual Recognition and Market Surveillance), public procurement initiatives and a retail communication are planned, while a clarification of certain technical issues related to the unitary patent will be presented prior to the entry into the operation of the new system, currently anticipated for the end of the year.

As far as public procurement is concerned, an initiative introducing a voluntary ex-ante assessment mechanism of the procurement aspects of certain large infrastructure projects will be adopted in September 2017. Work has also progressed on the initiatives for better governance of public procurement foreseen in the Single Market Strategy, i.e. data, contract registers, e-forms, the new procurement data standard as well as the improvement of the Remedies system.

The Council calls on the European Commission to deliver all announced initiatives in the near-term and reconfirms its firm intention to implement all measures together with the European Parliament by the year 2018.
