



Council of the
European Union

Brussels, 16 May 2017
(OR. en)

9000/17
ADD 1

COMPET 315
TELECOM 110
MI 392
IND 113
DIGIT 126
AUDIO 63
JUSTCIV 100
CONSOM 190

NOTE

From: Presidency
To: Permanent Representatives Committee/Council

Subject: Review of progress on implementation of the Digital Single Market Strategy and Single Market Strategy - Annex on the Digital Single Market Strategy

Delegations will find attached in Annex a table on the progress achieved on the Digital Single Market Strategy.

| | Initiative | Council | Publication by Commission | Status in Council | Status in EP | Pending MT PRES Objectives |
|---|---|---------|---|--|---|---|
| 1 | <p>Legislative proposals for simple and effective cross-border contract rules for consumers and businesses</p> <ul style="list-style-type: none"> • Proposal for a Directive on certain aspects concerning contracts for the supply of digital content • Proposal for a Directive on certain aspects concerning contracts for the online and other distance sales of goods | JHA | <p>9 December 2015</p> <p>9 December 2015</p> | <p>Working towards as General approach</p> <p>Technical discussions have not yet been initiated [The MT Presidency's plan is to start the technical discussions on the last Working Party meeting in June given that the REFIT results and the Impact Assessment being carried out by the EPRS on the extension of scope].</p> | <p>Pending IMCO/JURI vote: 28 September 2017</p> <p>Pending IMCO vote: 11-12 October 2017</p> | <p>General approach under the MT Presidency is envisaged for the June 2017 JHA Council</p> <p>Political guidelines/ Policy debate</p> |

| | | | | | | |
|---|---|--------|--------------------------------|--|--|---|
| 2 | <p>Review the Regulation on Consumer Protection Cooperation</p> <ul style="list-style-type: none"> • Proposal for a revision of the Regulation on Consumer Protection Cooperation | COMPET | 25 May 2016 | General Approach reached on 20 February 2017/ Trilogues commenced on the 27 April 2017 | Report adopted in IMCO on 21 March 2017 | Trilogues with a view of conclude negotiations with the European Parliament |
| 3 | <p>Measures in the area of parcel delivery</p> <ul style="list-style-type: none"> • Legislative proposal in the area of parcel delivery | TTE | 25 May 2016 | Working towards General Approach | | General Approach foreseen for June 2017 TTE Council |
| 4 | <p>A wide ranging review to prepare legislative proposals to tackle unjustified Geo-blocking</p> <ul style="list-style-type: none"> • Legislative action to prevent geo-blocking and other forms of discrimination against consumers based on nationality or residence • Guidance on the application of the Unfair Commercial practices Directive SWD (2016) | COMPET | 25 May 2016 25 May 2016 | General Approach reached in November 2016; Trilogues to commence 18 May | IMCO Vote on 25 April Trilogues to commence 18 May | Commencement of Trilogues with a view to conclusion of negotiations with the European Parliament. |

| | | | | | | |
|---|---|--------|--|-----|-----|-----|
| 5 | <p>Competition sector inquiry into e-commerce, relating to the online trade of goods and the online provision of services</p> <ul style="list-style-type: none"> • E-Commerce sector competition inquiry • Preliminary report on e-commerce sector inquiry | COMPET | 6 May 2015 Public consultation between September- November 2016 | N/A | N/A | N/A |
|---|---|--------|--|-----|-----|-----|

| | | | | | | |
|---|--|--------|--|---|---|---|
| 6 | <p>Legislative proposals for a reform of the copyright regime</p> <ul style="list-style-type: none"> • Proposal for a Regulation on ensuring the cross-border portability of online content services in the internal market • Communication 'Towards a modern, more European copyright framework' - Copyright I • Legislative proposals (Regulation) implementing the Marrakesh Treaty and Directive on permitted uses in copyright • Directive on copyright in the Digital Single Market • Communication "promoting a fair, efficient and competitive european copyright-based economy in the Digital Single Market" – Copyright II | COMPET | <p>9 December 2015</p> <p>9 December 2015</p> <p>14 September 2016</p> <p>14 September 2016</p> <p>14 September 2016</p> | <p>Trilogues concluded in February 2017</p> <p>This was presented during the SK Presidency</p> <p>On 22 March the Presidency was given a COREPER mandate to start trilogues. Political agreement reached at trilogue of 10 May</p> <p>Discussions in Council are ongoing</p> <p>N/A</p> | <p>Parliament to adopt first reading Agreement in May plenary</p> <p>N/A</p> <p>JURI vote on 23 March 2017</p> <p>JURI opinion to be adopted</p> <p>N/A</p> | <p>Council to adopt first reading Agreement in June 2017.</p> <p>N/A</p> <p>Agreement reached at Second trilogue held on 10 May 2017.</p> <p>Preparation of first Presidency compromise text for discussions in Council WPs.</p> <p>N/A</p> |
|---|--|--------|--|---|---|---|

| | | | | | | |
|---|---|--------|-------------------|---|----------------------------|-------------------------------------|
| 7 | Review of the Satellite and Cable Directive | COMPET | 14 September 2016 | Discussions in Council are ongoing. WPs have also held an exchange of views based on a Presidency issues paper. | JURI opinion to be drafted | N/A |
| | <ul style="list-style-type: none"> Reform of the exercise of copyright rights (Regulation) | | | | | |
| 8 | Legislative proposals to reduce the administrative burden on businesses arising from different VAT regimes | ECOFIN | 1 December 2016 | Currently being discussed in WP on Tax Question | N/A | State of play/(poss.) policy debate |
| | <ul style="list-style-type: none"> VAT for e-Commerce Package | | | | | |

| | | | | | | |
|---|--|-----|--|--|---|--|
| 9 | <p>Legislative proposals to reform the current telecoms rules</p> <ul style="list-style-type: none"> • Proposal for a Decision on the use of the 470-790 MHz frequency band in the Union • Review of wholesale roaming markets • European Electronic Communications Code - Recast; • BEREC Regulation | TTE | <p>2 February 2016</p> <p>15 June 2016</p> <p>14 September 2016</p> <p>14 September 2016</p> | <p>Proposal adopted at GAC Council of 25 April</p> <p>Agreement reached at third trilogue held in January 2017</p> <p>Currently being discussed</p> <p>Currently being discussed</p> | <p>Parliament adopted first reading agreement in March plenary</p> <p>Parliament adopted first reading agreement in April plenary</p> <p>Vote in IMCO on 21-22 June; vote in ITRE on 11 July</p> <p>Vote in ITRE on 11 June</p> | <p>Adopted by co-legislators on 25 April 2017; Will enter into force in June 2017.</p> <p>Adopted on 25 April 2017. Entry into force before 15 June 2017.</p> <p>Progress Report to be adopted in TTE Council on 9 June 2017.</p> <p>Progress Report</p> |
|---|--|-----|--|--|---|--|

| | | | | | |
|--|---|-------------------|---|--|--|
| | <ul style="list-style-type: none"> Legislative proposal to promote Internet connectivity in local communities (Wi-Fi4EU) | 14 September 2016 | <p>Partial General Approach adopted in December 2016; trilogue mandate discussed in COREPER on 10 May</p> | <p>Vote in ITRE on report and trilogue mandate on 25 April</p> | <p>1st Trilogue scheduled on 29 May 2017. Aim is to reach political agreement under MT Presidency.</p> |
| | <ul style="list-style-type: none"> Communication on a 5G Action Plan | 14 September 2016 | <p>No conclusions foreseen following exchange of views in December 2016</p> | <p>Vote in ITRE on 25 April ; vote in plenary in June</p> | <p>N/A</p> |
| | <ul style="list-style-type: none"> Communication on Connectivity for a competitive DSM | 14 September 2016 | <p>No conclusions foreseen following exchange of views in December 2016</p> | <p>Vote in ITRE on 25 April ; vote in plenary in June</p> | <p>N/A</p> |

| | | | | | | |
|----|--|--------------|-----------------|---|---|---|
| 10 | <p>Review of the the Audiovisual Media Services Directive</p> <ul style="list-style-type: none"> • Proposal for a Directive of the European Parliament and of the Council amending Directive 2010/13/EU on the coordination of certain provisions laid down by law, regulation or administrative action in Member States concerning the provision of audiovisual media services in view of changing market realities | EYCS | 25 May 2016 | Progress report adopted under SK Presidency on 22 November 2016 | Culture and Education Committee voted on the Report on 25 April 2017. Negotiating mandate from EP plenary foreseen for 15 May 2017. | General approach aimed for the EYCS Council of 23 May 2017 |
| 11 | <p>Comprehensive analysis of the role of platforms in the market including illegal content on the Internet</p> <ul style="list-style-type: none"> • Commission assessment of the role of platforms in the market including illegal content on the Internet | TTE + COMPET | 25 May 2016 | N/A | Vote in ITRE/IMCO on 11 May; vote in plenary to be held in June/July | N/A |
| 12 | <p>Review the e-Privacy Directive</p> <ul style="list-style-type: none"> • Review of the e-Privacy Directive | TTE | 10 January 2017 | Currently being discussed in Telecoms WP | Vote in LIBE to be held on 11-12 November | Progress Report to be adopted on 9 June 2017 - First compromise will be presented under EE Presidency |

| | | | | | | |
|----|--|-----------------------|--------------------------------------|---|---|-----|
| 13 | <p>Establishment of a Cybersecurity contractual Public-Private Partnership</p> <ul style="list-style-type: none"> • Commission Decision (C 2016/4400) on the signing of a contractual arrangement on a public-private partnership for cybersecurity between the EU and the stakeholder organisation • Communication on Strengthening Europe's Cyber Resilience System and Fostering a Competitive and Innovative Cybersecurity Industry | Friends of Presidency | 5 July 2016 5 July 2016 | Council Conclusions adopted under SK Presidency | N/A N/A | N/A |
| 14 | <p>Initiatives on data ownership, free flow of data (e.g. between cloud providers) and on a European Cloud</p> <ul style="list-style-type: none"> • Communication 'European Cloud Initiative • Communication on EU Data Economy | | 19 April 2016 10 January 2017 | | Vote in ITRE 12 January. Vote in plenary 15 February. | |

| | | | | | |
|----|--|--|---|---|--|
| 15 | <p>Priority ICT Standards Plan and extending the European Interoperability Framework for public services</p> <ul style="list-style-type: none"> • Communication 'Digitising European Industry - Reaping the full benefits of a DSM' • ICT Standardisation Priorities for the DSM • Revision of the European Interoperability Framework | <p>19 April 2016</p> <p>19 April 2016</p> <p>23 March 2017</p> | <p>Debrief in Industry WP on 11 April</p> | <p>Vote in ITRE on 22 March. Plenary May – II.</p> <p>Vote in ITRE on 22-23 March</p> | <p>This will be part of the discussion in the lunch debate during the Competitiveness Council on the 29 May 2018</p> |
| 16 | <p>New e-Government Action Plan including an initiative on the 'Once-Only' principle and an initiative on building up the interconnection of business registers</p> <ul style="list-style-type: none"> • EU eGovernment Action Plan 2016-2020 Accelerating the digital transformation of government | <p>19 April 2016</p> | | <p>Vote in IMCO on 25 April. Debate and vote in plenary on May-I.</p> | <p>N/A</p> |