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## OUTCOME OF THE COUNCIL MEETING

3371 Council meeting

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

Brussels, 2 and 3 March 2015

Presidents **Dana Reizniece-Ozola**  
Minister for the Economy  
**Māriņe Seile**  
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# P R E S S

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## **ITEMS DEBATED**

### **2015 annual growth survey**

The Council held discussions on the Commission's 2015 annual growth survey, as a part of relevant Council deliberations in preparation for the spring European Council on 19 and 20 March.

The Council stressed the need to promote investment, improve the overall business environment and address market failures in Europe, and to pursue and intensify member states' efforts to implement structural reforms and pursue growth-friendly fiscal responsibility, with a view to providing the foundation for growth and jobs and progress on the Europe 2020 headline targets.

In November 2014, the Commission published its 2015 annual growth survey, which sets out policy priorities for jobs and growth in the EU and its member states.

The Council broadly shares the Commission's analysis of the economic situation and policy challenges in the 2015 growth survey. Despite recent improvements, the economic recovery is weaker than expected with low productivity gains, low levels of investment and high unemployment. If not addressed, these factors will significantly weaken Europe's growth potential, thereby making it harder to achieve societal goals.

Against this background, the Council put a strong focus on the measures that can improve economic performance and create added value in both the short and the long term and which are within the remit of the Competitiveness Council:

Single Market Policy

Industrial competitiveness

European Research Area

Two overarching subjects were included in the ministerial debates: the new investment plan for Europe and the way forward towards the creation of a truly digital economy.

## Single market policy

Following discussions, the Council adopted [conclusions](#) on the single market policy. The outcome of the discussions and the conclusions will provide guidance to the Commission for the upcoming internal market strategy for goods and services and the digital single market package, which the Commission is due to present in the coming months.

The debate was structured on the basis of a presidency [policy document](#) and a questionnaire inviting ministers to express views on the main existing barriers and bottlenecks in the single market and on the measures and instruments that should be taken up in the upcoming strategies for the internal market and the digital single market.

The 2015 annual growth survey and the investment plan for Europe were taken as reference points in the debate, as they also seek to strengthen the single market further by creating optimal framework conditions for investment in Europe.

## Industrial competitiveness and digital transformation

On the basis of a presidency [policy document](#), ministers held a discussion that focused on the need to incorporate industrial policy aspects within the future digital single market strategy.

They shared the view that a competitive and digital EU must be based on the assumption that innovative enterprises and businesses which exploit digital opportunities are the future of a modern economy and are a precondition for creating growth and jobs.

However, they also noted several obstacles that prevent industry from embracing digital innovations and tools.

Among the specific measures that could contribute to creating a fertile digital ecosystem for EU industrial sectors, companies and start-ups, the following were highlighted. The need:

- to facilitate access to financing, mainly for innovative firms,
- to improve digital skills and training in new technologies,
- to make it easier to do business on-line and increase trust and cyber-security,
- to modernise intellectual property rules so as to adapt them to the digital dimension,

- to increase the interoperability of standards,
- to reduce administrative burdens and costs for enterprises,
- to help high tech clusters to develop at national and EU levels.

During the traditional informal working lunch, ministers concentrated on the future of the European industrial policy and on how to accelerate the implementation of specific measures to support and better integrate competitiveness aspects in all policy areas at EU and national levels. In this regard, the discussion covered the option of taking into consideration industry-related concerns in upcoming EU strategies on goods and services, the energy union and the digital single market.

### **European Research Area: measures to promote innovation**

Following a presentation by the Commission on the 2015 annual growth survey and the investment plan for Europe, the Council held a discussion on measures designed to promote innovation in the European Research Area (ERA).

The discussion was based on a presidency [policy document](#) and a questionnaire.

The Council agreed on the need for the member states to carry out structural reforms of their research and innovation (R&I) systems in order to improve the quality of R&I strategies, programmes and institutions and maximise the impact of R&I investments.

With regard to the proposed investment plan for Europe, all delegations advocated prioritising areas with the greatest potential to create a favourable environment for business investment in R&I. They stressed the need to ensure that the funding should support the knowledge economy, research and innovative projects.

There was also a broad consensus among the member states to ensure that resources allocated to the investment plan should have a high degree of return in terms of societal benefits and that these resources should generate additional investments in R&I.

Many member states admitted that one of the main challenges to be addressed will be to establish the right framework conditions to unlock and mobilise private investment.

In this regard, ministers agreed that a fast and coherent implementation of the priorities of the ERA should contribute boost confidence and create an overall attractive environment. Therefore, efforts should be deployed to overcome current difficulties in several areas. To this end, many delegations supported:

- the development of closer links between businesses, universities and research institutions,
- the removal of barriers to the transfer of knowledge,
- open access to the results of scientific research,
- the promotion of greater mobility for researchers within the ERA,
- the promotion of international cooperation,
- efforts to encourage relevant education and training in digital skills,
- the aim of promoting the commercialisation of innovative products.

Research Infrastructures were also mentioned as a key asset for European science and innovation, both for the research community and the private sector.

### **Towards a data-driven economy: open, networked and data intensive research**

The Council held a discussion on ways in which to boost innovation through open, networked and data intensive research.

The outcome of the discussion will contribute to identifying key aspects in this field to be addressed in the forthcoming digital single market strategy.

It will also contribute to the preparation of Council conclusions on open, data-intensive and networked research as a driver for faster and wider innovation. This will be submitted to the Competitiveness Council in May.



The discussion was based on a presidency [policy document](#) and a questionnaire.

The Council considered that the time is right to set out clearly the major data challenges within the digital single market agenda.

Ministers stressed the need for R&I in this context and, in particular, the need for improved data governance, appropriate skills and data infrastructures.

The research perspective should be taken into account when discussing issues such as data protection and copyright, cyber-security, data storage and management, interoperability of networks and standardisation, data-sharing conditions, etc.

The European Council's conclusions of October 2013 highlight the digital economy, innovation and services as drivers for growth and jobs. They call for EU action to provide the right framework conditions for a single market for big data and cloud computing.

In July 2014 the Commission responded to this call through its communication "[Towards a thriving data-driven economy](#)", which outlines the features of the data-driven economy of the future and sets out measures to support and accelerate the transition towards it. It also sets out current and future activities in the field of cloud computing.

### **Any other business**

#### ***– Small Business Act review***

The Council took note of an update by the Commission on a public consultation on the future of SME policy in Europe.

The consultation was launched by the Commission in September 2014 in order to prepare the review of the Small Business Act.

At the December 2014 Competitiveness Council, ministers discussed SME aspects within a broader policy debate on industrial competitiveness. Moreover, the Commission presented the first SME Envoys' report, which provides guiding principles for the future of SMEs in Europe.

[Report on public consultation on the new SME policy](#)

– ***Improving the single market: the "frontrunners" initiative***

The Dutch and United Kingdom delegations presented, on behalf of other delegations, the "[frontrunners projects](#)" to improve the single market.

The aim of the frontrunners' group of countries is to step up efforts to solve specific problems faced by businesses and consumers within the internal market.

The group finalised its work on four projects it had identified in May 2014: the Single Market Centre, Points of Single Contact, the recognition of professional qualifications and barriers to cross-border e-commerce. The frontrunners countries group present a new form of cooperation.

– ***Accounting Directive: transparency requirements***

The Dutch delegation drew attention to the importance of maintaining a level playing field between [transparency reporting requirements](#) for the extractive industries under the EU's Accounting Directive and similar reporting requirements for these industries in the United States of America.

The Dutch delegation, with the support of some other delegations, asked the Commission to monitor and to keep the Council informed on further international developments in relation to these issues.

– ***Energy Union***

The Council took note of a presentation by the Commission on its communication "A framework strategy for a resilient [Energy Union](#) with a forward looking climate change policy", issued on 25 February.

The communication aims at setting a new direction and a long term vision for European energy and climate policy.

The Commission's presentation focused on competitiveness-related elements contained in the communication. Policy areas under the responsibility of the Competitiveness Council such as industrial policy, SME policy, research, technological development and innovation policy, can make a significant contribution to reaching the goals of the proposed Energy Union strategy.

– *Investment plan for Europe*

The [French delegation](#) requested that the Competitiveness Council be fully involved in all aspects and preparatory steps of the investment plan.

It also asked the Commission and the European Investment Bank to keep ministers for competitiveness informed about the progress made.

– *European Research Area: roadmap and governance*

The presidency and the Commission briefed ministers on the state of play of the European Research Area (ERA) roadmap and the steps taken to improve the governance of the ERA.

The presidency announced its intention to prepare conclusions on the ERA roadmap to be submitted to the Competitiveness Council at the end of May.

The purpose of the roadmap is to identify and focus on measures that are likely to have the most profound impact and that could provide the greatest benefits for Europe's science, research and innovation systems.

Those measures are to be anchored in the key priorities agreed for the ERA, which are: a more effective national research systems; optimal transnational co-operation and competition; an open labour market for researchers; gender equality and gender mainstreaming in research, and optimal circulation, access to and transfer of scientific knowledge, including via a digital ERA. International cooperation in research is considered a sixth priority.

In February 2014, the [Council conclusions](#) invited the EU member states, in cooperation with the Commission, to develop by mid-2015 an ERA roadmap at European level.

Following this request, a preparatory and advisory committee (the “ERAC”) started preparing the roadmap which would cover the years 2015-2020. In addition to the ERAC, the Commission and the presidency, the other ERA-related groups, ERA stakeholder organisations and national administrations are involved in the process.

At an informal working lunch, ministers exchanged views on governance and organisational structure.

– *Science 2.0: open science*

The Council took note of the outcome of a [public consultation](#) on Science 2.0, which refers to the transition in the way research is performed, researchers collaborate, knowledge is shared and science is organised.

In July 2014, the Commission launched a consultation on "Science 2.0" focusing on the new trends in research and organising science. It gathered the views of many different stakeholders on the future of science, taking into account new trends such as more open, digital and data-driven science.

The presidency announced its intention to propose a policy debate on the future of open science at the Competitiveness Council meeting in May.

– *Baltic Sea research and development programme (“BONUS” programme)*

The Council took note of an evaluation [report](#) on the Joint Baltic Sea Research and Development Programme (the “BONUS” programme).

The Commission and the BONUS secretariat provided information on the way forward.

The aim of the BONUS programme is to enhance the research capacity in providing solutions to environmental problems of the Baltic Sea region and in facilitating its sustainable development.

BONUS was established in 2010 as a joint research programme between Denmark, Germany, Estonia, Latvia, Lithuania, Poland, Finland and Sweden, with the participation of the European Union under article 185 of the EU Treaty.

The interim evaluation of the programme, which was conducted by a group of independent experts, resulted in a report with nine recommendations to strengthen the efficiency of BONUS.

The overall conclusion is that BONUS is progressively achieving its objectives. It has reached a high level of scientific and managerial integration to tackle challenges facing the Baltic Sea.

The participating countries are expected to present a proposal for the continuation of the programme under the criteria of the Horizon 2020 research framework programme.

## **OTHER ITEMS APPROVED**

### **TRADE POLICY**

#### **Anti-dumping and anti-subsidy measures - codification**

The Council adopted regulations codifying:

- regulation 1515/2001 as subsequently amended on the measures that may be taken by the EU following a report adopted by the WTO dispute settlement body on anti-dumping and anti-subsidy matters,
- regulation 452/2003 as subsequently amended on measures the EU may take in relation to the combined effect of anti-dumping or anti-subsidy measures with safeguard measures.

The regulations will supersede the various acts incorporated in them whilst fully preserving their content.

#### **Common rules for imports and exports - codification**

The Council adopted regulations codifying:

- regulation 260/2009 as subsequently amended on the common rules for imports,
- regulation 1061/2009 as subsequently amended on common rules for exports.

The regulations will supersede the various acts incorporated in them whilst fully preserving their content.

#### **WTO - Armenia**

The Council authorised the Commission to open negotiations, under the General Agreement on Tariffs and Trade, with Armenia and other WTO members, which are relevant for the purposes of the WTO submission made by Armenia in October 2014.

## **WTO - US Caribbean Basin economic recovery act**

The Council adopted a decision establishing the position to be taken by the EU within the WTO on a United States request for a waiver.

It agreed to support the US request to waive certain WTO obligations in relation to its US Caribbean Basin economic recovery act.

[EU position of 2 March 2015 on the US Caribbean Basin economic recovery act](#)

## **INTERNAL MARKET**

### **eCall: emergency call system in road accidents - Type-approval for vehicles**

The Council adopted its position on type-approval requirements for fitting eCall devices in new motor vehicles. The EU-wide eCall system is designed to speed up emergency services in road accidents.

New vehicles will have to be fitted with wireless devices to trigger automatically a distress signal to the 112 emergency call number.

The eCall system will contribute to reducing the number of injuries and fatalities in road accidents in the Union. It is expected that it will halve emergency response times, resulting in lives saved and injuries treated promptly.

For more information see [press release](#).

## **FOREIGN AFFAIRS**

### **EEC- Iceland agreement**

The Council adopted a regulation to undertake a codification of regulation No 2843/72 on the safeguard measures provided for in the agreement between the European Economic Community and Iceland ([6275/15](#)).

## **Relations with Kazakhstan**

The Council approved the position of the European Union for the fourteenth meeting of the EU-Kazakhstan Cooperation Council, to be held in Brussels on 3 March 2015.

## **EU Special Representative for the South Caucasus and the crisis in Georgia**

The Council extended the mandate of the EU Special Representative for the South Caucasus and the crisis in Georgia, Mr Herbert Salber, until 31 October 2015.

## **EU Special Representative in Afghanistan**

The Council extended the mandate of the EU Special Representative in Afghanistan, Mr Franz-Michael Skjold Mellbin, until 31 October 2015. At the same time, it allocated a budget of €3.975 million for the period between 1 March and 31 October 2015. Mr Mellbin's role is to promote the views of the Union on the political process and developments in Afghanistan.

## **Restrictive measures - Somalia**

The Council amended EU sanctions against Somalia, following the adoption of a UN Security Council resolution. The changes authorise member states to inspect vessels bound to or from Somalia off the coast of Somalia, where there are reasonable grounds to believe that they carry charcoal or arms in violation of existing restrictive measures.

The Council also removed the name of one person from the list of persons subject to restrictive measures following a decision at the UN.

## **Restrictive measures - Central African Republic**

The Council amended EU restrictive measures against the Central African Republic. It removed the name of one person from the list of those subject to the above measures following a decision at the UN.

## **JUSTICE AND HOME AFFAIRS**

### **Visa facilitation agreement - Ukraine**

The Council adopted a decision establishing the position to be taken on behalf of the EU by the Joint Committee set up under the Agreement between the European Union and Ukraine on the facilitation of the issuance of visas, with regard to the adoption of Common Guidelines for the implementation of the Agreement ([15902/14](#)).

The Agreement between the European Union and Ukraine on the facilitation of the issuance of visas entered into force on 1 January 2008. The Agreement established, on the basis of reciprocity, legally binding rights and obligations for the purpose of simplifying the visa issuing procedures for Ukrainian citizens. Article 12 of this Agreement set up a Joint Committee tasked to monitor the implementation of the Agreement.

In 2009, the Joint Committee adopted common guidelines in order to ensure a fully harmonised implementation of the Visa Facilitation Agreement amongst the consulates of the member states, and to clarify the relationship between the provisions of that Agreement and the provisions of the contracting parties that continue to apply to visa issues not covered by the Agreement.

On 1 July 2013, an amended Agreement between the EU and Ukraine entered into force and the Guidelines needed to be adapted accordingly.

## **DEVELOPMENT COOPERATION**

### **Investment Facility Committee - Rules of Procedure**

The Council adopted the rules of procedure of the Investment Facility Committee set up under the auspices of the European Investment Bank. The Committee approves the operational guidelines, the investment strategies and business plans as well as the annual reports of the Investment Facility. It also delivers an opinion on all Investment Facility financing proposals.

### **European Development Fund committee - Rules of procedure**

The Council adopted the rules of procedure of the European Development Fund committee, which is involved in the implementation of the 11th European Development Fund.



## **11th European Development Fund - ACP countries**

The Council adopted a regulation for the implementation of the 11th European Development Fund (EDF) ([10178/14](#)).

The primary objective of cooperation under this regulation, which covers the period 2014 to 2020, is the reduction and the eradication of poverty. It will also contribute to fostering sustainable and inclusive economic, social and environmental development and to consolidating and supporting democracy, the rule of law, good governance and human rights.

The Council also approved the rules for the financial implementation of the 11th EDF, which relate to the applicable principles; the constitution of its resources; the financial actors and entities entrusted with budget-implementation tasks; the financing decisions, commitments and payments; the types of financing including procurement, grants, financial instruments and Union trust funds; the presentation of the accounts and accounting; the external audit by the Court of Auditors and discharge by the European Parliament; and the Investment Facility managed by the European Investment Bank ([10176/14](#) and [11434/14](#)).

### **Internal agreement on the financing of the European Development Fund**

The Council amended the amounts and the contribution keys to the 11th European Development Fund to take account of the accession of Croatia to the EU.

## **TRANSPORT**

### **Road traffic offenders traceable across the EU\***

The Council adopted a directive on sharing information on traffic offences committed by drivers of foreign vehicles. It extends the existing rules to include the United Kingdom, Ireland and Denmark. A new directive became necessary when the Court of Justice ruled in May 2014 that the directive's legal basis should be transport, not police cooperation, and allowed a one-year transition period to get the new legal act in place.

[Directive on cross-border exchange of information on traffic offences](#)

[Statement on the adoption of the traffic offence directive](#)

[Traffic offenders traceable across the EU](#)

## **Maritime transport agreement with China - amendment following Croatia's accession**

The Council authorised the signing of a protocol amending the maritime transport agreement with China. The purpose of the amendment is to take account of Croatia's accession to the EU.

The Council also adopted a decision approving the conclusion of the protocol.

[Protocol amending the maritime transport agreement with China](#)

[Council decision on signing of the protocol amending maritime transport agreement with China](#)

[Council decision on conclusion of the protocol amending maritime transport agreement with China](#)

## **ENVIRONMENT**

### **Cultivation of genetically modified organisms\***

The Council adopted a directive allowing member states to ban or restrict the cultivation of genetically modified organisms GMOs on their territory ([PE-CONS 1/15](#) + [6449/15 ADD 1](#)). The Portuguese and Belgian delegations abstained.

For details see [press release](#).

### **Plastic carrier bags**

The Council adopted its position at first reading ([5094/15](#)) together with its statement of reasons ([5094/15 ADD 1](#)) on a directive amending directive 94/62/EC on packaging and packaging waste to reduce the consumption of lightweight plastic carrier bags.

The new rules aim at encouraging waste prevention and a more efficient use of resources, limiting the negative environmental impacts of litter from plastic carrier bags which accumulate in the environment, in particular in water bodies and aquatic eco-systems.

For details see press release [16954/14](#).

## **AGRICULTURE**

### **Pesticides - maximum residue levels**

The Council decided not to oppose the adoption of a Commission regulation amending annexes II, III and V to regulation 396/2005<sup>1</sup> as regards maximum residue levels (MRLs) for 1,3-dichloropropene, bifenox, dimethenamid-P, prohexadione, tolylfluanid and trifluralin in or on certain products ([5238/15](#)).

Regulation 396/2005 establishes the maximum quantities of pesticide residues or MRLs permitted in products of animal or vegetable origin intended for human or animal consumption. These MRLs include, on the one hand, levels which are specific to particular foodstuffs intended for human or animal consumption and, on the other, a general limit which applies where no specific level has been set. MRL applications are communicated to the European Food Safety Authority (EFSA) which issue a scientific opinion on each intended new MRL. Based on EFSA's opinion, the Commission proposes a regulation to establish a new MRL or to amend or remove an existing MRL and modifying the annexes of regulation 396/2005 accordingly.

These Commission regulations are 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.

## **FISHERIES**

### **Partnership agreement between EU and Senegal - Conclusion of the agreement and protocol**

The Council adopted a decision on the conclusion of a sustainable fisheries partnership agreement (FPA) between the EU and the Republic of Senegal and the implementation protocol thereto ([12812/14](#)).

Following negotiations, a new FPA and its implementation protocol was signed by the Council and Senegal in November 2014. In order to allow EU vessels to carry out fishing activities, the new protocol applied on a provisional basis since its signature, pending the completion of the procedures for its formal conclusion. The European Parliament gave its consent for the conclusion of the FPA and its protocol on 11 February 2015.

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<sup>1</sup> OJ L 070, 16.3.2005, p. 1.

## **FOOD LAW**

### **Flavouring - Non dioxin-like PCBs**

The Council decided not to oppose the adoption of the two following Commission regulations:

- a regulation amending annex I to regulation 1334/2008 removing N-Ethyl (2E,6Z)-nonadienamide from the EU list of flavouring substances ([5218/15](#)),
- a regulation amending regulation 1881/2006 increasing the current maximum level of non dioxin-like PCBs in wild caught spiny dogfish to put it on a level as low as reasonably achievable ([5366/15](#)).

The 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 them, unless the European Parliament objects.

## **EMPLOYMENT**

### **International Labour Organization: Forced labour convention**

The Council agreed in principle on decisions authorising member states to ratify, in the interests of the EU, the 2014 protocol to the ILO forced labour convention.

The decisions concern judicial cooperation in criminal matters ([6424/15](#)) and social policy ([6425/15](#)).

The protocol aims to step-up the fight against contemporary forms of forced labour and to make progress in assistance to victims and in international cooperation.

## **TAXATION**

### **Taxation of motor fuels - United Kingdom**

The Council adopted a [decision](#) authorising the United Kingdom to apply a reduced rate of excise duty on gas oil and unleaded petrol, supplied as motor fuel to road vehicles, in 17 pre-defined geographical areas.

The authorisation, granted in accordance with article 19 of the energy taxation directive (2003/96/EC), will take effect on the date of its notification and expire six years thereafter.

It will apply in areas where prices of gas oil and unleaded petrol are higher than in the rest of the UK, due to the areas' remoteness, low population numbers and low volumes of fuel deliveries.

## **APPOINTMENTS**

### **European Economic and Social Committee**

The Council appointed Ms Flora GOLIN (Italy) as a member of the European Economic and Social Committee for the remainder of the current term of office, which runs until 20 September 2015.

The Council also appointed on 24 February 2015, by written procedure, Dr Dirk BERGRATH (Germany) and Mr Erik O'DONOVAN, Mr Cilian LOHAN and Mr John BRYAN (Ireland) as members of the European Economic and Social Committee for the remainder of the current term of office.

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