

COMMITTEE ON INDUSTRY, RESEARCH AND ENERGY
COMMITTEE ON INTERNAL MARKET AND CONSUMER PROTECTION

The Chairs

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Jerzy Buzek
 Chair
 Conference of Committee Chairs
 EUROPEAN PARLIAMENT

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Dear Chair,

In accordance with Rule 118 of the Rules of Procedure of the European Parliament, the Committee on Industry, Research and Energy and the Committee on the Internal Market and Consumer Protection, with, as associated committees, the Committee on the Environment, Public Health and Food Safety and the Committee on Legal Affairs, held an exchange of views on Thursday, 2 October 2014 with Ms Bieńkowska, Commissioner-designate, who, subject to the positive outcome of the nomination procedure, will be responsible for the Internal Market, Industry, Entrepreneurship and SMEs.

Prior to the hearing, Parliament had sent the Commissioner-designate a list of written questions to which she replied in writing on Friday, 26 September 2014.

Ms Bieńkowska opened the hearing by making a statement in which she referred to the following priorities:

1. developing the full potential of the internal market by focusing on:
 - the sectors with the biggest growth potential, in particular the services market, the internal market for goods and the Digital Single Market;
 - effective enforcement, including by making all rules work properly, strengthening internal market governance as part of the European semester and ensuring that the REFIT programme is reflected in all Commission initiatives;
 - strong consumer protection and social dimension of the internal market;
2. fostering industrial competitiveness and bringing industry's weight in the EU's GDP back to an aspirational 20% by 2020 through investment and innovation by:

- ensuring affordable access to production inputs such as raw materials, energy and skills;
 - addressing the issue of investment by contributing to mobilising the Jobs, Growth and Competitiveness Package that President-elect Juncker would present;
 - increasing investment in innovation and modernisation;
 - paying particular attention to strategic industries, such as the automotive, chemicals, defence, health and construction sectors;
3. unlocking the business environment and supporting SMEs through a proper implementation of COSME, the Erasmus programme for Young Entrepreneurs and the Entrepreneurship 2020 Action Plan; upgrading the Enterprise Europe Network and revising the Small Business Act in order to reduce time and costs of setting up business with a faster licensing process;
 4. projecting the internal market beyond our borders, in particular by fostering the access of Europe's businesses to markets both within the EU and globally, supporting the opening up of markets beyond Europe, in particular with the US and Japan, but in no way at the expense of European standards, and ensuring that Europe regains its position as an attractive destination for further investment.

ITRE Committee evaluation

With regard to issues falling within the remit of the Committee on Industry, Research and Energy, Ms Bieńkowska answered questions and made commitments on the following subjects:

- SMEs: SMEs would be an absolute priority. She would work with Vice-President Timmermans to ensure better regulation and address legislative burdens and would streamline administrative procedures time- and cost-wise. She would make use of all tools for impact assessments, referring also to the screening of new legislation and the SME test, and would also ensure consultation with all stakeholders. She recalled the list of the top 10 most burdensome legislative acts for SMEs and promised to analyse it in detail and take appropriate action. She also pointed to access to markets as a key element for the success of SMEs;
- Access to finance for SMEs: Access to investment was important, referring to COSME and President-elect Juncker's Jobs, Growth and Competitiveness Package. She undertook to exert pressure on national and regional financial operators to implement EU financial instruments for SMEs more simply. She also noted the importance of funds from the EIB, EIF investment and the regional funds. In particular, it was necessary to look at other sources of funding, including reciprocal instruments, risk capital, guarantees and loan-based instruments and e-business angels, with grants being appropriate only at the very beginning of the process of developing new products. She noted that there were plenty of funds available in Europe, but they were often poorly spent;
- Competitiveness and re-industrialisation: She committed to help boost industrial competitiveness, stressing that innovation was key in this process. In that connection, she would propose a full road map in the beginning of 2015 with actions to support industry and would make sure that competitiveness was at the heart of the revised

EU2020 strategy and the European Semester. In addition, she stressed that re-industrialisation should go together with sustainability, pointing to the transition to a low-carbon economy, energy and resource efficiency, key enabling technologies and modernisation of the production base as pillars of that road map. She pointed to the need to cooperate with the Commissioners responsible for Innovation and the Environment in that regard and to the need for measures to support cooperation between academia and businesses and help bring new products to market. She emphasised the fact that the very high energy costs in the EU were a serious problem for the EU's competitiveness, and she would support action by the relevant Commissioner to improve energy networks;

- Industrial sectors: Many Members raised the issue of the pharmaceutical sector. She stressed that health, safety, quality and availability should come first. She also noted that she would support the sector – as she would other sectors – by cutting red tape, supporting research and innovation and promoting access to finance for SMEs. She also mentioned a wide range of industrial sectors, including the steel industry, where she promised to push for the implementation of the remaining 50% of the action plan.

At the ITRE Coordinators' meeting, the GUE/NGL Group and the EFDD Group wished to state that they had some concerns about Ms Bieńkowska's political views.

IMCO Committee evaluation

With regard to issues falling within the remit of the Committee on the Internal Market and Consumer Protection, Ms Bieńkowska answered questions and made commitments on the following subjects:

- to ensure as a priority the efficient and comprehensive implementation of the Services Directive, whilst avoiding social dumping, and of the Professional Qualifications Directive, by ensuring effective enforcement and careful analysis of remaining barriers and gaps to the Internal Market for Services (by updating the findings of the 2012 Commission implementation report) and while respecting dual learning where appropriate;
- to ensure the efficient spending of public funds by focusing on the effective implementation and enforcement of the recently adopted public procurement modernisation legislation, taking further action to enable smaller buyers to apply the new rules on innovative, environmental and social aspects of public procurement (such as on sub-contracting) and to implement faithfully the new directive on concessions, in particular with regards to the exclusion of the water sector; by continuing to work towards the opening, for SMEs, of cross-border markets, including international ones, notably by using e-procurement;
- to take fast and decisive action to establish competitive trademarks, by continued working towards a timely adoption of the proposed European Trade Mark Law and Directive on the Protection of Trade Secrets
- to take action to progress the negotiations on car re-registration;
- to make implementation of the eCall legislation a priority (by aiming at the timely conclusion of negotiations on the proposed legislation and considering extending it to other types of vehicles, and by ensuring that collected data are not used to trace persons);

- to submit an action plan against misleading advertising practices as well as against unfair trading practices, in particular in franchising
- to support and enhance the European health sector, which is one of the most innovation-intensive, by fostering its development (by enabling funding for research and equal access to markets), whilst safeguarding to the fullest European citizens' rights as to the safety, quality, and availability of health services and products; and to assure impartial judgment by building on the continued expertise of the Commission services concerned; to continue work on the proposed measures on clinical trials, balancing the right to perform clinical trials and the protection of personal data, and on medical devices in cooperation with the relevant European agencies;
- to set out a key role for the internal market in the priorities for the mid-term review of the Europe 2020 Strategy, and to establish it as a central pillar of the European Semester of economic policy coordination;
- to support Single Market growth by focused and efficient investment into the economy and for the benefit of SMEs in particular;
- to play a particular role in supporting the better regulation agenda, in close cooperation with the Vice-President for Better Regulation, notably by leveraging all analytical instruments available when revising existing laws or preparing new legislation (for example, by making all legislation subject to an impact assessment including, as a standard feature, the 'Internal Market Test', the 'SME test' and 'Competitiveness proofing'; by reviewing or supporting the withdrawal of any proposals which the European Parliament would find flawed); and by further reducing administrative burdens especially for SMEs;
- to reconcile economic freedoms with social rights, by taking account of social aspects of the internal market (such as the implementation of social clauses for example in the public procurement package);
- to examine environmental issues (for example by taking greater account of products' full life-cycle costs, by facilitating information on such costs and by taking action against 'planned obsolescence' and by supporting research on resource-efficiency enhancing measures);
- to promote, with regard to the external dimension of the Single Market, the competitiveness of European companies and economy as a whole through a balanced negotiation process, setting common standards and by safeguarding the reciprocity principle in relations with trading partners.

The IMCO Committee considered that Ms Bieńkowska displayed the aptitude and experience that are appropriate for a Commissioner.

ENVI Committee opinion

The ENVI Committee noted that, in her opening statement, Ms Bieńkowska highlighted that health and safety should come before industry interest. She also mentioned chemicals saying that she intended to improve the implementation of REACH, in particular concerning the authorisation of substances, in close cooperation with Commissioner Vella.

On resource efficiency she committed that this be at the heart of EU industrial policy. She reiterated that industrial and energy policy contradicts neither environmental policy nor environmental friendly and sustainable growth.

The Commissioner-designate considered the move of areas of the Health competence, in particular medicinal products, to her portfolio is consistent and justified in view of the challenges that this leading industrial sector will face in terms of innovation and export. Given the importance of this sector for public health, the ENVI Coordinators are of the view that a harmonised and balanced approach with health policy would guarantee quality, availability and safety of the products as well as boost competitiveness of this sector.

Consequently, the ENVI Coordinators reiterate their request to the President-elect Juncker to reintegrate health technology, cosmetics, medicinal products and the European Medicines Agency into the portfolio of the Commissioner for Health and Food Safety. This change should take place before the plenary vote.

JURI Committee opinion

The Committee on Legal Affairs made the following remarks concerning the Commissioner-designate's aptitude in the aforementioned areas.

The Commissioner-designate's written replies, her introductory statement and the answers at the hearing relating to Intellectual Property Rights showed a good understating of the state of play. The statements made concerned the general consolidation and effectiveness of IPRs and their usefulness as a tool for fostering industry, entrepreneurship and simplification for SMEs. A question on trademarks in the context of delegated and implementing acts was addressed to the Commissioner. Ms Bieńkowska was aware of the problem and she assured the Members that she would work towards finding constructive solutions based on common grounds.

The Commissioner-designate agreed to work for a rapid conclusion of the trademark package, for the entry into force of the unitary patent, for advancement on the geographical indications dossier, and stressed that trade secrets could be important for SMEs as an affordable alternative to patents. The Commissioner-designate also addressed the issue of better law-making throughout the hearing, made several statements which reflected the priorities of the Parliament in this area and stressed the importance of impact assessments of legislative proposals.

The Committee on Legal Affairs considers that the Commissioner-designate in general answered the two questions put to her satisfactorily, although some answers could have been more detailed, and she is therefore suited to promoting better law-making, with special regard to SMEs, and to handle the IPR dossiers (other than copyright) in the incoming Commission, and it eagerly awaits the concrete strategies and proposals.

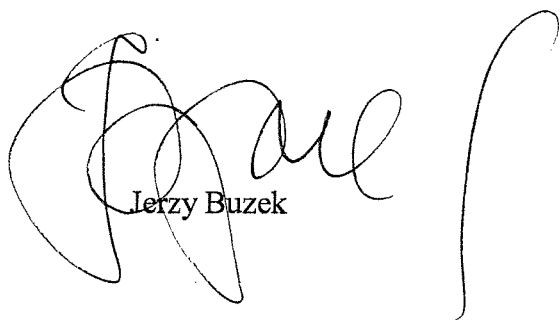
Before the end of the hearing, the Commissioner-designate made a brief closing statement in which she added that she would work closely with Parliament in a spirit of trust and regular dialogue. She recognised Parliament's strong mandate and would be accountable to Parliament in working on a portfolio that was clearly of importance to all political groups.

On the basis of the written answers and the responses of the Members present at the hearing, as well as the comments made by the Coordinators of the ITRE and IMCO Committees, who met after the hearing under our chairmanship, we hereby state the following:

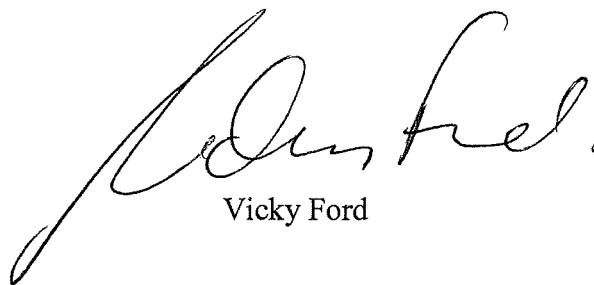
The ITRE and IMCO Coordinators concluded by consensus that Ms Bieńkowska is qualified both to be a member of the College of Commissioners and to carry out the specific tasks assigned to her.

We would be grateful if you could bring this assessment to the attention of the Conference of Presidents.

Yours sincerely,



Jerzy Buzek



Vicky Ford