MINUTES

Meeting of 4 December 2019, 9.00-12.30

BRUSSELS

The meeting opened at 9.11 on Wednesday, 4 December 2019, with Petra De Sutter (Chairwoman) presiding.

1. Adoption of agenda

Decision: The draft agenda was adopted in the form shown in these minutes.

2. Chair’s announcements

A. Webstreaming and eMeeting

The Chairwoman reminded Members that the meeting is webstreamed live and that the eMeeting application is available on tablet or laptop to access the meeting documents, as IMCO is totally paperless.

B. Newsletter

The Chairwoman informed Members that the new issue of IMCO's Newsletter (Nr.105) is available.

3. Approval of minutes of meetings

- 6 November 2019

Decision: The minutes were approved.
Report on ongoing interinstitutional negotiations

4. Establishing the Programme for single market, competitiveness of enterprises, including small and medium-sized enterprises, and European statistics
IMCO/9/01385
***I 2018/0231(COD) COM(2018)0441 – C8-0254/2018
Rapporteur: Brando Benifei (S&D)
Responsible: IMCO

Speakers: Brando Benifei

5. Establishing the 'Customs' programme for cooperation in the field of customs
IMCO/9/01386
***I 2018/0232(COD) COM(2018)0442 – C8-0261/2018
Rapporteur: Maria Grapini (S&D)
Responsible: IMCO

Speakers: Maria Grapini

6. Establishing, as part of the Integrated Border Management Fund, the instrument for financial support for customs control equipment
IMCO/9/01387
***I 2018/0258(COD) COM(2018)0474 – C8-0273/2018
Rapporteur: Jiří Pospíšil (PPE)
Responsible: IMCO

Speakers: Petra De Sutter

7. Preventing the dissemination of terrorist content online
Rapporteur: Patryk Jaki (ECR)
Responsible: LIBE

Rapporteur IMCO: Marcel Kolaja (Greens/EFA)

Speakers: Marcel Kolaja, Petra Kammerevert

8. Type approval of motor vehicles with respect to emissions from light passenger and commercial vehicles (Euro 5 and Euro 6) and on access to vehicle repair and
maintenance information
IMCO/9/00536

Rapporteur for the opinion:
Anna Cavazzini (Verts/ALE)

Responsible:
- ENVI – Esther de Lange (PPE)
- Consideration of draft opinion

Speakers: Anna Cavazzini, Róża Thun und Hohenstein, Petra De Sutter, Monika Beňová, Dita Charanzová, Virginie Joron, Adam Bielan, Kateřina Konečná, Joanna Szychowska (Head of Unit – Unit C4 - DG GROW)

With the Commission

9. Presentation of plans to review Machinery Directive (Directive 2006/42/EC)

*** Electronic vote In Camera ***

10. Conclusion of the Agreement on the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union and the European Atomic Energy Community
IMCO/9/01757

Chair:
Petra De Sutter (Verts/ALE)

Responsible:
- AFCO
- Adoption of draft opinion in letter form

Result: 37 votes in favour, 0 against and 4 abstention

*** End of electronic vote ***

11. Any other business

12. Next meetings
- 22 January 2020, 9.00 – 12.30 and 14.30 – 18.30 (Brussels)
- 23 January 2020, 9.00 – 12.30 (Brussels)

In camera
13. **Coordinators’ meeting**

The Chairwoman closed the meeting at 10.55.
Committee on the Internal Market and Consumer Protection

DECISIONS
Coordinators' meeting
Brussels

Wednesday, 6 November 2019 from 12.05 to 12.35

In the Chair: Petra De Sutter

Part I: items for decision with debate

I.1 Adoption of the draft agenda

The agenda was adopted as shown in these decisions.

I.2 Announcements

I.2.1 Main items of the Conference of Committee Chairs

None.

I.2.2 Conflicts with other Committees

<table>
<thead>
<tr>
<th>Title</th>
<th>Procedure n°</th>
<th>State of Play</th>
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<tbody>
<tr>
<td>Towards a more sustainable Single Market for businesses and consumers (DBD)</td>
<td></td>
<td>IMCO’s proposed INI was initially blocked by ENVI and ITRE. The conflict with ENVI is solved (ENVI will request Rule 56). The INI is still objected by ITRE.</td>
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<tr>
<td>Digital Services Act: improving the functioning of the Single Market (AM/AK)</td>
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<td>– ITRE objected to the INI by letter of 16/9/19. IMCO responded by letter of 27/9/19. ITRE responded by letter of 17/10/19. Despite IMCO’s offer to change the title of the INI, ITRE insists that the INI will be broader than the E-Services Directive. It concludes by suggesting that a decision on the INI when the proposal of the Commission has been made. We are currently preparing the</td>
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reply to this letter.
– JURI submitted an INI by letter of 11/09/19. IMCO responded by letter of 26/09/19. As a way of compromise, IMCO proposed JURI to be associated as opinion-given committee and to change the title of the INI to "E-commerce rules fit for the digital age"; JURI replied by 14/10/19 refusing IMCO's proposals.
- CULT objected to the INI by letter of 13/09/19. IMCO responded by letter of 23/09/19. CULT restated its arguments on a letter of 15/10/19. IMCO replied on 18/10/19.
– LIBE objected to the INI by letter of 18/09/19. IMCO responded by letter of 30/09/19. LIBE replied on 15/10/19. IMCO replied to this second letter on 23/10/19.
- ECON on 16/10/19 (!) requested guarantees that the INI will not cover aspects, which are within their competence.

The IMCO responses to the various objecting committees seek to reassure them that IMCO would stay within its competences. By way of compromise, IMCO has suggested a more concrete title: "E-commerce rules fit for the digital age".

- LIBE objected to the hearing by letter of 18/09. IMCO responded by letter of 30/09.
– JURI objected to the hearing by letter of 14/10. IMCO is preparing a response.

The IMCO responses to the three objecting committees seek to reassure them that IMCO would stay within its competences. By way of compromise, IMCO has suggested a more concrete title: "AI and blockchain – opportunities and challenges for the Single Market".

| Type approval of motor vehicles with respect to emissions (RDE proposal) (DA) | 2019/0101(COD) | In accordance with the decision taken by Coordinators at their meeting on 18 July, an agreement has been reached with the ENVI Committee whereby IMCO has exclusive competence for those aspects of the proposal
| Strengthening the Single Market: the future of free movement of services (AD) | ITRE objected to the INI by letter of 16 September. IMCO responded by letter of 27 September. The IMCO response to the ITRE objection seeks to clarify that the INI will focus on the implementation and enforcement of the legal framework on services and professional qualifications, building on the Services Directive, the Professional Qualifications Directive and the Proportionality Directive, within the IMCO competences. ITRE maintained its objection by letter of 17 October, unless the INI would limit itself exclusively to the 1) Services Directive, 2) the Professional Qualifications Directive and 3) the Proportionality Test Directive. IMCO is preparing a response. |
| Digital Services Act: Adapting commercial and civil law rules for commercial entities operating online (AM/AK) | JURI INI | IMCO blocked the request of this INI report as it conflicts with our INI and our competence on e-Commerce and as there can be no two INIs on the same subject. JURI sent a letter contesting the objection, insisting that their report will focus on civil and commercial law. A rebuttal letter is currently being prepared by IMCO. |
| Civil liability regime for artificial intelligence (KB) | JURI INI | IMCO requested association under Rule 57 with exclusive competences ITRE has objected to this legislative INI. |
| Regulatory framework of ethical aspects of artificial intelligence, robotics and related technologies (KB) | JURI INI | IMCO requested association under Rule 57 with exclusive competences ITRE has objected to this legislative INI. |
| Intellectual Property rights for the development of artificial intelligence technologies (KB) | JURI INI | IMCO requested further clarifications on the proposed scope and asked authorisation to be put on hold until those are received ITRE has objected to this INI. |
Artificial intelligence: questions of State authority and of interpretation and application of international law in so far as the EU is affected in the areas of civil and military uses (KB) | JURI INI | IMCO requested further clarifications on the proposed scope and asked authorisation to be put on hold until those are received

ITRE has objected to this INI.

I.3 Nomination of rapporteurs

**Legislative reports**

None.

**Non-legislative reports**

1. E-commerce rules fit for the digital age (previous title: Digital Services Act: Improving the functioning of the Single Market)

   Resp.: IMCO  
   Opinion: tbc

   **Decision:** legislative INI report - S&D (1,5 points)

2. Towards a more sustainable single market for businesses and consumers

   Resp.: IMCO  
   Opinion: ENVI, others tbc

   **Decision:** INI report - Greens/EFA (1 point)


   Resp.: IMCO  
   Opinion: tbc

   **Decision:** INI report - Renew (1 point)


Resp.: IMCO (PC) Opinion: JURI

Decision: prepare a Motion for Resolution on behalf of the Committee


Resp.: IMCO (SVS) Opinion: -

Decision: no report - address these problems in the context of the future INI on “Tackling non-tariff barriers in the Single Market” (agreed by Coordinators on 25 September 2019).

7. Addressing product safety in light of the new technological challenges (DA/GDS)

Decision: INI report - EPP (1 point). Coordinators endorsed the new title proposed for this INI report as follows: “Addressing product safety in the single market”

Legislative Opinions

None.

Non-legislative Opinions

None.

For info

8. Report from the Commission to the European Parliament, the Council and the European

Resp.: INTA Opinion: IMCO, EMPL, ENVI, ITRE


Resp.: BUDG Opinion: all committees


Resp.: ITRE Opinion: IMCO, EMPL, BUDG

I.4. Miscellaneous

I.4.1 Oral question on automated decision-making processes: Ensuring consumer protection and transparency (MC)

Coordinators endorsed the proposal to submit this 'question for oral answer with debate' and a motion for resolution on behalf of the Committee.

I.4.2 EU-EEA-Switzerland: 25 years of efforts to fully implement internal market rules (TV)

Coordinators endorsed the proposal to submit a motion for resolution on behalf of the Committee.

I.4.3 Opinion of the IMCO Committee to the consent procedure on the UK's withdrawal agreement (KB)

Coordinators agreed to draft an IMCO opinion to the AFCO consent procedure in the form of a Chair's letter under Rule 56(1).
Part II: items for decision without debate

II.1 Adoption of the Coordinators Decisions of the last meetings

The decisions of the coordinators' meeting of 8 October 2019 were approved by written procedure on 17 October 2019.

Items approved by written procedure:

- Amendments to "sustainable single market" INI outline (04.10.19): endorsed on 07.10.19;
- Title and description of the studies (16.10.19): endorsed 22.10.19
- Preparation of Commissioner-designate Hearing (23.10.19): maintain the 5 questions agreed and foreseen by the Rules of Procedure and eventually complain to the President about the non-respect of the provisions of the RoP (endorsed 24.10.19)

II.2 Timetables

None.

II.3 Comitology, Delegated and Implementing Acts and Expert Groups

Coordinators took note of the recommendations regarding documents transmitted for scrutiny and if no objections are received by 8 November they will be deemed approved. Coordinators also took note of the summary of the expert group meetings.

II.4 Petitions and motions for resolution

A. Petitions

A1. Petition No 0063/2017 by Ivailo Iliev (Bulgarian) bearing 50 signatures, on alleged breach of consumer rights in payment order proceedings in Bulgaria
Petition No 0408/2017 by Desislava Filipova (Bulgarian) bearing 4248 signatures, on the legality of Article 417 of the Bulgarian Civil Procedure Code and alleged breach of consumer rights in payment order proceedings in Bulgaria
Petition No 0838/2017 by Violeta Gospodinova (Bulgarian) on a payment order procedure concerning a mortgage loan dispute with a Bulgarian bank
Petition No 0606/2018 by Milena Dimitrova (Bulgarian) on alleged violation of the Directive 93/13/EEC and dispute with a bank on a home loan
Petition No 0609/2018 by Tsetska Khadzhigeorgieva (Bulgarian) on an alleged violation of the right to fair trial and a lack of access to court
Petition No 0720/2018 by Violeta Gospodinova (Bulgarian) on the alleged fraud and
corruption for the unlawful removal of property by banks and private bailiffs in Bulgaria
Petition No 0810/2018 by P.A.V. (Bulgarian) on the legality of Article 417 of the Bulgarian Code of Civil Procedure and alleged breach of consumer rights in payment order proceedings in Bulgaria
Petition No 0037/2019 by Mariana Ilieva (Bulgarian) on the alleged infringement of EU law by the Republic of Bulgaria through the so-called payment order procedure
Petition No 0040/2019 by A.M. (Bulgarian) on non-compliance of Bulgarian law with Regulation 1896/2006 creating a European order for payment procedure
Petition No 0051/2019 by Elitsa Vasileva (Bulgarian) on the alleged violation of Directive 93/13/EEC on unfair terms in consumer contracts by Bulgaria
Petition No 0102/2019 by H.Y. (Bulgarian) on a mortgage loan dispute (AK)

**Decision:** For information, no further action needed.

A2. Petition No 0154/2019 by A. B. T. L. (Spanish), on behalf of Adadem, on a violation of health and consumer rights by the Spanish company iDental (MS)

**Decision:** For information, no further action needed.

A3. Petition No 0218/2019 by Krzysztof Gadomski (Polish) on consumer contracts (MS)

**Decision:** For information, no further action needed.

B. **Motions for Resolution**

None.

C. **Proposals for Union Acts**

None.

II.5 **Miscellaneous**

None.

II.6 **Date of next Coordinator's Meeting**
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<td>Substitutes</td>
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<td>209 (7)</td>
<td>Aldo Patriciello</td>
<td>216 (3)</td>
<td>56 (8) (Точка от дневния ред/Punto del orden del día/Bod pořadu jednání (OJ)/Punkt på dagsordenen/Tagesordnungspunkt/ Päevakorrapunkt/Sημείο της ημερήσιας διάταξης/Agenda item/Point OJ/Točka dnevnog reda/Punto all’ordine del giorno/Darba kārtības punkts/Darbotvarkes punktas/Napirendi punt/Punt/Agenda/Agendapunkt/Punkt porządku dziennego/Ponto OJ/Punct de pe ordinea de zi/Bod prgramu schédzie/Točka UL/Esityslistan kohta/Punkt på förordnungslistan)</td>
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Съвет/Consejo/Rada/Rådet/Räad/Συμβούλιο/Council/Komisija/Commission/Kommissionen (*)

Permanent Representation of Finland: Jenni Hakala, Vesa Katajisto

Комисия/Comisión/Komishon/Επιτροπή/Commission/Kommissionen/Kommission/Kommissjon/Комисия/Комисия/Комисия/Komision/Комисия/Komissio/Kommissionen (*)

GROW: Barbara Bonvissuto, Marta Cebollero, Panagiota Dilara, mehdi Hocine, Emmanuele Ricci, Joanna Szychowska, Alexander Von Campenhausen

SG: Joachim Wiemann

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Panos Konstantopoulos, David Ashton, Mark Beamish, Diane Bourlon de Rouvre, Atanaska Koleva, Carlos Mur, Thomas Volstrup

Sandra Almeida, Kunka Ilieva