



EUROPEAN PARLIAMENT

2009 - 2014

Committee on Industry, Research and Energy

2010/2137(INI)

9.11.2010

OPINION

of the Committee on Industry, Research and Energy

for the Committee on Economic and Monetary Affairs

on the Report on Competition Policy 2009
(2010/2137(INI))

Rapporteur: Silvana Koch-Mehrin

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SUGGESTIONS

The Committee on Industry, Research and Energy calls on the Committee on Economic and Monetary Affairs, as the committee responsible, to incorporate the following suggestions in its motion for a resolution:

1. Stresses that an EU competition policy based on the principles of open markets and a level playing field in all sectors is a cornerstone of a successful internal market and a condition for the creation of sustainable and knowledge based jobs;
2. Invites the Commission to monitor closely and to report on the rapid and correct implementation of the third energy package by Member States according to the timetable, and to assess its effectiveness in creating a functioning internal market; urges the Commission to initiate a further inquiry into the energy sector if the assessment comes to a negative conclusion; encourages the Commission in this case to submit additional measures which will ensure competitive market conditions;
3. Underlines that the modernisation of the European energy infrastructure is an essential objective of the energy policy and welcomes therefore the central focus of the 'Energy Strategy for Europe 2011-2020' on smart and modern infrastructure to bring forward modern EU-wide integrated grids as this improves competition in the European energy market, increases choice for consumers and the number of suppliers, and strengthens Europe's security of supply; invites Member States and the Commission to develop major investments and to complete the internal energy market;
4. Recognises that high market concentration and a lack of transparency in commodity markets can significantly hamper competition and adversely affect European industry; calls on the Commission therefore to analyse commodity markets, such as the ones for iron ore and particularly for the 14 critical raw materials identified by the Commission, with a view to establishing to what extent these markets require more transparency and competition;
5. Underlines its calls for consistency between all EU policies and the priorities set out in the EU 2020 strategy for growth and jobs; underscores that this is of special importance as regards competition policy;
6. Regrets that the implementation of the second internal market package is not entirely complete, which thus hinders the full potential of the liberalisation of the energy sector and effective competition;
7. Refers to the fact that a well-functioning market incentivises energy efficiency;
8. Stresses that the recent gas crisis has shown that access to gas infrastructure in Europe is a requirement for market integration and that the development of competition plays a crucial role in assuring the security of gas supply; calls on the Commission and Member States to increase security of supply by promoting investments in transport capacity and by increasing the number of suppliers on the market and decreasing the dependence on traditional suppliers;

9. Points out that regulated energy prices have a negative effect and continue to be a major concern for the proper functioning of the internal market, which could lead to the distortion of competition and negatively influence investments and incentives for energy efficiency; invites the Commission to present an analysis on the extent to which price control mechanisms influence competition and investments in the energy sector;
10. Notes that commodity speculation can have a distortive effect on markets and competition; welcomes France's intention to address this issue in the context of its G-20 Presidency; notes that this should also go beyond agricultural products to include metals;
11. Reminds that digital convergence and the growing importance of interoperability and standards are key issues for ICT in the increasingly inter-connected global environment; underlines furthermore the importance of continuously ensuring free competition in the field of ICT as new digital products and services appear on the market; calls therefore on the Commission to address these issues in the upcoming guidelines on horizontal cooperation agreements;
12. Calls on the Commission and the Member States to use public procurement policies for stimulating competition by, for example, including environmental and social criteria in tenders;
13. States that the competitiveness of the EU is very much dependent on innovation capacity, on research and development facilities, and on the linkage between innovation and manufacturing process;
14. Reiterates Parliament's earlier calls for sector inquiries into media concentrations, covering all forms of content distribution, such as print, television, radio and the Internet;
15. Welcomes the adoption of the broadband Guidelines on State aid to basic broadband networks (ADSL, cable, mobile, wireless or satellite broadband services) and support to very high speed NGA networks (fibre-based or advanced upgraded cable networks at the current stage) and asks the Commission and Member States to disseminate and promote the best practices and increase competition;
16. Notes Regulation (EC) No 544/2009 on intra-Community roaming fees, which entered into force on 1 July 2010 thereby bringing consumers benefits from reductions in the prices for voice and SMS roaming services; points out, however, that competition in the roaming markets has not yet developed sufficiently and structural problems persist; asks the Commission to envisage in its 2011 review the option of totally abolishing intra-EU roaming fees;
17. Underlines the importance of promoting an internal digital market; emphasises in this regard the importance of promoting consumer trust in and accessibility to online services, in particular by improving consumer rights, protection of private information and by removing any remaining obstacles to online cross-border trade and transactions;
18. Regrets the instances of non-transparent auctioning of new, fourth-generation mobile frequencies in some Member States; encourages the Commission to continue monitoring very closely the activities of Member States in this regard and requiring Member States to

carry out a thorough analysis of the impact of spectrum decisions on competition and to take appropriate measures to prevent anti-competitive outcomes in line with the amended GSM Directive, thereby ensuring a level playing field for market participants and new entrants;

19. Acknowledges the revised Broadcasting Communication of July 2009 which reaffirms the competence of the Member States to define the remit, funding and organisation of public service broadcasting while acknowledging the Commission's responsibility to control manifest errors, and calls on Member States to maintain a balance amongst the digital media services on offer, to ensure fair competition and thus to preserve a vibrant media landscape in the online environment;
20. Stresses the new and important role of competition policy in the digital economy; asks the Commission to follow closely technological developments in the digital market and to react swiftly where necessary in order to keep digital platforms as open as possible by strictly applying competition rules;
21. Invites the Commission to consider, within the integrated regulatory framework on the protection of intellectual property rights, the use of competition legislation as a tool for preventing any abuse of IPRs;
22. Stresses that scientific and technical innovation, patents and the cultural industries contribute immensely to the competitiveness of the European economy; urges the Member States, therefore, to speedily find a solution to the outstanding issues in the EU single patent system; for that reason welcomes, as laid out in the Europe 2020 Flagship Initiative Innovation Union, the objective of the first EU patents being delivered in 2014;
23. Stresses the key role of research in improving European competitiveness; calls therefore on the Commission and on Member States to ensure that the 3 % target for investments in research and development is reached;
24. Points out that SMEs are particularly important for the whole European economy; stresses furthermore the major innovation potential of SMEs and reiterates its previous request to the Commission to include a dedicated chapter with a focus on fair and non-discriminatory competition conditions for SMEs.

RESULT OF FINAL VOTE IN COMMITTEE

Date adopted	9.11.2010
Result of final vote	+: 44 -: 2 0: 0
Members present for the final vote	Jean-Pierre Audy, Ivo Belet, Bendt Bendtsen, Jan Březina, Giles Chichester, Pilar del Castillo Vera, Lena Ek, Ioan Enciu, Gaston Franco, Adam Gierek, Fiona Hall, Romana Jordan Cizelj, Arturs Krišjānis Kariņš, Philippe Lamberts, Bogdan Kazimierz Marcinkiewicz, Marisa Matias, Judith A. Merkies, Angelika Niebler, Jaroslav Paška, Aldo Patriciello, Miloslav Ransdorf, Herbert Reul, Teresa Riera Madurell, Michèle Rivasi, Paul Rübig, Amalia Sartori, Francisco Sosa Wagner, Patrizia Toia, Evžen Tošenovský, Ioannis A. Tsoukalas, Claude Turmes, Vladimir Urutchev, Adina-Ioana Vălean, Kathleen Van Brempt, Alejo Vidal-Quadras, Henri Weber
Substitute(s) present for the final vote	António Fernando Correia De Campos, Andrzej Grzyb, Jolanta Emilia Hibner, Yannick Jadot, Silvana Koch-Mehrin, Ivari Padar, Vladko Todorov Panayotov, Peter Skinner, Silvia-Adriana Țicău, Catherine Trautmann