

Newsletter

Issue 111 - June/July 2020

SELECTED NEWS

Presentation of the Council Presidency's programme with Peter Altmaier, Federal Minister for Economic Affairs and Energy, and Christine Lambrecht, Federal Minister of Justice and Consumer Protection



On 7 July, IMCO Members will hear a presentation of the German Council Presidency Programme by Mr Peter Altmaier, German Federal Minister for Economic Affairs and Ms Christine Lambrecht, Federal Minister of Justice and Consumer Protection. The German Presidency will give priority to dossiers that contribute to restoring a fully functioning Single Market, especially in future growth sectors with the aim to recover from the COVID-19 crisis and to increase the competitiveness of the European economy.

Exchange of views with Didier Reynders, Commissioner for Justice - on the adapted work programme of the Commission following the COVID-19 outbreak



On 8 June, IMCO held an exchange of views with Commissioner for Justice Mr Didier Reynders, focusing on the Commission's upcoming Consumer Agenda Communication and the EU's response to the COVID-19 outbreak. Commissioner Reynders recalled the main aspects of the work of the Commission on tackling the crisis, and put an emphasis on consumer trust as an essential element to ensuring an economic recovery. Members questioned the Commissioner on topics such as misleading online information, consumer rights with regard to product durability and sustainability, travelers' rights and product safety, as well as on a coordinated approach to market surveillance – for which he recalled the important support of the Parliament. He announced that the New Consumer Agenda was still being planned for the last quarter of 2020. This Agenda will focus on the green and digital transitions, consumer vulnerabilities, enforcement and international cooperation, as well as introducing new legislative proposals in the areas of empowering consumers in the green transition, the revision of the general product safety directive, and consumer credit.

Digital Services Act: Improving the functioning of the Single Market - consideration of amendments



On 6 July, IMCO will consider amendments tabled to the [draft report](#) entitled "Digital Services Act: Improving the functioning of the Single Market". Over 900 amendments were tabled in IMCO by the shadow rapporteurs and other MEPs. The amendments generally support and further develop the proposals put forward by the Rapporteur in his draft report. The Rapporteur presented a first set of compromises, including a number of recommendations on transparency and consumer protection, artificial intelligence, the need to tackle the spread of illegal content online, ex ante regulation of systemic platforms and the need to improve regulatory enforcement.

DRAFTSPERSON: [Alex Aqius Saliba \(S&D\)](#)

NEXT COMMITTEE MEETING

(6-7 JULY 2020)

[Watch the committee meeting live](#)

Civil liability regime for artificial intelligence - vote

On 6 July, the [draft opinion](#) on the JURI INL Report on the "Civil liability regime for artificial intelligence" will be voted. The Rapporteur for IMCO opinion, Ms Svenja Hahn (Renew), proposed 14 compromises, based on the 88 amendments tabled to the draft opinion. The compromises stress the need to assess whether the existing liability framework, in particular the Product Liability Directive, needs to be updated in order to be in line with new technological developments, while ensuring a high level of protection for consumers from harm caused by complex products. The compromises also highlight the need for a risk-based approach to AI and strive for further harmonisation of product liability rules. They emphasise the necessity to review the definitions of "product", "producer", "damage", and "defect", as well as the concept of burden of proof, in order to ensure a fair liability system for consumers. The vote on the final report in JURI is foreseen for September 2020.

DRAFTSPERSON: [Svenja Hahn \(Renew\)](#)

Draft opinion on Budget 2021 - consideration of draft opinion



On 24 June Commissioner Hahn presented in the Committee on Budgets the EU's preliminary budget for 2021. Based on this document, the IMCO Rapporteur Mr Leszek Miller (S&D) will present on 7 July IMCO's opinion on the budget. The Rapporteur welcomes the fact that the Commission proposed a new

dedicated programme to support the effective functioning of the Single Market. Mr Miller is of the view that the Commission has allocated an appropriate budget to most of IMCO's main priorities and invites the Council to confirm these appropriations. The deadline for submitting amendments is 14 July noon. The opinion will be voted in IMCO on 2 September.

DRAFTSPERSON: [Leszek Miller \(S&D\)](#)

Artificial intelligence: questions of interpretation and application of international law - consideration of amendments

On 29 June, IMCO considered amendments on the [draft opinion](#) "Artificial intelligence: questions of interpretation and application of international law in so far as the EU is affected in the areas of civil and military uses and of state authority outside the scope of criminal justice". The Rapporteur, Mr Andreas Schwab (EPP), focused his draft opinion on core IMCO competences and past legislation, such as the Proportionality Test Directive. The amendments address the use of AI-enabled apps to combat the COVID-19 crisis. 49 amendments have been tabled to the draft opinion. The rapporteur proposed nine compromise amendments. These compromise amendments both expand on the content of the draft opinion, as well as deal with some new concepts, such as the implementation of the Professional Services Directive, the coverage of robots by the Machinery Directive, market surveillance, product safety and consumer protection. IMCO will vote on the draft opinion on 6 July.

DRAFTSPERSON: [Andreas Schwab \(EPP\)](#)

Framework of ethical aspects of artificial intelligence, robotics and related technologies - vote



On 6 July, IMCO will vote on the [draft opinion](#) to the JURI own-initiative legislative report entitled "Framework of ethical aspects of artificial intelligence, robotics and related technologies". The Rapporteur

for opinion, Ms. Alexandra Geese (Greens/EFA), focused on core IMCO competences throughout the drafting process, in particular consumer protection, market surveillance, and regulatory coherence. Ms. Geese presented the draft opinion during the Committee meeting of 18 May. A total of 137 amendments were tabled.

DRAFTSPERSON: [Alexandra Geese \(Greens/EFA\)](#)

Implementation report on EU defence procurement - exchange of views



On 6 July, IMCO will hold an exchange of views on the implementation report of [Directive 2009/81/EC](#), concerning procurement in the fields of defence and security, and of [Directive 2009/43/EC](#), concerning the transfer of

defence-related products. The Rapporteur, Mr Kris Peeters (EPP), will present preliminary insights gathered in the early preparatory phase leading-up to the drafting process, including an exchange of views between shadow rapporteurs and experts in the field of defence. An EPRS study on the subject is also forthcoming, with publication expected in early fall 2020.

DRAFTSPERSON: [KRIS PEETERS \(EPP\)](#)

Artificial intelligence in criminal law and its use by the police and judicial authorities in criminal matters - consideration of amendments



On 6 July, IMCO will hold a debate for the consideration of the amendments tabled to the [opinion](#) to the LIBE report on "Artificial intelligence in criminal law and its use by the police and judicial authorities in criminal matters". The Rapporteur

for opinion, Mr Marcel Kolaja (Greens/EFA), has focused his draft a series of considerations and proposals aimed at fostering a high degree of consumer protection through the perspective of fundamental rights and EU values.

DRAFTSPERSON: [MARCEL KOLAJA \(GREENS/EFA\)](#)

LAST COMMITTEE MEETING

(8 AND 29 JUNE 2020)

Addressing product safety in the Single Market - consideration of amendments



On 29 June, IMCO considered the amendments to Ms Marion Walsmann's (EPP) [draft report](#) on "Addressing product safety in the single market". A total of 289 amendments were tabled, focussing on ensuring product safety, consumer protection and enhancing market surveillance, including for products sold online. The draft report addresses a number of topical issues, ranging from the need to adapt product safety rules to digital technologies, such as artificial intelligence, to the improvement of the checks on products entering the EU, with the aim of updating and harmonising the EU legal framework for product safety and to effectively protect and inform consumers.

DRAFTSPERSON: [Marion Walsmann \(S&D\)](#)

Strengthening the Single Market: the future of free movement of services - consideration of draft report



On 8 June 2020, IMCO held an exchange of views on the [report](#) "Strengthening the Single Market: the future of free movement of services". The Rapporteur, Mr Morten Løkkegaard (Renew), underlined the need to ensure implementation of the single market rules for services and to improve the enforcement action of the European Commission. He stressed as well the need to evaluate the overall level of implementation of the EU legal framework for services and to empower companies by providing them with better access to information. The vote in IMCO on the draft report will take place in October 2020.

DRAFTSPERSON: [Morten Løkkegaard \(Renew\)](#)

Towards a more sustainable single market for business and consumers - consideration of draft report



On 8 June, the [draft report](#) "Towards a more sustainable single market for business and consumers" was presented by the Rapporteur, Mr David Cormand (Greens/EFA). The

Rapporteur outlined the main aspects of the report such as ensuring more sustainability in the internal market, improving the reparability and reuse of products, adding a life span indication on product labelling, improving consumer information and tackling premature obsolescence. The Rapporteur stressed the need for empowering consumers without over-burdening them, while encouraging frontrunner businesses. There was general support for the Rapporteur's approach among the shadow rapporteurs, who highlighted amongst other points the need to help businesses participate in the green transition, to debate the proposed measures on advertisement, and to insist on duly examining the potential economic impact of public procurement on the single market.

DRAFTSPERSON: [DAVID CORMAND \(GREENS/EFA\)](#)

Artificial intelligence in education, culture and the audiovisual sector - vote



On 29 June, IMCO adopted an [opinion](#) on the CULT own-initiative report on "Artificial intelligence in education, culture and audiovisual sector". The Rapporteur for opinion, Mr Kim Van Sparrentak (Greens/EFA), secured 11 compromise amendments, broadly supported by the shadow rapporteurs and political groups, focusing on the need to involve educators, learners and wider society in the deployment of AI, ensure transparency of algorithms, create a proper framework for the public procurement for public educators, and stressing the importance of avoiding unequal access to data in the education sector.

DRAFTSPERSON: [Kim Van Sparrentak \(Greens/EFA\)](#)

UPDATE ON IMCO TRILOGUES

Proposal for a new Directive on representative actions for the protection of the collective interests of consumers



The main issues on the agenda of the third trilogue of 22 June were the distinction introduced by the Council concerning domestic and cross-border representative actions and the conditions for the EP to accept this change. These included the existence of at least one collective redress mechanism per Member State, the respect of the mutual recognition principle and the loser pays principle, safeguards for third party funding, assistance for qualified entities, and acceptable transposition deadlines. IMCO is represented in the EP negotiating team, lead by JURI Rapporteur Mr Geoffroy Didier (EPP), by its Rapporteur Ms Kateřina Konečná (GUE).

EVENTS

Due to the ongoing safety measures in place in response to the COVID-19 crisis, no IMCO missions, public hearings, or other events have taken place in Committee since the last IMCO newsletter edition (April 2020).

OTHERS NEWS

Next IMCO Committee meetings: Monday 6 July and Tuesday 7 July 2020.

Have a nice and safe summer break!

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