



2020/2023(INI)

28.5.2020

OPINION

of the Committee on the Internal Market and Consumer Protection

for the Committee on Foreign Affairs and the Committee on International Trade

on the recommendations on the negotiations for a new partnership with the United Kingdom of Great Britain and Northern Ireland
(2020/2023(INI))

Rapporteur for opinion: Kris Peeters

PA_NonLeg

SUGGESTIONS

The Committee on the Internal Market and Consumer Protection calls on the Committee on Foreign Affairs and the Committee on International Trade, as the committees responsible, to incorporate the following suggestions into their motion for a resolution:

- A. whereas an agreement with the UK must ensure a balance of rights and obligations, respect the full integrity and proper functioning of the EU's internal market and of the customs union and the indivisibility of the four freedoms, and guarantee a level playing field for businesses, as well as a high level of consumer protection; whereas a non-member of the Union that does not fulfil the same obligations as a member cannot have the same rights and enjoy the same benefits as a member;
- B. whereas access to the EU single market requires, as a precondition, full compliance with relevant EU single market legislation; whereas consumer protection in the EU is ensured through an extensive European legal framework;
- C. whereas the Union is the world's leading commercial power and its largest single market, acting as a major driver of economic prosperity; whereas in 2019 EU-27 exports in goods to the UK amounted to EUR 318.1 billion, and EU-27 imports from the UK amounted to EUR 193.7 billion;
- D. whereas the deadline for concluding the negotiations for a new partnership with the UK is ambitious, negotiations are highly complex, and the unprecedented crisis caused by the COVID-19 pandemic, with the resulting suspension of the negotiations, makes the situation even more challenging;
 - 1. Strongly reiterates that the Withdrawal Agreement must be fully implemented in all its parts by both sides, and that this can be a strong indicator of the good faith in which the negotiations on the future agreement will be conducted;
 - 2. Believes that it is in the EU's and UK's mutual interest to pursue an ambitious, wide-ranging and balanced relationship through the future agreement;
 - 3. Stresses that all EU institutions, Member States, businesses and citizens should be prepared for a new partnership with the UK at the end of the transition period;
 - 4. Underlines that an agreement with the UK should not undermine the ambitious and balanced set of measures that have been put forward by the Commission in the last five years, such as the Single Market Strategy, the Capital Markets Union, the Digital Single Market Strategy and the European Digital Strategy;

Internal market

- 5. Underlines that the future agreement should include arrangements on market access for goods and services, public procurement and recognition of professional qualifications as well as on product rules, provided that there is a level playing-field;
- 6. Believes that in order to move towards a zero carbon and circular economy, the Union

needs a fully operational single market that encourages the dissemination of green, innovative solutions, and the future agreement with the UK should be in line with this aim;

7. Stresses that under no circumstances can a third country have the same level of rights and benefits as a Member State; stresses that the rights and privileges associated with access to the internal market go hand in hand with strict obligations to fully respect and comply with internal market rules; recalls, therefore, that a balanced, ambitious and wide-ranging future agreement can only be agreed if a level playing field is secured for businesses, as well as consumers, through robust commitments, their proper implementation and effective enforcement, with a view to keeping equivalent standards and dynamic alignment;
8. Underlines that dynamic regulatory alignment and provisions guaranteeing robust market surveillance that helps enforce the rules on products should be an essential and irreplaceable part of any future agreement aiming to ensure a level playing field; emphasises that legal certainty for EU businesses coupled with a high level of protection for EU consumers through effective market surveillance, product traceability and cooperation between market surveillance authorities, should help foster a level playing field in this area; underlines, furthermore, that a level playing field requires a horizontal mechanism, such as an overall governance framework covering all areas of cooperation, to ensure effective implementation, monitoring, enforcement and dispute settlement through adequately resourced domestic authorities and effective administrative and judicial proceedings; recalls that such a horizontal mechanism should fully preserve the autonomy of the EU's decision-making and its legal order, and provide the Union with adequate tools to act upon any possible non-compliance by the UK;
9. Recalls that in any event the future agreement will lead to customs checks and verification before goods enter the internal market, and insists that safeguarding the compliance of goods with internal market rules and the relevant product rules is of the utmost importance;
10. Underlines that, where relevant and appropriate, the needs and interests of European SMEs should be taken into account when negotiating the single market chapter of the agreement on market access facilitation; encourages, further, the parties to establish SME contact points, and calls for a stable and predictable overall legal framework;
11. Strongly believes that the arrangements should include provisions on market access and national treatment under host state rules to ensure that EU service providers are treated in a non-discriminatory manner by the UK, including with regard to establishment; underlines that the new arrangements should allow for the temporary entry and stay of EU citizens in the UK for business purposes and with the aim of providing services;
12. Stresses that ambitious and appropriate arrangements should be concluded to facilitate electronic commerce and data flow and exchange, to address unjustified barriers to trade by electronic means, and to ensure an open, secure and trustworthy online environment for businesses and consumers, provided that UK online retailers comply with the relevant single market rules; calls in this context for these arrangements to be aligned

with the General Data Protection Regulation;

13. Stresses that both parties' public procurement markets should remain equally open in order to keep contributing to the essential cross-border flow of goods and services, provided there is an effective level playing field covering every relevant aspect; regrets that the public procurement sector is not mentioned in the UK mandate for the negotiations, and calls in this regard for the inclusion of additional provisions granting reciprocal access to procurement markets for both parties, which should be drawn up in full compliance with the EU *acquis*;

Customs

14. Notes the intention of the UK not to seek the continuation of its current status with regard to the single market and the customs union, and the UK's interest in seeking close economic cooperation with the EU after its departure; underlines the importance of preserving the integrity of the customs union and its procedures, which guarantee the safety and protection of consumers and the economic interests of the EU and EU undertakings; stresses the need for greater investment in customs controls facilities at common transit points on common borders and, where relevant and appropriate, further coordination and exchange of information between both parties;
15. Points out that the large number of non-tariff barriers, divergences in the level and quality of controls, and differences in customs procedures and sanctions policies at the EU's points of entry into the customs union often result in distortions of trade flows and put at risk the integrity of the European single market;
16. Stresses that the full implementation of the arrangements for the Irish border is crucial for business and for avoiding the diversion of trade flows and possible damage to the all-island economy, and that Article 12 of the Protocol on Ireland/Northern Ireland should be fully applied; underlines, furthermore, that the Specialised Committee should provide the necessary certainty on the aspects of the Protocol, especially Article 12, concerning the application, monitoring and enforcement of the Protocol, which should be implemented in good faith;
17. Highlights that any future agreement should establish comprehensive customs cooperation mechanisms to facilitate cross-border trade as well as cooperation mechanisms between customs and market surveillance authorities; calls, furthermore, on the parties, where relevant and appropriate, to work towards simplification of customs procedure requirements and formalities for traders or economic operators, including for SMEs;
18. Insists that the Commission ensures that custom controls throughout the EU follow the same standards, by means of a direct unified customs control mechanism, in coordination with Member States and in full compliance with the principle of subsidiarity;
19. Underlines that for EU manufacturers and traders the new arrangements for customs and other areas should ensure equally beneficial conditions as for their UK counterparts;
20. Highlights that it would be highly desirable for the UK to maintain the current product

classification based on the Integrated Tariff of the European Communities (TARIC) in order to keep procedures simple and to reduce the regulatory burden;

Consumer policy

21. Stresses that current EU consumer protection standards and citizens' rights under the EU *acquis* must be preserved in any future agreement by both parties; believes that the agreement should ensure added value to EU consumers by providing the best framework for the protection of consumer rights and for the enforcement of traders' obligations ;
22. Considers it of utmost importance to guarantee the safety of products imported from the UK in a way that they would correspond to EU standards;
23. Stresses that regulatory and administrative cooperation, accompanied where relevant and appropriate by parliamentary oversight and non-regression commitments, such as occurs with other third countries, are important in tackling non-tariff barriers and in pursuing objectives of public interest, to protect the interests of EU consumers, including to ensure a secure and trustworthy environment for consumers and businesses online, as well as to combat unfair commercial practices;;
24. Stresses that as a result of the future agreement it is in the interest of both the EU and the UK in the domain of consumer protection and market access to avoid potential negative effects to current tangible advantages for consumers in areas such as digital services, passenger rights, the trade in medical equipment, the European emergency number (112) and the interoperable EU-wide eCall system, unjustified geoblocking, the fight against counterfeiting, and the protection of geographical indications; emphasises that by working together, the EU and the UK could influence the debate at international level, including in order to ensure a secure and trustworthy online environment for consumers and businesses.

INFORMATION ON ADOPTION IN COMMITTEE ASKED FOR OPINION

Date adopted	20.5.2020
Result of final vote	+: 38 -: 1 0: 4
Members present for the final vote	Andrus Ansip, Alessandra Basso, Brando Benifei, Adam Bielan, Hynek Blaško, Biljana Borzan, Vlad-Marius Botoș, Dita Charanzová, Deirdre Clune, David Cormand, Petra De Sutter, Evelyne Gebhardt, Sandro Gozi, Maria Grapini, Svenja Hahn, Virginie Joron, Eugen Jurzyca, Arba Kokalari, Marcel Kolaja, Kateřina Konečná, Andrey Kovatchev, Jean-Lin Lacapelle, Maria-Manuel Leitão-Marques, Adriana Maldonado López, Antonius Manders, Leszek Miller, Dan-Ștefan Motreanu, Kris Peeters, Anne-Sophie Pelletier, Miroslav Radačovský, Christel Schaldemose, Andreas Schwab, Tomislav Sokol, Kim Van Sparrentak, Marion Walsmann, Marco Zullo
Substitutes present for the final vote	Jordi Cañas, Maria da Graça Carvalho, Tsvetelina Penkova, Jiří Pospíšil, Dominik Tarczyński, Evžen Tošenovský, Edina Tóth

FINAL VOTE BY ROLL CALL IN COMMITTEE ASKED FOR OPINION

38	+
ECR	Adam Bielan, Eugen Jurzyca, Dominik Tarczyński, Evžen Tošenovský
GUE/NGL	Kateřina Konečná
NI	Miroslav Radačovský, Marco Zullo
PPE	Maria da Graça Carvalho, Deirdre Clune, Arba Kokalari, Andrey Kovatchev, Antonius Manders, Dan-Ștefan Motreanu, Kris Peeters, Jiří Pospíšil, Andreas Schwab, Tomislav Sokol, Edina Tóth, Marion Walsmann
Renew	Andrus Ansip, Vlad-Marius Botoș, Dita Charanzová, Sandro Gozi, Svenja Hahn, Jordi Cañas
S&D	Brando Benifei, Biljana Borzan, Evelyne Gebhardt, Maria Grapini, Maria Leitão-Marques, Adriana Maldonado López, Leszek Miller, Tsvetelina Penkova, Christel Schaldemose
Verts/ALE	David Cormand, Petra De Sutter, Marcel Kolaja, Kim Van Sparrentak

1	-
ID	Hynek Blaško

4	0
GUE/NGL	Anne-Sophie Pelletier
ID	Alessandra Basso, Virginie Joron, Jean-Lin Lacapelle

Key to symbols:

+ : in favour

- : against

0 : abstention