

Completing the digital single market

European Parliament resolution of 4 July 2013 on completing the digital single market (2013/2655(RSP))

The European Parliament,

- having regard to Articles 3(3) and 6 of the Treaty on European Union,
- having regard to Articles 9, 12, 14, 26, 114(3) and 169(1) of the Treaty on the Functioning of the European Union,
- having regard to the report of the Internal Market and Consumer Protection Committee entitled ‘A New Agenda for European Consumer Policy’, adopted on 25 April 2013 (A7-0163/2013),
- having regard to the Commission staff working document of 23 April 2013 entitled ‘E-commerce Action plan 2012-2015 – State of play 2013’ (SWD(2013)0153),
- having regard to the Commission’s Internal Market Scoreboard 26 of 18 February 2013,
- having regard to the Commission staff working document of 7 December 2012 entitled ‘The Consumer Markets Scoreboard: Making markets work for consumers – Eighth edition Part 2 – November 2012’ (SWD(2012)0432),
- having regard to the Commission communication of 18 December 2012 ‘On Content in the Digital Single Market’ (COM(2012)0789),
- having regard to the Commission report of 18 April 2013 to the European Parliament and the Council on the functioning of the Memorandum of Understanding on the Sale of Counterfeit Goods via the Internet (COM(2013)0209),
- having regard to its resolution of 11 December 2012 on completing the Digital Single Market¹,
- having regard to its resolutions of 6 April 2011 on a Single Market for Europeans², on a Single Market for Enterprises and Growth³ and on Governance and Partnership in the Single Market⁴,
- having regard to the Commission communication of 27 October 2010 to the European Parliament, the Council, the Economic and Social Committee and the Committee of the Regions entitled ‘Towards a Single Market Act: For a highly competitive social market

¹ Texts adopted, P7_TA(2012)0468.

² OJ C 296 E, 2.10.2012, p. 59.

³ OJ C 296 E, 2.10.2012, p. 70.

⁴ OJ C 296 E, 2.10.2012, p. 51.

economy – 50 proposals for improving our work, business and exchanges with one another’ (COM(2010)0608),

- having regard to the Commission communication of 3 October 2012 to the European Parliament, the Council, the Economic and Social Committee and the Committee of the Regions entitled ‘Single Market Act II’ (COM(2012)0573),
- having regard to the Commission communication of 13 April 2011 to the European Parliament, the Council, the Economic and Social Committee and the Committee of the Regions entitled ‘Single Market Act: Twelve levers to boost growth and strengthen confidence’ (COM(2011)0206),
- having regard to the Commission proposal of 4 June 2012 for a regulation of the European Parliament and of the Council on electronic identification and trust services for electronic transactions in the internal market (COM(2012)0238),
- having regard to its resolution of 22 May 2012 on a strategy for strengthening the rights of vulnerable consumers¹,
- having regard to the Commission communication of 22 May 2012 to the European Parliament, the Council, the Economic and Social Committee and the Committee of the Regions entitled ‘A European Consumer Agenda: Boosting confidence and growth’ (COM(2012)0225),
- having regard to the Commission communication of 2 May 2012 entitled ‘European Strategy for a Better Internet for Children’ (COM(2012)0196),
- having regard to the Commission communication of 20 April 2012 entitled ‘A strategy for e-procurement’ (COM(2012)0179),
- having regard to the Commission proposal of 25 January 2012 for a regulation of the European Parliament and of the Council on the protection of individuals with regard to the processing of personal data and on the free movement of such data (General Data Protection Regulation) (COM(2012)0011),
- having regard to the Commission Green Paper of 29 November 2012 entitled ‘An integrated parcel delivery market for the growth of e-commerce in the EU’ (COM(2012)0698),
- having regard to the Commission communication of 11 January 2012 entitled ‘A coherent framework for building trust in the Digital Single Market for e-commerce and online services’ (COM(2011)0942),
- having regard to its resolution of 15 November 2011 on a new strategy for consumer policy²,
- having regard to Directive 2011/83/EU of the European Parliament and of the Council of 25 October 2011 on consumer rights, amending Council Directive 93/13/EEC and Directive

¹ Texts adopted, P7_TA(2012)0209.

² OJ C 153 E, 31.5.2013, p. 25.

1999/44/EC of the European Parliament and of the Council and repealing Council Directive 85/577/EEC and Directive 97/7/EC of the European Parliament and of the Council¹,

- having regard to the Commission proposal of 9 November 2011 for a regulation of the European Parliament and of the Council on a consumer programme 2014-2020 (COM(2011)0707) and to the documents related thereto (SEC(2011)1320 and SEC(2011)1321),
- having regard to the Commission proposal of 3 December 2012 for a directive of the European Parliament and of the Council on the accessibility of public sector bodies' websites (COM(2012)0721),
- having regard to its resolution of 25 October 2011 on mobility and inclusion of people with disabilities and the European Disability Strategy 2010-2020²,
- having regard to the Commission proposal of 7 February 2013 for a directive of the European Parliament and of the Council concerning measures to ensure a high common level of network and information security across the Union (COM(2013)0048),
- having regard to the joint communication of 7 February 2013 from the Commission and the High Representative of the European Union for Foreign Affairs and Security Policy entitled 'Cybersecurity Strategy of the European Union: An Open, Safe and Secure Cyberspace' (JOIN(2013)0001),
- having regard to the Commission communication of 27 September 2012 entitled 'Unleashing the Potential of Cloud Computing in Europe' (COM(2012)0529),
- having regard to the Commission proposal of 14 November 2011 for a regulation of the European Parliament and of the Council establishing the Connecting Europe Facility (COM(2011)0665),
- having regard to its resolution of 15 December 2010 on the impact of advertising on consumer behaviour³,
- having regard to its resolution of 21 September 2010 on completing the internal market for e-commerce⁴,
- having regard to Council Directive 2010/45/EU of 13 July 2010 amending Directive 2006/112/EC on the common system of value added tax as regards the rules on invoicing⁵,
- having regard to the European Court of Justice judgments on Google (Joined Cases C-236/08 to C-238/08, judgment of 23 March 2010) and BergSpechte (Case C-278/08, judgment of 25 March 2010), which define the notion of the 'normally informed and reasonably attentive internet user' as being the standard internet consumer,

¹ OJ L 304, 22.11.2011, p. 64.

² OJ C 131 E, 8.5.2013, p. 9.

³ OJ C 169 E, 15.6.2012, p. 58.

⁴ OJ C 50 E, 21.2.2012, p. 1.

⁵ OJ L 189, 22.7.2010, p. 1.

- having regard to Directive 2010/13/EU of the European Parliament and of the Council of 10 March 2010 on the coordination of certain provisions laid down by law, regulation or administrative action in Member States concerning the provision of audiovisual media services (Audiovisual Media Services Directive)¹,
 - having regard to the Commission communication of 3 March 2010 entitled ‘Europe 2020: A strategy for smart, sustainable and inclusive growth’ (COM(2010)2020),
 - having regard to the Monti report of 9 May 2010 on a new strategy for the single market,
 - having regard to the analytical report entitled ‘Attitudes towards cross-border sales and consumer protection’, published by the Commission in March 2010 (*Flash Eurobarometer* No 282),
 - having regard to the ‘Mystery Shopping Evaluation of Cross-Border E-Commerce in the EU’, a study conducted on behalf of the Commission’s DG SANCO by YouGovPsychonomics and published on 20 October 2009,
 - having regard to the Commission communication of 2 July 2009 on the enforcement of the consumer *acquis* (COM(2009)0330),
 - having regard to the Commission report of 2 July 2009 on the application of Regulation (EC) No 2006/2004 of the European Parliament and of the Council on cooperation between national authorities responsible for the enforcement of consumer protection laws (the Consumer Protection Cooperation Regulation) (COM(2009)0336),
 - having regard to its resolution of 13 January 2009 on the transposition, implementation and enforcement of Directive 2005/29/EC concerning unfair business-to-consumer commercial practices in the internal market and Directive 2006/114/EC concerning misleading and comparative advertising²,
 - having regard to Directive 95/46/EC of the European Parliament and of the Council of 24 October 1995 on the protection of individuals with regard to the processing of personal data and on the free movement of such data³,
 - having regard to Rule 110(2) of its Rules of Procedure,
- A. whereas unlocking the full potential of the digital single market is crucial to making the EU a more competitive and dynamic knowledge-based economy, to the benefit of both its citizens and its businesses; whereas the EU must act now to retain its global competitive edge, in particular in relation to high-growth sectors such as the internet platform and software application industry;
- B. whereas ubiquitous connectivity, relying on unhindered access to high-speed broadband internet networks, universal and equal access to internet services for all citizens and the availability of spectrum for wireless broadband services, is a vital prerequisite for the development of the digital single market; whereas new technological developments, such as

¹ OJ L 95, 15.4.2010, p. 1.

² OJ C 46 E, 24.2.2010, p. 26.

³ OJ L 281, 23.11.1995, p. 31.

mobile devices and applications and new generations of mobile standards, require reliable and fast infrastructure networks in order to deliver their benefits to citizens and businesses;

- C. whereas ‘big data’ applications are of increasing importance to the competitiveness of the Union’s economy, with expected global revenues of EUR 16 billion and the expected creation of an additional 4,4 million jobs globally by 2016;
- D. whereas cloud computing has major economic, social and cultural potential in terms of cost saving, content-and information-sharing, enhanced competitiveness, access to information, innovation and job creation; whereas in this context the creation of seamless e-government services, accessible through multiple devices, is of particular importance;
- E. whereas the EU economy is undergoing significant structural change, impacting its global competitiveness and its labour markets; whereas the Annual Growth Survey 2013 calls for resolute action to step up job creation; whereas dynamic and inclusive labour markets are essential for the recovery and competitiveness of the EU economy;
- F. whereas social media, user-generated content, the remix culture and user collaboration are playing an increasingly important role in the digital economy; whereas consumers are increasingly willing to pay for high-quality professional digital content, provided that it is affordable, accessible through multiple devices and portable across borders;
- G. whereas access to content at affordable prices, through secured and reliable payment facilities, should increase consumer confidence when accessing cross-border services;
- H. whereas 99 % of all EU businesses are small or medium-sized enterprises (SMEs), which account for 85 % of EU employment; whereas SMEs are therefore the driving force in the EU economy, with prime responsibility for wealth creation, employment and growth, as well as innovation and R&D;
- I. whereas EU citizens have a crucial role to play as consumers in achieving the Europe 2020 goals of smart, inclusive and sustainable growth, and whereas the role of consumers should therefore be recognised as part of the EU’s economic policy; whereas it is necessary to strike the right balance, boosting the competitiveness of the Union’s businesses while at the same time protecting consumers’ interests;
- J. whereas fragmentation of the digital single market jeopardises consumer choice; whereas it is necessary to boost consumers’ confidence, trust in the market and knowledge of their rights, with a special focus on other consumers in situations of vulnerability; whereas it is essential to offer consumers in the Union better protection vis-à-vis products and services which may endanger their health or safety;
- K. whereas the Commission’s EU-wide screening of websites selling digital content such as games, videos or music downloads shows that over 75 % of these websites do not appear to comply with consumer protection rules; whereas the Consumer Rights Directive (2011/83/EU) lays down, for the first time, specific rules for digital content; whereas the Commission should be encouraged to continue integrating such rules when revising existing EU consumer legislation or proposing new legislation in this area;
- L. whereas 15 % of the EU’s working-age population (80 million people) have functional limitations or disabilities; whereas the number of websites providing e-government services

and the number of public-sector websites are growing rapidly; whereas the EU market for web-accessibility-related products and services is estimated at EUR 2 billion; whereas this market still remains largely fragmented and undeveloped, to the detriment not only of potential consumers, but also of the overall economy;

- M. whereas consumers are not a homogeneous group, as they display considerable differences in terms of digital literacy, awareness of consumer rights, assertiveness and willingness to seek redress; whereas non-discrimination and accessibility also need to be taken into consideration in order to overcome the digital divide;

Tapping the full potential of the digital single market

1. Stresses that unleashing the single market through the Services Directive and a digital single market could add EUR 800 billion¹ to the EU economy, which is the equivalent of almost EUR 4 200 per household²; calls on the Member States and the Commission to commit to the development of the digital single market as an overarching political priority and to come forward with a holistic approach and an ambitious strategy encompassing both legislative and political initiatives in order to take into account new and upcoming developments, making the digital single market a reality on the ground; stresses that this will require political leadership, decisiveness, priority-setting and public funding at EU, national and regional level; emphasises in particular that strong leadership on the part of all Union institutions and clear political ownership on the part of the Member States is required in order fully and effectively to implement and enforce directives and regulations relating to the single market;
2. Calls on the Commission to address existing barriers to the digital single market as a matter of urgency, including by simplifying the legal framework for VAT, ensuring access to secure pan-European e-payment, e-invoicing and delivery services, and reviewing intellectual property rights in order to foster access to legal digital content across the EU; stresses the importance of establishing equal rules for the free movement of goods and services, both physically and digitally;
3. Calls on the Commission and the Member States to strengthen the governance of the digital single market, ensuring net neutrality and the efficient and smart use of ICT with a view to reducing the administrative burden on citizens and businesses; calls on the Commission to strengthen existing governance tools and to come forward with a coherent approach to promoting their use, including the Internal Market Information System (IMI), Solvit, Your Europe and the Points of Single Contact (PSCs) set up under the Services Directive;
4. Emphasises the importance of the European cloud computing strategy, given its potential for EU competitiveness, growth and job creation; stresses that cloud computing, since it involves minimal entry costs and low infrastructure requirements, represents an opportunity for the EU's IT industry, and especially for SMEs, to take the lead in areas such as outsourcing, new digital services and data centres;

¹ UK Department for Business Innovation and Skills, Economics Paper No 11: 'The economic consequences for the UK and the EU of completing the Single Market', February 2011.

² UK Department for Business Innovation and Skills, Economics Paper No 11: 'The economic consequences for the UK and the EU of completing the Single Market', February 2011, and Eurostat data on EU GDP for 2010 and the number of households in the EU.

5. Recognises that ‘big data’ and knowledge are the fuel of the EU’s future economy; welcomes the proposed data protection package as a way to increase trust and transparency; stresses the need to bear in mind the challenges resulting from globalisation and the use of new technologies, and the importance of ensuring that a modernised EU data protection regime strengthens citizens’ rights, making the EU the forerunner and trend-setter in the field of data protection, enhancing the internal market and creating a level playing field for all businesses active in the EU;
6. Stresses the need to encourage new, high-quality e-government services by adopting innovative technological solutions such as e-procurement, thereby facilitating the seamless delivery of information and services; emphasises the importance of the draft regulation proposed by the Commission on electronic identification and electronic trust services, given its contribution to the digital single market through the creation of appropriate conditions for the mutual recognition of, and a high level of security for, key enablers across borders, for example through electronic identification, electronic documents, electronic signatures and electronic delivery services, and for interoperable e-government services across the Union;
7. Considers that additional efforts are needed as regards the reuse of public-sector information and the promotion of e-government;
8. Stresses the importance of fostering innovation and investing in e-skills; highlights the vital role of SMEs in overcoming unemployment, in particular youth unemployment; calls for better access to finance through funding programmes such as Horizon 2020 and COSME and for the development of new investment vehicles and guarantees; notes, in particular, that the EU needs to regain its global leadership role in the fields of mobile technology and smart devices;
9. Stresses the need to encourage large-scale investments in fixed and mobile networks in order to put the EU at the forefront of global technological development, allowing its citizens and businesses to benefit fully from the opportunities offered by the digital revolution;
10. Deeply regrets the fact that many Member States have failed to meet the deadline of 1 January 2013 for allocating the ‘digital dividend’ spectrum in the 800 MHz band to mobile broadband services, as stipulated by the Radio Spectrum Policy Programme; stresses that this delay has hampered the rollout of 4G networks in the EU; calls, therefore, on the Member States to take the necessary steps to ensure that the 800 MHz band becomes available for mobile broadband services, and on the Commission to use its full powers to ensure swift implementation;
11. Welcomes the Commission’s intention to come forward with a new telecoms package in order to address market fragmentation in the telecoms market, including measures to eliminate roaming tariffs in the near future; stresses the need to take a proactive approach to roaming charges in order to create a true digital single market that also encompasses the use of mobile devices;

Investing in human capital – addressing the skills gap

12. Notes with concern that the employment rate in the EU is falling; calls for a renewed focus on job creation policies in areas with high growth potential, such as the green economy,

health services and the ICT sector; believes that the creation of a digital single market can help overcome any discrepancies between Member States and regions in terms of employment, social inclusion and combating poverty;

13. Stresses that the digital single market should help people to remain active and healthy at work as they age, while improving work-life balance; emphasises that ICT tools can also ensure sustainable, successful healthcare systems;
14. Acknowledges that the European labour market is radically changing and that new skills will be needed for tomorrow's jobs; calls on the Member States to make the necessary investments in human capital and sustainable job creation, inter alia by making good use of EU funds, such as the European Social Fund; calls on the Commission and the Member States to prioritise digital literacy and e-skills in the 'New Skills for New Jobs' flagship initiative;
15. Stresses the need to improve media and digital literacy skills, in particular among children and minors, in order to achieve a true digital single market and to realise the growth potential of this dynamic sector; notes in particular the importance of addressing the expected gap in the supply of ICT professionals; welcomes the 'Grand Coalition for Digital Jobs' and highlights the importance of matching ICT training to business requirements;
16. Stresses the need to further activate the use of the European Job Mobility Portal (EURES); supports the use of EURES by the Member States, both as a means of giving advice to workers and job-seekers on their right to free movement and as an employment instrument with a special focus on placement and the needs of employers, in order to contribute effectively to recovery and long-term growth;

Trust, security and consumer confidence

17. Welcomes the adoption of the Code of EU Online Rights; calls on the Commission and the Member States to disseminate this code widely so that it achieves the desired effect;
18. Stresses that the increasingly rapid development of e-commerce is of major importance as far as consumers are concerned, offering a wider choice, especially to those living in less accessible, remote areas and to those with reduced mobility, who would otherwise not have access to a wide range of goods and services;
19. Stresses the importance of ensuring full access to the digital single market for consumers, irrespective of their place of residence or nationality; calls on the Commission to take measures to combat the unequal treatment of consumers in the single market arising from current cross-border restrictions applied by companies involved in distance selling;
20. Points out that consumer confidence is essential for both domestic and cross-border e-commerce; emphasises the need to ensure the quality, safety, traceability and authenticity of products, to avert criminal or unfair practices, and to comply with the rules on personal data protection;
21. Stresses the role of the digital single market in creating a safe and well-functioning single market for goods and services; highlights, in this connection, the importance of promoting effective and coordinated risk management systems in the context of the General Product Safety and Market Surveillance proposals;

22. Emphasises the importance of early implementation of the provisions of the Online Dispute Resolution Directive, so that consumers have easy access to effective problem resolution online; calls on the Commission to ensure that adequate financing of the Online Dispute Resolution platform is guaranteed;
23. Highlights the importance of trustmarks for the effective functioning of the digital single market, for both businesses and consumers; calls for the adoption of a European services standard for trustmarks – based on high-level quality standards – to help consolidate the EU market for them;
24. Calls on the Commission to adopt EU guidelines on minimum standards for comparison websites, structured around the core principles of transparency, impartiality, quality information, effective redress, comprehensiveness and user-friendliness; suggests accompanying such guidelines with an EU-wide accreditation scheme as well as effective supervision and enforcement measures;
25. Expects the Commission, in its revision of the Package Travel Directive, fully to examine the impact of e-commerce and digital markets on consumer behaviour within the EU tourism industry, and to step up its efforts to improve the quality, content and reliability of information provided to tourists;
26. Stresses that passengers must be able to differentiate clearly, in the context of computerised reservation systems, between non-optional operational costs included in fares and bookable optional items, with a view to making prices more transparent when passengers are booking tickets on the internet;
27. Calls on the Commission to monitor closely, and use all its powers to guarantee, the correct implementation and application of key provisions of the Unfair Commercial Practices Directive as regards modernised rules for combating unfair commercial practices, including online, in particular the potential abuse of market power in areas such as behavioural advertising, personalised pricing policies and internet search services; welcomes the Commission communication entitled ‘Protecting businesses against misleading marketing practices and ensuring effective enforcement: Review of Directive 2006/114/EC concerning misleading and comparative advertising’ (COM(2012)0702);
28. Urges the Commission to address unfair terms in air transport contracts, to ensure closer monitoring of websites and to notify national enforcement bodies of instances of misapplication of the existing rules;
29. Calls on the Commission to develop standardised electronic forms for the submission of passenger complaints relating to all transport modes and to promote guidelines for the prompt settlement of such complaints through simplified procedures;
30. Stresses the need to work towards trustworthy cloud services; calls for the adoption of clear and transparent model contracts covering issues such as data preservation following termination of contract, data disclosure and integrity, data location and transfer, ownership of data and direct/indirect liability;
31. Points to the multitude of legal issues and challenges raised by the use of cloud computing, such as difficulties in determining the applicable law, compliance and liability issues, data protection safeguards (including the right to privacy), data portability and the enforcement

of copyright and other intellectual property rights; considers it essential that the consequences of cloud computing are clear and foreseeable in all relevant areas of the law;

32. Stresses the crucial importance of enforcing consumer rights in online transactions; notes that EU sweeps coordinated by the Commission and executed simultaneously by the relevant national authorities have proved to be a useful tool for monitoring the application of existing single market legislation in the Member States through joint action, and encourages the Commission to offer more extensive use of EU sweeps and to consider coordinating such action in other, offline areas as well; calls on the Commission to strengthen the Consumer Protection Cooperation Network;
33. Points out that accessible, affordable and high-quality delivery services are an essential element in the online purchasing of goods and are best promoted by means of free and fair competition; notes, however, that many consumers are reluctant to buy online, especially cross-border, because of uncertainties relating to final delivery, costs or reliability; welcomes, therefore, the public consultation launched by the Commission with a view to identifying possible shortcomings and taking appropriate action to address them in a way that will allow both businesses and consumers to benefit fully from the digital single market;
34. Calls on the Commission to come forward with a revised proposal for the Payment Services Directive and a legislative proposal on multilateral interchange fees in order to work towards standardisation and interoperability in the provision of card, internet and mobile payments in the EU and to address the problem of non-transparent and excessive payment-related charges;
35. Stresses that a high level of network and information security is essential in order to guarantee the functioning of the single market and consumer confidence in the digital single market; notes the uneven development of cyber skills and capacity to respond to threats and attacks, as well as the lack of a harmonised approach to cyber security within the Union; calls for concerted efforts and closer cooperation, given the global nature of the internet and the high level of interconnection of network and information systems across the Union;
36. Stresses that the accessibility of public sector bodies' websites is an important part of the Digital Agenda, which both serves non-discrimination and creates business opportunities; calls on the Commission to adopt a more ambitious approach in the ongoing negotiations on the subject and finally to come forward with an outstanding legislative initiative in the form of a European Accessibility Act that would go beyond the public sector;

Creating a favourable business environment

37. Stresses the importance of creating a favourable overall digital business environment; notes the need to simplify the legal framework for VAT and avoid double taxation; calls on the Member States to implement swiftly the mini one-stop shops for telecommunications, television broadcasting and electronic services by 2015; asks the Commission to broaden the scope of the one-stop shops to other goods and services as soon as possible;
38. Calls on the Commission to clarify the application of Article 20(2) of the Services Directive, which deals with discrimination against EU consumers on the grounds of place of residence or nationality, and in particular the types of business practice that would be considered to constitute unjustified discrimination under the directive; stresses the need to

address the underlying barriers – including continued legal fragmentation and the resultant legal uncertainty in the context of the applicability of consumer rights legislation – preventing businesses from expanding within the digital single market;

39. Considers the proposed Common European Sales Law to be an innovative initiative of key importance to consumers and businesses in the internal market; believes that a single optional set of EU-wide rules would be of particular benefit to the rapidly growing internet sector; takes the view that the proposal also has interesting potential as regards cloud computing and digital content;
40. Invites the Commission to continue working towards adapting the contract-law framework to the new challenges presented by the digital single market; considers in particular that accompanying work on EU-wide standard contract terms, available off-the-shelf to businesses and consumers, is crucial in this area;
41. Calls on the Commission carefully to monitor the state of competition in the digital single market and to address any abuses of dominant position swiftly; highlights, in particular, the need to monitor the correct application of the guidelines on selective distribution agreements and to ensure that they continue to be fit for purpose in the digital context;
42. Calls on the Commission to promote access to risk capital and to ICT clusters in order to push forward innovative pre-commercial projects and to nurture early-stage innovation in ICT markets; stresses the potential of public-private partnerships and of the forthcoming new public procurement rules on establishing innovation partnerships; encourages the early adoption of online public procurement tools as a means of taking advantage of the forthcoming public procurement reforms;
43. Stresses the importance of net neutrality and of the unhindered market entrance of EU SMEs in the ICT sector; calls on the Commission to take all the necessary steps to improve this situation; calls on the Commission to come forward with a legislative proposal as soon as possible in order further to reduce mobile roaming charges within the EU;

Attractive legal offers of digital content

44. Encourages the Commission to continue its efforts in the area of intellectual property law, with a view to creating a modern copyright framework for the digital single market; calls on the Commission to take the necessary measures to encourage the development of legal content which is accessible across the digital single market; stresses that a revised intellectual property rights (IPR) regime should be based on encouraging innovation, new service models and user-generated and collaborative content in order to foster the development of a competitive EU ICT market, while ensuring that rights-holders are protected and properly compensated;
45. Notes that the Union has already made some progress in reducing the impact of copyright territoriality, in particular through the Commission's proposal for a directive on collective rights management and multi-territorial licensing in the online music sector, which is currently under consideration by the legislator; believes that more transparency, better governance and greater accountability of collective rights management societies is needed; considers that the proposed directive would encourage multi-territorial licensing of rights and facilitate the licensing of rights for online use;

46. Stresses that all relevant segments of society should be included in the Commission's ongoing 'Licences for Europe' dialogue and the review of the IPR legal framework; calls on the Commission to take all the necessary steps to ensure that civil society and consumer rights organisations are adequately represented; calls on the Commission to come forward with an ambitious strategic response in 2014, encompassing both practical market solutions and political and, where required, legislative responses; asks the Commission to keep Parliament informed of the outcome of this process;
47. Calls on the Commission to come forward with measures to boost the cross-border circulation and portability of audiovisual content, including on 'video on demand' platforms; calls on the Commission and the Member States to come forward with measures in support of the EU audiovisual industry in order to overcome current obstacles to the digital single market in that sector; believes that such measures should aim to create more consumer demand for non-national European films, facilitate cross-border distribution, including through support for the subtitling and dubbing of audiovisual works, and reduce related transaction costs linked to rights management;
48. Considers it necessary to make cultural and creative content services, in particular audiovisual works and new cross-border content delivery platforms, more accessible across the Union, particularly to the elderly and people with disabilities, in order to foster participation in the social and cultural life of the Union;
49. Highlights the importance of EU and other services or platforms in fostering the digitisation of, and online access to, the Union's cultural heritage and content;
50. Welcomes the growth of the e-book market in Europe and believes that it can bring important benefits to consumers and businesses alike; stresses that it is important to ensure that consumers do not come up against any barriers when wishing to acquire e-books across territorial borders, platforms and devices; stresses that it is important to ensure interoperability between different e-book devices and systems;
51. Calls on the Commission to come forward with a proposal to align VAT rates applicable to goods and services of a similar nature; calls, in the light of the shift in 2015 to the principle of 'the country of residence of the consumer', for an EU-level dynamic definition of 'e-books' in order to ensure legal certainty;
52. Calls on the Commission to come forward with a proposal to ensure that VAT rates are applied equitably to creative, cultural, scientific and educational content, regardless of the means of user access; believes that the reduced VAT rates which exist for content distributed in physical form should also apply to the digital equivalent, thus boosting the attractiveness of digital platforms and stimulating innovative content services and new ways for users to access content online;
53. Welcomes the Commission's intention to come forward with a concrete proposal to clarify, provide a clear interpretation of, and offer guidance on, the functioning of notice and action procedures;

Towards smart and interoperable mobility services in the EU

54. Calls for the further deployment of smart mobility systems developed through EU-funded research, such as the air traffic management system of the future (SESAR), the European

rail traffic management system (ERTMS) and rail information systems, maritime surveillance systems (SafeSeaNet), River Information Services (RIS), intelligent transport systems (ITS) and interoperable interconnected solutions for the next generation of multimodal traffic management systems;

55. Stresses that information technology tools should be widely deployed within the TEN-T network to simplify administrative procedures, provide for cargo tracking and tracing, and optimise schedules and traffic flows;

The international dimension of the digital single market

56. Considers that greater global cooperation is needed in order to uphold and modernise intellectual property rights in the future, this being vital to innovation, employment and open world trade;
57. Welcomes the Commission's recent initiatives, but underlines the need to complete the regulatory framework for the enforcement of copyright in the digital environment, which must be tailored to present requirements, so that agreements can be reached with our trading partners on the basis of modern European legislation;
58. Notes that e-commerce has developed outside of traditional and standard trade regulatory frameworks; stresses the importance of increased international cooperation within the World Trade Organisation (WTO) and the World Intellectual Property Organisation (WIPO) in order to protect and ensure the development of the global digital market; calls for the revision and updating of the current Information Technology Agreement (ITA) within the WTO, and for the EU to explore the possibility of an International Digital Economy Agreement (IDEA);
59. Considers that the restriction of EU businesses' access to digital markets and online consumers through, among other things, mass state censorship or restricted market access for European online service providers in third countries constitutes a trade barrier; calls on the Commission and the Council to include a safeguard mechanism in all future trade agreements, especially those which contain provisions affecting online services and online communities of users who share information, in order to ensure that EU ICT companies are not required by third parties to restrict website access, remove user-generated content or provide personal information, such as personal IP addresses, in ways that contravene fundamental rights and freedoms; calls, additionally, on the Council and the Commission to develop a strategy for challenging measures by third countries which restrict EU companies' access to global online markets;

o

o o

60. Instructs its President to forward this resolution to the Council and the Commission.