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**COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN
PARLIAMENT, THE COUNCIL, THE EUROPEAN ECONOMIC AND SOCIAL
COMMITTEE AND THE COMMITTEE OF THE REGIONS**

Commission Work Programme 2011

EN

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1. INTRODUCTION

This Commission presents its 2011 Work Programme at a particularly challenging time for the EU. There are clear signs of economic recovery after the worst crisis of recent decades – but that recovery is not yet firmly established. For this reason, the new initiatives that the Commission will propose and initiate in 2011 have a strong focus on accelerating recovery. 2011 should be the year when the Europe 2020 strategy is embedded as the backbone of efforts at EU and national level to deliver smart, sustainable and inclusive growth. It should see full agreement on the comprehensive new regulatory framework for the financial sector, the launch of the first European semester of economic policy co-ordination and a series of practical measures to leverage change. By the middle of 2011 the Commission will set out how to gear the EU budget to the delivery of Europe 2020, in its proposals for the next Multi-annual Financial Framework of the EU. This Work Programme is built on the five main political priorities for the EU set out by President Barroso in the first State of the Union Address, delivered before the European Parliament in September 2010¹:

- Dealing with the economic crisis and building the momentum of the recovery
- Restoring growth for jobs by accelerating the Europe 2020 reform agenda
- Building an area of freedom, justice and security
- Launching negotiations for a modern EU budget
- Pulling the EU's weight on the global stage

This Work Programme is the first to be adopted under the new programming cycle initiated by the Political Guidelines of the Commission President and set out in the Framework Agreement between the European Parliament and the Commission. The Work Programme can also help to inspire a new approach to programming common EU priorities, as set out in the Treaty of Lisbon.

The Commission Work Programme by nature focuses on actions to be delivered in 2011. However, within the new multiannual perspective of the programming cycle, the annual Commission Work Programmes also provide a framework for assessing ongoing policies, and pointing to areas where policy initiatives need to be developed to realise the long-term policy strategies needed to deliver the EU's goals.

Given the urgent need to complete the EU's work on key proposals in areas including economic governance and financial regulation, the Commission will explore with the European Parliament and the Council how to give priority to the rapid adoption of a certain, limited number of particularly urgent proposals.

¹ See State of the Union Address 2010 of 7 September 2010.

2. RESTORING GROWTH FOR JOBS: ACCELERATING TOWARDS 2020

2.1. Strengthening economic governance and initiating the European Semester

The Commission has recently tabled a significant package of proposals to strengthen the tools of economic governance and extend them to include the coordination of economic and fiscal policies². The new proposals would deliver broader and enhanced surveillance of fiscal policies at EU level, as well as a better coordination of macroeconomic policies to address shortcomings in the existing legislation, including through upstream action on macro-financial imbalances. New enforcement mechanisms would prevent or correct excesses that could damage Europe's fiscal or financial stability. To maintain the momentum, the Commission calls upon co-EU legislators to advance quickly in their political deliberations.

In the first half of 2011, the European Semester of policy coordination will become the central structure for the EU's common efforts to boost growth and jobs. In January 2011, the Commission will adopt its first Annual Growth Survey to launch the European Semester. The Annual Growth Survey will analyse the economic situation of the Union, including potential imbalances and systemic risks. It will look in particular at where the EU stands in relation to the five targets set in Europe 2020, so that we can start to benchmark the EU's transformation into a smart, sustainable and inclusive society.

2.2. Financial regulation: completing the reform

A comprehensive timeline for delivery of proposals to complete the EU's financial reform was presented in June 2010³. Early in 2011, the Commission will table the remaining proposals to complete the financial sector reform.

Most of the proposals to address the flaws exposed by the crisis are already agreed or on the table, with the recent agreements on the financial supervision package as a milestone. In the first half of 2011, the Commission will follow up with a further series of improvements to bank capital rules (CRD IV) to implement within the EU the outcome of international work in the Basel Committee on Banking Standards, changes to the Market in Financial Instruments Directive (MiFID) and the Market Abuse Directive to complete the move to more transparent and safer derivatives markets, a proposal on Credit Rating Agencies, as well as legislation establishing a framework for bank crisis management and resolution to equip the relevant authorities with a consistent set of tools including resolution funds.

A particular focus will be the protection of small investors and ordinary consumers: initiatives will include legislation on access to basic banking services, and action to promote responsible lending and borrowing practice on mortgages.

These and other proposals will complete the Commission's ambitious reform programme for the financial sector. A joint goal of the European institutions should be to have the full reform agreed by the end of 2011, thus putting in place an advanced system of financial regulation as one of the foundation stones for healthy, job-creating growth. Meanwhile, the EU will continue its efforts to promote a strong and coordinated global approach, notably through its

² COM(2010) 522, COM(2010) 523, COM(2010) 524, COM(2010) 525, COM(2010) 526, COM(2010) 527, 29.9.2010.

³ COM(2010) 301, 2.6.2010.

active participation in the G20. The Commission will pursue its work on a fair contribution of the financial sector.

2.3. Smart growth

Through the Europe 2020 flagship initiatives on Innovation Union⁴, Youth on the Move⁵ and the Digital Agenda⁶, the Commission has shown how the EU can act on many fronts to boost Europe's smart growth potential. During 2011, the concrete proposals announced in the flagships will be rolled out and implemented through complementary action at European and national level.

The expanding possibilities of the internet present new opportunities for audio-visual producers and broadcasters but pose new challenges for the protection of intellectual property rights. Cross-border and pan-European licensing in the audiovisual sector will stimulate creativity to the benefit of European citizens.

European standards should play a stronger role as platforms for the global competitiveness of our enterprises, especially for SMEs. The ICT sector is one of the areas with huge potential. A package of proposals during 2011 will aim at creating a more integrated European Standardisation system.

The Commission will also set out ways in which the EU level can help to modernise higher education and set out its vision for future action to foster knowledge and innovation.

2.4. Sustainable growth

As announced in Europe 2020, the Commission will set out its vision for "Resource efficiency" as a flagship initiative in 2011. This will break new ground in terms of integrated policy making at EU level. The aim will be to build progressively a framework based on resource efficiency to include the shift to a low-carbon society and which sets sectoral policies including energy, transport and the management of natural resources such as agriculture and fisheries within a long-term sustainable framework. This work will take time to develop, but the first fruits will consist of an overall approach setting out how energy, transport and the promotion of a low-carbon economy can today be put on the road to transform the EU economy by 2050. These interconnected initiatives will define medium and long-term scenarios, thus providing a solid basis for decision-making and more predictable conditions for large-scale investment. This also needs to be backed up with a broad approach to how resource efficiency can become mainstreamed into the way in which European society develops in the future.

A particular focus in 2011 will be on energy infrastructure and efficiency, which have immediate environmental, economic and energy security benefits, including huge job-creating potential.

The White Paper on the future of transport policy will examine the completion of the European transport area to provide an efficient, seamless infrastructure around a core network, building on innovation to achieve low-carbon transport.

⁴ COM(2010) 546, 6.10.2010.

⁵ COM(2010) 477, 15.9.2010.

⁶ COM(2010) 245, 19.5.2010.

Promoting the sustainable use of natural resources and releasing the innovative potential of sectors such as agriculture and fisheries will be a central theme of the Commission's proposals for the revision of the Common Agricultural Policy and the Common Fisheries Policy for the period of the new Multiannual Financial Framework.

During 2011 the Commission will continue to work to combat climate change. While continuing to drive forward international efforts to achieve an ambitious, global agreement, the Commission will also work intensively with bilateral partners to share ideas and develop common projects in areas like clean technologies, carbon trading and renewable energy. 2011 will also be a busy year in terms of the wider environment agenda - the preparations for the Rio+20 Earth Summit in 2012 will be high on the agenda and the Commission will be assessing the results of the Sixth Environment Action Programme and reviewing the thematic strategies on waste prevention and recycling.

2.5. Inclusive growth

Before the end of 2010 the Commission will publish its fifth cohesion report and propose two more Europe 2020 flagships – on "New Skills and Jobs" and "a Platform against Poverty". A number of concrete measures designed to promote inclusive growth will be set out in 2011. In close cooperation with social partners, the Commission will table a legislative proposal to improve the implementation of the Posting of Workers Directive, and update the Working Time Directive to new realities. The Commission will also work towards a quality framework, which takes full account of the specific nature of services of general economic interest, with the updating of the State aid rules as an important step. Securing inclusive growth also means addressing societal challenges such as the impact of population ageing. The Commission will support Member States' action to deliver adequate and sustainable pensions for citizens through concrete measures to be identified following the consultation launched in 2010. Promoting an ambitious agenda for economic, social and territorial cohesion will be a central theme for the revision of cohesion policy for the proposal of the new Multi-annual Financial Framework.

2.6. Tapping the potential of the Single Market for growth

The Single Market's achievements need to be constantly deepened and updated to achieve its potential. During the downturn the Union resisted the temptations of short-termism and isolation. But without a well-functioning Single Market, there will be no long-term growth for jobs in Europe. Now is the moment to push market integration to new levels, targeting the significant persistent gaps, as identified by Professor Mario Monti in his recent report for the Commission⁷.

Building on this work, the Commission has just proposed an important number of concrete proposals to re-launch the single market — in a Single Market Act⁸ — and the Europe 2020 flagship initiative on Industrial Policy⁹. Both underline the need to gear society as a whole to deliver the potential of the single market and to boost the framework conditions for Europe's economic operators.

⁷ http://ec.europa.eu/bepa/pdf/monti_report_final_10_05_2010_en.pdf

⁸ COM(2010) 608, 27.10.2010.

⁹ COM(2010) 614, 27.10.2010.

The Commission will continue to open up market access for our companies, in particular small and medium sized enterprises. An important aspect will be the presentation in 2011 of proposals for the modernisation of public procurement rules and the establishment of common rules concerning concession contracts. Other concrete initiatives targeted at SMEs during 2011 will include a regulation on the management of cross-border debt recovery.

The Commission will take a number of concrete steps including proposals for an Alternative Dispute Resolution (ADR) mechanism to facilitate the resolution of consumer problems in the EU and continuing the work on collective redress on the basis of the public consultation launched in 2010.

In the area of taxation, a proposal for a Common Consolidated Corporate Tax base (CCCTB) will aim to open the possibility for companies to opt for a system to make tax rules simpler, to reduce compliance costs and to help remove the tax obstacles that companies currently suffer, when they operate cross-border, without affecting actual tax rates. The Commission will also publish a Communication on a future VAT strategy targeting the weaknesses of the current system by modernising and simplifying it, to reduce the administrative burden of VAT on companies.

An Airports Package will aim to improve competition as well as consumers rights and environmental performance in this important sector, by dealing with airport capacity, the handling of slots and ground-handling, leading to a more optimal use of the European airport network.

3. PURSUING THE CITIZENS' AGENDA: FREEDOM, SECURITY AND JUSTICE

EU citizenship should be a tangible reality for EU citizens. Citizens' rights are firmly anchored in EU law. However, gaps remain between the rules enshrined in the Treaty and the reality that citizens face in their daily lives – as private individuals, consumers, students or as political actors.

The "Citizenship Report"¹⁰ just adopted by the Commission highlights a set of issues where action would be warranted to give practical meaning to individual rights granted at EU level. These efforts go hand-in-hand with measures taken in implementing the Action Plan for the Stockholm Programme (2010-2014) with a view to delivering an area of freedom, security and justice¹¹, using to the full the enhanced legal basis provided by the Treaty.

As part of its efforts at strengthening citizens' rights in 2011, the Commission will propose a legal instrument on European Contract Law.

In the area of criminal law, the Commission will propose a Directive on the rights of victims of crime to help ensure access to sufficient legal assistance, justice and protection for citizens across all Member States. In order to enhance mutual trust between judicial authorities and citizens, the Commission will also continue to make legislative proposals for introducing minimum standards for procedural in criminal proceedings, notably in the field of legal assistance and legal aid.

¹⁰ COM(2010) 603, 27.10.2010.

¹¹ COM(2010) 171, 20.4.2010.

The Commission will also make legislative proposals for a Registered Travellers Programme and an Entry/Exit System for third country nationals. The objective is to help keep the EU open to the world, while countering illegal immigration and preventing organised crime. In an open Europe, we must also prevent criminals from exploiting our economic system. Measures to be proposed next year will include a framework on the confiscation and recovery of illicit assets and Communications on a comprehensive policy against corruption and anti-fraud strategy.

Similarly, a revision of the civil protection legislation will enhance the EU's capacities in the field of disaster response, preparedness and prevention. Finally, the Commission will continue its work with the High Representative on a proposal to implement Art. 222 of the Treaty.

4. Europe in the World: Pulling our weight on the global stage

With the EU's new structures for external policy in place, we now have an opportunity to promote a comprehensive and cohesive policy on the external challenges we face today, demonstrating that the EU is a strong and reliable partner with a clear set of objectives expressed with unity and cohesion. The Commission will continue to support the new European External Action Service and help to develop a new phase in our external policies. The EU has already focused on the need to have a clear vision for our relations with strategic partners, as well as a strong and consistent position in international negotiations. That means making the most of policies for which the Commission is responsible such as development, trade, enlargement, humanitarian aid and the external aspects of internal policies, and co-ordinating them with the work of the EEAS to deliver a strategic overview of the EU's bilateral relations.

4.1. A comprehensive trade policy

A successful trade policy is a key pillar of the Europe 2020 strategy. Building on the trade strategy to be published in November 2010, the Commission will pursue ongoing negotiations with our trading partners, including through driving forward the several major bilateral agreements planned for conclusion in 2011 and keeping up the pressure for a breakthrough in WTO negotiations. In parallel, EU will take other concrete steps to position European companies on the global market place. The Commission will present in 2011 a legislative proposal for an EU instrument to improve access to public procurement markets in developed and large emerging economies, building on the implementation of our international commitments. The Commission will also propose measures to support European SMEs in developing their activities outside the EU.

In our comprehensive approach, we will also address how our trade policy can best serve developing countries in their integration into the global economy. The Commission will make a legislative proposal for a new Regulation on the Generalised System of Preference aimed at maximizing its positive impact on sustainable development and the countries most in need.

4.2. EU enlargement, neighbourhood, development policies and humanitarian aid

In 2011, the EU will continue to steer the enlargement process. Progress in negotiations, including any new negotiations which may be opened following the presentation of the Opinions on membership later in 2010, will be linked to continued progress made by candidate countries, with a special emphasis on respect for the rule of law.

The European Neighbourhood Policy has shown, over the last five years, the EU's ability to project its values and principles and to contribute to political stability and economic development in its neighbourhood – a strategic priority for the EU. The Commission will continue to help to deepen the EU's special relationship with these neighbours, including by carrying out a review of the EU's neighbourhood policy leading to proposals in 2011 for its further development in its bilateral and multilateral (Eastern Partnership, Union for the Mediterranean) dimensions.

The effective delivery of development assistance is a key objective for the EU as the world's largest development donor. A partnership approach is the best way to ensure the maximum overall EU contribution to the Millennium Development Goals, and a new generation of programmes to support development needs to be designed with this in mind. Particular attention will be given to the follow-up of the Green Paper on the future of the EU development policy which will be presented in late 2010 which will assess the Union's development instruments to focus activity, where it can make a real difference for those in need.

Helping those affected by humanitarian catastrophes also remains a central building block of the EU's world wide engagement. The basis for these life-saving efforts will be strengthened through a proposal for a Revision of Council Regulation concerning humanitarian aid.

5. FROM INPUT TO IMPACT: MAKING THE MOST OF EU POLICIES

The magnitude and pace of world changes require the EU to act swiftly, responsibly and decisively. 2011 will see the fruit of a major reflection on how the EU can modernise its policy and financial instruments and find ways of working which maximise the added value of EU action.

5.1. A modern budget for Europe's future

The "Budget Review"¹² presented last week sets out the Commission's ideas on the purpose, architecture and delivery of a new EU budget post-2013. Europe as a whole is experiencing a period of austerity in public finances. The EU budget must be targeted to policies and areas where it can make a real difference, supporting medium and long term investment, and bring real added value in support of the Union's policy objectives – most obviously the EU budget should be one of the key tools to deliver Europe 2020. It must also be delivered in ways which maximise its impact. In June 2011, the Commission will present its formal proposals for the next Multiannual Financial Framework (MFF), covering both expenditure and the financing of the budget. On the spending side, the proposal will set out how and where the Commission believes it can use the budget to deliver EU policies most effectively. On the financing side, the Commission will make a proposal for a new own resources decision. These proposals will be the fruit of a detailed analysis of how EU spending can deliver the greatest added value, how it can act as a powerful tool for delivery of common EU objectives; and of a fresh look at the way that budget is funded.

In the coming months the Commission will issue a number of Communications and reports on key policy areas, in particular the reform of the common agricultural policy, of the common fisheries and the future of cohesion policy, which will also serve as the policy basis for the

¹² COM(2010) 700, 19.10.2010.

budgetary proposals of the MFF. The Commission will present detailed legal proposals for the specific financial instruments and programmes that should implement the new MFF. These will be presented in a number of packages from the summer to the end of 2011.

5.2. Promoting smart regulation

The Commission's better regulation agenda has led to significant improvements in policy-making at EU and national level. The design of new legislation builds on views from stakeholders and evidence gathered through wide consultations and subjected to an impact assessment process that has been externally assessed as effectively raising the quality of proposals. In parallel, the Commission has carried out a thorough simplification of existing legislation and has made significant progress in reducing administrative burdens and assisting Member States in the transposition of EU law.

Building on this experience, the Commission is ready to move to a new phase of smart regulation¹³. The whole policy cycle should be seen as a whole: from the design, through the application stage and until legislation is evaluated and revised. Starting with this Work Programme, in principle a positive opinion from the Impact Assessment Board will be needed before a proposal can be put forward for Commission decision.

The Commission will continue to work with the European Parliament, the Council and the Member States to ensure that the agenda is actively pursued by all, in both the EU legislative and implementation stages.

Finally, the voice of citizens and stakeholders most affected by legislation will be further strengthened by prolonging the consultation period from 8 to 12 weeks from 2012 onwards, by carrying out a review of the Commission's consultation policy in 2011 and by increasing predictability on the Commission's planned proposals and ex-post evaluation work to allow stakeholders to prepare their engagement at a much earlier stage.

These three pillars of smart regulation should deliver on its overall objective: having relevant, effective and quality EU legislation fulfilling its intended objectives and benefiting citizens and businesses.

5.3. On-going work

New actions with a focus on political priorities are only one aspect of the Commission's work. Throughout the year, the Commission remains responsible for implementing and overseeing agreed policies, reporting and taking stock of existing strategies and action plans, participating in international negotiations, contributing to conferences and major policy events. The Commission manages a wide range of financial programmes and operational tasks. In its responsibilities for the implementation of the EU's operational budget, the Commission seeks to ensure the best use of limited resources to secure the EU's objectives, obtain the best value for money while respecting principles of sound financial management. Much of this ongoing work results in the adoption of reports and documents which do not feature in the Annex to this document – although the work of implementation and monitoring absorbs an important share of the Commission's human and financial resources, this Work programme focuses on areas where the Commission is exercising political choice rather than discharging its responsibilities as an executive.

¹³ COM(2010) 543, 7.10.2010.

In recent years the Commission has been devoting more attention and resources to the implementation of EU law. The recently launched EU pilot experience¹⁴ is beginning to show results and considerable effort is being invested in speeding up the handling of infringement cases. More systematic analysis of the reasons for late and incorrect transposition of EU law is being done to feed into the ongoing simplification programme and is also being used in the revision of existing legislation. All of this work will contribute to giving the EU a modernised, up to date legal base which is "fit for purpose" and able to deliver on the EU's promises to its citizens.

6. CONCLUSION

This Work Programme sets out the key new initiatives the Commission commits to deliver in 2011¹⁵ and the initiatives on which it will work in 2011 and the years to come¹⁶, including simplification proposals and withdrawals¹⁷. This forward planning seeks to provide all stakeholders with predictability and transparency for their work, while maintaining openness and flexibility to adapt to changing circumstances. The Commission will of course at the same time continue to work on other issues that require urgent action, or on long term preparation for the future. The Commission will now work closely with the European Parliament and the Council, as well as stakeholders, including national parliaments, to ensure that the initiatives it will promote in the coming year will rest on a sound consensus about how the EU's should meet the expectations of its citizens for an ambitious and effective Europe.

¹⁴ COM(2007) 502 - Launched in April 2008.

¹⁵ See Annex I.

¹⁶ See Annex II.

¹⁷ See Annexes III and IV.



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Annex I: Strategic initiatives scheduled for adoption in 2011

Title	Type of initiative	Description of scope of objectives	Foreseen adoption date
Restoring growth for jobs: Accelerating towards 2020			
Strengthening economic governance and initiating the European Semester			
1	Annual Growth Survey	As part of the follow-up to the Commission's Communication on Europe 2020, the Commission will present an Annual Growth Survey accompanied by a Communication which will be the main input for discussions at the Spring meeting of the European Council. The survey will include both a review, reporting on progress, and a forward-looking part proposing strategic policy guidance horizontally across Member States.	1st quarter 2011
2	Strengthening economic governance-follow-up	Follow-up on Commission's proposals of 29 September 2010 aimed at reinforcing the European fiscal framework and broadening macroeconomic surveillance to the prevention of adverse macroeconomic imbalances.	1st quarter 2011
Financial Regulation: completing the reform			
3	Amendment to the Regulation on Credit Rating Agencies	To address the over reliance on credit ratings by financial institutions, investors, borrowers and public bodies, the lack of competition in the CRA industry, the adequacy of the 'issuer-pays' model and the specificities of the sovereign debt ratings.	2nd quarter 2011
4	Legislative initiative on a framework for bank crisis management and resolution	To foster cooperation and coordination among relevant authorities, to equip them with a consistent set of tools, and to introduce ex-ante bank resolution funds.	2nd quarter 2011
5	Amendments of Capital Requirements Directives (CRD IV) (Carry-over 2010)	General objective: render the regulatory framework even more responsive to market conditions thus by enhancing financial stability, safeguarding the interest of creditors and taxpayers, enhancing level playing field globally, while ensuring international competitiveness of the EU Banking sector and further promoting the integration of the Internal Market, enhancing level playing field in the EU.	2nd quarter 2011
6	Review of the Market Abuse Directive (Carry-over 2010)	This initiative aims at (i) enlarging the scope of the prohibition of market manipulation and insider dealing to cover new markets/instruments; (ii) increasing the deterrent effect of the Market Abuse Directive through more effective and consistent enforcement by competent administrative authorities, especially concerning sanctions; and (iii) moving towards a single rulebook by clarifying certain provisions, reducing options and discretions where appropriate and reducing administrative burdens, especially on SMEs.	1st quarter 2011
7	Review of the Market in Financial Instruments Directive (MiFID)	To enhance investor confidence, as well as to meet the overall aim of a level playing-field delivering market efficiency and transparency.	2nd quarter 2011
8	Directive on responsible lending and borrowing	To assist in the creation of an integrated single market for mortgage credit by boosting consumer confidence and levels of consumer protection, cross-border lending and borrowing and competition in the marketplace. To promote financial stability throughout the EU by ensuring that mortgage credit markets do not operate in a way that can lead to over indebtedness, defaults and foreclosures. To be delivered together with the Communication on best practices in mortgages avoiding foreclosure and the Recommendation on financial inclusion.	1st quarter 2011

Title	Type of initiative	Description of scope of objectives	Foreseen adoption date
9	Legislative proposal on access to basic banking services	To enhance full participation of all EU citizens in the internal market in general, and enhance access to online goods and services in particular. The specific objective is to ensure that every EU citizen or resident has a right to basic banking services, including minimum electronic payment facilities.	1st quarter 2011
Smart growth			
10	Communication on a more integrated European Standardisation System and legislative proposal on standardisation, covering inter alia the ICT sector	The initiative aims at speeding up and modernise standard-setting to enable interoperability and foster innovation in fast-moving global markets.	1st quarter 2011
11	Communication on Modernisation of higher education	The purpose is to revise and propose new objectives for the future of this policy agenda. This may include possible proposals for a transparency and ranking system for higher education institutions.	3rd quarter 2011
Sustainable growth			
12	Low-carbon economy 2050 roadmap	This Communication analyses the temporal pathway for the transition to a low carbon economy for the EU by 2050, including milestones by 2030, with a view of making EU energy secure and promoting sustainable growth and jobs, while ensuring that the proposed measures are most cost-efficient and do not bring negative distributional consequences. The resulting vision of structural and technological changes needed contributes to the flagship initiative "Resource efficient Europe" of the Europe 2020 strategy.	1st quarter 2011
13	Energy Roadmap 2050	The roadmap will present a range of possible development paths for the EU energy system to 2050, towards a low carbon, resource efficient system, allowing implications of today's decisions to be better assessed and decisions needed today of strategic importance (e.g. infrastructure planning) to be better understood.	3rd quarter 2011
14	Roadmap to a Resource Efficient Europe	As part of the Resource Efficient Europe flagship initiative, building on and complementing the other proposals under this flagship, the roadmap will set out a coherent framework of policies and actions in a variety of policy areas, required for the shift towards a resource efficient economy. The aim is to increase resource productivity and decouple economic growth from resource use and resource use from its environmental impact, enhance competitiveness and promote security of supply and resource independence of the EU.	2nd quarter 2011
15	European Energy Efficiency Plan until 2020	The Communication will identify the key measures to fully achieve the cost-effective energy savings potentials of 20% by 2020, across all sectors, including building, utility, transport and industry. In parallel, experience from the first Energy Efficiency Action Plan will be analyzed.	1st quarter 2011
16	Directive on energy efficiency and savings	This initiative is a follow up to the European Energy Efficiency Plan. It will provide an enhanced framework for energy efficiency and savings policies of Member States, including targets, role of National Energy Efficiency Action Plans, exemplary role of public sector, financing, consumer information. It will also define instruments to develop the energy services market and the roles of energy companies in promoting energy savings throughout the energy supply chain, including supply to end-users. It will set framework conditions for	3rd quarter 2011

Title	Type of initiative	Description of scope of objectives	Foreseen adoption date
17	White Paper on the future of transport (Carry-over 2010)	increased generation, transmission and distribution efficiency, including strengthened measures for the promotion of cogeneration and district heating & cooling. It will replace the Energy Services Directive 2006/32/EC. The White Paper will outline the future of transport until 2050, to achieve an internal market for transport, innovation and modern infrastructure. It will define the overall framework for actions in the next ten years in the field of transport infrastructure, internal market legislation, decarbonisation of transport, technology for traffic management and clean vehicles, and the use of standardisation, market based instruments and incentives.	1st quarter 2011
Inclusive growth			
18	Legislative initiative on Posting of Workers	The general objective is to improve the implementation and enforcement of Directive 96/71/EC on Posting of Workers. More specifically, the aim is to ensure effective respect of the posted workers rights and clarify the obligations of national authorities and businesses. The aim is also to improve cooperation between national authorities, the provision of information for companies and workers, ensure effective enforcement through sanctions and remedial action and prevent circumvention and abuse of the rules applicable.	4th quarter 2011
19	Revision of the Directive on Working Time (Directive 2003/88) (Carry-over 2010)	The objective is to adapt the Directive to the new realities created by the evolution of working patterns and to clarify the implementation of the Directive in particular as regards the problem of on-call time. The scope of the revision will be determined taking into account the results of the consultation of the social partners.	3rd quarter 2011
20	Revision of the State aid rules applicable to the services of general economic interest (SGEI): - Framework for State aid in the for of public service compensation - Commission Decision on the application of article 106.2 TFEU to State aid in the form of public service compensation	Both the framework and the decision expire in November 2011. The objective of the revision will be to evaluate the current provisions and to explore possibilities to adjust and improve the rules.	4th quarter 2011
21	White Paper on Pensions	Rapidly approaching population ageing creates both an immediate and a long-term challenge for pension systems. If the EU is to sufficiently support and complement Member State efforts to deliver adequate and sustainable pensions for citizens, the incomplete and fragmented European framework of policy coordination and Regulation needs to be reconsidered holistically. As a follow-up to the wide-ranging consultation, launched by the Green Paper (7July 2010), the White Paper would address some or all of the issues identified.	3rdquarter 2011
Tapping the potential of the Single Market for growth			
22	Legislative proposal on collective rights management	To provide a clear and stable framework for cross-border services which rely on clearing a variety of copyrights. More cross-border services will foster a wider range of customer offers.	1st quarter
23	Legislative proposal for a Common Consolidated Corporate Tax Base (CCCTB)	The proposal will aim to make tax rules simpler, reduce compliance costs and remove tax obstacles which companies currently suffer when they operate cross-border.	1st quarter 2011

	Title	Type of initiative	Description of scope of objectives	Foreseen adoption date
24	Communication on the future VAT strategy	Non-legislative	The purpose of the Communication will be to identify actions which can reduce the administrative burden, combat fraud, modernise and simplify the current system	4th quarter 2011
25	Follow-up to the consultation on Collective Redress	Non-legislative	The Communication aims at presenting the general principles relating to the collective redress and future policy lines, as follow-up on the public consultation launched in 2010.	4th quarter 2011
26	Legislative proposal on Alternative Dispute Resolution (ADR) in the EU	Legislative	ADR schemes can offer cheap, simple and quick redress for consumers. They can be a vital tool for maintaining business reputation and preserving customer relationship and trust. ADR has not reached its full potential. Not all consumer disputes can be solved through ADR due to the lack of schemes in certain sectors. Consumer and business awareness of ADR remains low. Promoting ADR will improve consumer confidence in shopping across border and the functioning of the Internal Market.	4th quarter 2011
27	Airports package: (1) Airport capacity assessment and inventory, (2) Revision of the Slot Regulation, (3) Revision of the Groundhandling Directive (4) Revision of the aviation noise directive	Legislative / Non-legislative	A cover Communication will discuss the state of play on airport policy. It will be accompanied by revised legislative proposals on ground handling, slots and noise legislation together with a new proposal on airport capacity assessment and inventory.	2nd quarter 2011
Pursuing the citizens' agenda: freedom, security and justice				
28	Legal instrument on European Contract Law	Legislative	This initiative constitutes the follow-up to the 2010 Green Paper. It will set out the Commission's policy choice to reduce the transaction costs and legal uncertainty for businesses and the lack of consumer confidence in the internal market caused by differences between national contract laws.	4th quarter 2011
29	Regulation on improving the efficiency of the enforcement of judgments in the European Union: cross-border debt recovery	Legislative	This initiative aims at proposing a consistent approach across Member States as regards cross-border debt recovery through the attachment of bank accounts, thereby simplifying matters for creditors involved in a cross-border disputes and securing the effective enforcement of their claims abroad.	2nd quarter 2011
30	Directive on the rights of and support to victims of crime	Legislative	This initiative aims at developing a comprehensive set of measures on the protection of victims, to ensure that victims of crime receive the necessary assistance (legal, psychological and other) in all Member States of the EU, that they are able to access justice and the rights applicable to them and that they receive sufficient protection when at risk of harm.	2nd quarter 2011
31	Initiatives on Smart Borders: - Legislative proposal to set up an Entry/Exit System (EES) - Legislative proposal to set up a Registered Traveller Programme (RTP) - Legislative proposal amending the Schengen Borders Code	Legislative/ Non-legislative	The aim is to protect the security of our borders, whilst ensuring that Europe remains accessible to frequent travellers by using modern technologies in border management. The EES would generate information that would help identify and apprehend irregular immigrants (especially overstayers), thereby deterring irregular immigration. It would also contribute to maintaining a high level of security by generating information that would help prevent terrorism and serious criminal activity and allowing the apprehension of terrorist and criminal suspects. The RTP, on the other hand, would facilitate the crossing of EU external borders for frequent, pre-screened and pre-vetted third country travellers, while ensuring overall coherence of EU border policy. Together, the EES and RTP would therefore further develop	2nd quarter 2011

Title	Type of initiative	Description of scope of objectives	Foreseen adoption date
<p>- Communication the possibility of introducing an EU ESTA</p>		<p>an integrated border management by allowing persons who have a right to enter the EU to do so in a simpler and faster way, while at the same time constituting essential tools in the fight against irregular migration and security threats.</p> <p>The Schengen Borders Code will need to be amended to take account of the technical changes that will result from the proposals for an EES and RTP.</p> <p>Following the introduction by the US and Australia of an ESTA (electronic system for travel authorization), the Communication will examine whether the EU should also introduce such an ESTA, in the context of its integrated border management and as a complement to its present visa policy.</p>	
<p>32 Initiatives on Protecting the Licit Economy:</p> <ul style="list-style-type: none"> - Communication on a comprehensive policy against corruption - Proposal of a new legal framework on the confiscation and recovery of criminal assets - Communication on the Anti-fraud strategy 	<p>Non-Legislative / Legislative</p>	<p>Protecting the licit economy is a priority in order to ensure that the EU can achieve the objectives of the EU 2020 Strategy. In this context, the Communication on a comprehensive policy against corruption will look at the establishment of an evaluation mechanism to assess the anti-corruption efforts in the EU and will present modalities of cooperation with GRECO (Council of Europe group of States against corruption) for that purpose.</p> <p>The Proposal of a new legal framework to enhance the confiscation and recovery of criminal assets in the EU will aim at enhancing existing tools in order to attack the proceeds of crime more effectively.</p> <p>Comprehensive strategy against fraud, providing a framework for better protection of the EU financial interests across different policy sectors.</p>	<p>2nd quarter 2011</p>
<p>33 A new comprehensive legal framework for the protection of personal data in the EU (Carry-over 2010)</p>	<p>Legislative</p>	<p>This initiative aims at modernising the existing system for the protection of personal data in all areas of the Union's activities in order to maintain the effective application of the data protection principles, and to improve current data protection legislation, in the light of the challenges of globalisation, new technologies, and requirements of public authorities.</p>	<p>2nd quarter 2011</p>
<p>34 Proposals to renew Civil Protection Legislation</p>	<p>Legislative</p>	<p>The main objective will be to reinforce EU Disaster Response, Preparedness and Prevention capacities (by means, i.a., of enhanced coordination and enhanced arrangements aiming at guaranteeing the availability of a core set of civil protection assets), in line with the proposals set out in the November 2010 Communication on Reinforcing EU Disaster Response Capacity.</p>	<p>4th quarter 2011</p>

Europe in the World: pulling our weight on the global stage			
A comprehensive trade policy			
35	Proposal reinforcing support to EU SMEs in markets outside the EU	Non-Legislative / Legislative	The main objectives of EU-level business support is to provide supplementary help needed by SMEs to access and develop their activities in the most important markets outside the EU where such assistance offers real added value. Depending on the existing or potential market, EU services might be needed related to assistance to accessing markets, protection of IPR, standard-setting and regulatory issues. These services will be adapted to the needs of the EU SMEs identified locally for each particular market concerned and to the services already offered locally by other service providers, such as the Member States or EU business associations such as European Business Organisations which already exist in many third countries. The services provided should complement, reinforce and operate in co-operation with these existing service providers.
36	Initiative on the access of third country companies and goods to the EU public procurement market (MASP - Market Access Scheme for Procurement)	Legislative	The key objective of this regulation is to improve the conditions under which EU businesses can compete for public contracts outside the EU. Currently EU suppliers face restrictive procurement practices in many of EU's main trading partners. This proposal therefore seeks to provide a framework allowing the EU to take effective action in the field of the Common Commercial Policy with respect to restrictive procurement practices operated in some of the EU's trading partners.
37	Proposal for a EP/Council Regulation applying the scheme of the Generalised System of Preference (GSP) from 1 January 2014	Legislative	The new Regulation will review and refine the current GSP Regulation to ensure its simplicity and predictability as well as maximising its support for sustainable development and developing countries most in need.
EU enlargement, neighbourhood , development policies and humanitarian aid			
38	Initiative to modernize EU development policy	Non-legislative	This initiative will lay down new policy guidelines on development. It will build on the results of the consultation launched with the Green Paper on EU development policy in support of inclusive and sustainable growth, as well as on other elements such as the Green Paper on Budget Support. It will be accompanied by initiatives on: "Enhancing Growth and Investment (job creation in partnership with the private sector)", "Budget support" and "Sustainable Development/Climate Change and Energy as driver for Growth".
39	Modernizing Humanitarian Aid	Legislative	The main objective of the revision of Council Regulation 1257/96 concerning humanitarian aid will be to adapt the legislation to the new policy/institutional environment.
From input to impact: making the most of EU policies			
A modern budget for Europe's future			
40	Proposal for a new Multiannual Financial Framework, including the proposals on the different policy areas	Legislative / Non-legislative	Setting out the budgetary priorities and the proposal for a new MFF for the coming period, which will consist of: 1) Commission Communication on the next multi-annual financial framework. 2) Commission proposal for a Council Regulation on a new Multi-annual financial framework, 3) Commission proposal for a new own resources decision 4) Commission proposal for a new Inter-Institutional Agreement on sound financial management and cooperation in budgetary matters.

			<p>Drawing on the in-depth discussions with the other institutions on the EU Budget Review and on the consultations the Commission will carry out in particular on the Common Agricultural Policy, the Common Fisheries Policy, the Cohesion policy and the Research Policy, the Commission will also present ambitious proposals for the next generation of financial programmes and instruments to better align the EU budget with the policy priorities, in particular the Europe 2020 Strategy. These proposals will be put forward in a number of packages, in the second half of 2011. Important policy areas to be addressed in the financial framework will include <i>inter alia</i> agriculture, climate change, cohesion, competitiveness, employment, environment, ICT, energy, TEN-T and transport infrastructure, fisheries and maritime affairs, justice and home affairs cooperation and research and innovation. The external projection of the EU interests in the world will also be addressed. The existing architecture will be streamlined and simplified, for example with a stronger emphasis on financial engineering and leverage funding, in order to optimize management and impact.</p>	
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Annex II: Indicative list of possible initiatives under consideration*

* Initiatives are grouped by policy area. Initiatives marked by (*) are soft law initiatives.

2011		
Nr	Title	Description of scope of objectives
Competition		
Type of initiative		
1	Review of Framework on State aid to shipbuilding	The review will cover the questions whether sector specific rules are still needed and if yes, whether and in how far amendments to the existing rules are necessary.
2	Commission Communication on quantification of harm in antitrust damages actions	The 2008 White Paper on antitrust damages actions announced non-binding and pragmatic guidance to national courts and parties on issues of quantification in civil litigation. The Commission intends to adopt a Communication that will give some economic insights into the harm caused by anticompetitive practices and the methods commonly used to quantify such harm.
3	Guidelines on State aid to maritime transport	The initiative aims at reviewing the guidelines on state aid to maritime transport.
4	Guidelines on certain State aid Measures in the context of the Greenhouse Gas Emission Allowance Trading Scheme	Guidelines will have to be adopted to establish rules for the treatment of aid connected to the Emission Trading System.
5	Guidelines for the Rescue and Restructuring of financial institutions	In the context of the financial crisis, the Commission adopted in 2009 a Bank Restructuring Communication, which details the particular conditions that banks have to observe in the specific context of crisis-related State Aid to financial institutions on the basis art. 107(3)(b). New guidelines on Rescue and Restructuring of financial institutions will be prepared, to integrate lessons learnt during the crisis and re-establish a new regime for the financial sector based on art. 107(3)(c).
Digital Agenda		
6	Review of the Directive on reuse of public sector information 2003/98/EC	Review of the Directive on reuse of public sector information 2003/98/EC that will address 1) the scope of the instrument, 2) limitations on charges for the re-use of public sector information 3) clarifying the principle that all material that is generally accessible is also re-usable for non-commercial and commercial purposes.
7	Communication on Privacy and Trust in digital Europe: ensuring citizen's confidence in new services	In the course of the revision of the Telecoms Package a number of issues were raised in order to enhance the level of protection of the rights of users of eCommunications. In particular, the EP has called for more clarity regarding the legal status of IP addresses, behavioural on-line advertising, protection of privacy in Web 2.0 applications such as social networking services, and the rights of users of private networks. The Communication should be complementary to the review of the EU data protection framework.
8	Commission Recommendation on eCall*	Recommendation to the Member States targeting Mobile Network Operators on the transmission of eCall, including the Minimum Set of Data (MSD) from the in-vehicle systems to the PSAPs. The guidelines would be based on the single European emergency number enhanced with location capabilities (E112) and the set of standards related to transmission of the eCall, including the implementation of the eCall discriminator (eCall flag) in the mobile networks.

9	Proposal for a Council Recommendation to enhance a network and information security through standards and guidelines in public procurement *			Council Recommendation to promote the adoption of IT security standards in public procurement.
10	Web accessibility action plan	Commission action		There is need for concerted actions to make sure that new electronic content is also fully available to persons with disabilities. In particular, public websites and online services in the EU that are important to take a full part in public life should be brought in line with international web accessibility standards. Based on review of options, make proposals by 2011 that will make sure that public sector websites (and websites providing basic services to citizens) are fully accessible by 2015.
11	Possible revision / clarification of universal service provisions in e-communications	Legislative / Non-legislative		The purpose of this initiative is to review the provisions on universal service (Chapter II of Universal Service Directive 2002/22/EC) in the light of the technological, market and social developments.
12	Communication on the collective use of radio spectrum	Non-legislative		In the context of the Radio Spectrum Policy Programme, the Communication is planned in order to foster the collective use of spectrum (CUS). The Communication will describe this spectrum management model and its role in the balance of various models. It will give an overview of the current use of CUS, the similarities and differences to other management approaches, the advantages and benefits of the model as well as the challenges which need to be addressed.
13	Revision of the e-signature Directive following an action plan on e-signatures and e-identification to facilitate the provision of cross-border public services in the Single Market; Directive 1999/93 of the European Parliament and of the Council on a Community framework for electronic signatures.	Legislative		The 2008 eSignature /eidentification Action Plan seeks an EU-wide solution to cross-border use of online public services. Progress report envisaged in 2010. The Commission will assess whether further horizontal and/or sectoral initiatives are needed.
14	Mutual recognition of Identification and eAuthentication	Legislative		The Decision will aim at establishing a minimum set of principles for the mutual recognition of national identification and e-authentication mechanisms when eID is used across borders.
15	Report on the outcome of the review of the functioning of the Roaming Regulation	Non-legislative/legislative		Under the amended Roaming Regulation the European Commission must produce a report to the European Parliament and Council by 30 June 2011, reviewing the functioning of the Regulation and assessing whether its objectives have been reached. As required by Article 11(1) of the amended Roaming Regulation, the Report must review the developments in wholesale and retail roaming charges for voice, SMS and data communication services; the availability and quality of services including those which are an alternative to roaming.
16	Communication on digitisation and digital preservation	Non-legislative		The Communication will: 1) give an overview of progress in the MS on digitisation and digital preservation; 2) report on the development of Europeana, Europe's digital library; 3) report on the findings of the 'Comité des Sages on digitisation'; 4) call on MS to tackle areas where they have not delivered until now, and 5) outline the next steps from the side of the Commission.

Economic and Monetary Affairs	
17	<p>Communication on Public Finances in EMU 2011</p> <p>Non-legislative</p> <p>The communication on Public Finances in EMU-2011 distils the policy implications/challenges of the annual Public Finance Report (PFR). The PFR reviews fiscal developments in the EU Member States and discusses topical issues in the field of fiscal policy making and fiscal surveillance in the EU.</p>
18	<p>Communication on innovative financial instruments for the new MFF</p> <p>Non-legislative</p> <p>The subgroup of Commissioners on innovative financial instruments is expected to adopt principles for the design and implementation of innovative financial instruments supporting Europe 2020 and external action over the period 2014-2020. It is also expected to conclude on new joint instruments with the EIB as well as other capital market instruments like project bonds or financial instruments operated together with national public financial institutions and IFIs. This Communication will set out these principles and instruments in order to inform the EP, the Council and the stakeholders. It would support the Commission's proposals for a new MFF.</p>
Education, Culture and Youth	
19	<p>Commission Communication on a New Competences Initiative</p> <p>Non-legislative</p> <p>The Communication is linked to the New Skills for New Jobs initiative and seeks to develop the key competences approach in the fields of vocational training, adult learning and higher education, building on the 2006 Key Competences Recommendation but going beyond. It supports efforts in Member States to modernise these other areas of education and training provision, looking especially at assessment and validation questions and the development of a common language on competences between the worlds of education/training and of work, including the proposals for a High Level Forum on basic skills and for a European Skills Passport.</p>
20	<p>Recommendation on the promotion and validation of informal and non-formal learning *</p> <p>Part of the Youth on the Move initiative; it will address how national qualifications frameworks should facilitate the promotion and validation of non-formal and informal learning outcomes and provide permeability between VET and higher education, as well as how to promote professionalism and recognition of those delivering such learning experiences, in particular in the youth field.</p>
21	<p>Unlocking the potential of Cultural and Creative Industries</p> <p>Non-legislative</p> <p>The objective is to foster the right environment for cultural and creative industries (CCIs) to flourish and contribute to smart, sustainable and inclusive growth. The initiative should make it easier for CCIs (in particular SMEs) to access funding, improve the monitoring of skills needs of CCIs, better embed CCIs in regional development strategies, and set up "creative partnerships" between CCIs and education institutions / businesses / administrations.</p>
Employment, Social Affairs and Inclusion	
22	<p>Proposal for a Council Decision on Employment Guidelines</p> <p>Legislative</p> <p>As provided for by article 148 TFEU, the Council, on a proposal from the Commission shall each year draw up guidelines which the Member States shall take into account in their employment policies. The Commission proposal will be adopted each year in January, starting in 2011.</p>
23	<p>(second-phase) consultation of social partners on the protection of workers' health from risks related to exposure to Environmental Tobacco Smoke at the workplace</p> <p>Non-legislative</p> <p>Approximately 7.5 million workers in the EU are exposed to "environmental tobacco smoke" (ETS) at the workplace. This exposure to ETS can cause lung cancer, cardiovascular diseases and a range of other health problems. There is evidence that exposure to ETS at work accounted for over 7000 deaths in the EU in 2002. While many Member States have already taken actions in this area, there is no uniform or comprehensive protection for workers in the European Union as regards exposure to ETS. In December 2008, the Commission launched a first-stage consultation of the European social partners, in accordance with Article 154 TFEU, on the possible orientation of an EU initiative as regards workers exposure to ETS at the workplace.</p>
24	<p>Proposal to amend several labour law EC Directives with a view to including seafaring workers or vessels within their scope</p> <p>Legislative</p> <p>The proposal aims to provide seafarers with the same level of employment rights as on-shore workers. A number of Directives in the field of labour law currently exclude seafarers from their scope. The amendments, which should cover several Directives, will either include seafarers in their scope or provide for special treatment of seafarers so as to ensure an equivalent level of protection, while taking into account the special circumstances and the overall economic environment for this industry.</p>

25	(first-phase) consultation of the European social partners on the revision of Council Directive 2001/86/EC of 8 October 2001 supplementing the Statute for a European company with regard to the involvement of employees	Non-legislative	The consultation will aim to elicit the European social partners' position on the possible revision of Directive 2001/86 with a view to simplifying the arrangements for the representation of employees in European companies and on the scope of such a revision. The consultation will take place after the publication of the Commission Report on the implementation of Regulation 2157/2001.
26	(first-phase) consultation of the European social partners on the revision of Council Directive 2003/72/EC of 22 July 2003 supplementing the Statute for a European Cooperative Society with regard to the involvement of employees	Non-legislative	The consultation will aim to elicit the European social partners' position on the possible revision of Directive 2003/72. The consultation will take place after the publication of the Commission Report on the implementation of Regulation 1435/2003 (European Cooperative Society Statute).
Energy			
27	Initiative to support the implementation of smart grids	Legislative	This legislation will provide a framework for the implementation of smart grids in the Member States. The large scale implementation of smart grids is key to increase energy efficiency, to support the uptake of electricity from renewable energy and the setting up of an infrastructure for electric vehicles. It will inter alia define quality criteria to which smart grids need to respond and the obligation for development of national plans.
28	Communication on security of energy supply and international cooperation "	Non-legislative	The Communication presents a comprehensive analysis of the external dimension of EU energy policy. It will identify priorities for the EU external energy cooperation in order to realize the objectives of EU energy policy as in Art. 194 TFEU.
Enlargement and Neighbourhood Policy			
29	Enlargement package 2011	Non-legislative	The Commission is invited to report on the candidate and SAP countries. The Commission strategy paper allows the European Council to define main strategic orientations on enlargement at the end of each year.
30	Commission opinion on Serbia's application for EU membership	Non-legislative	Assessment of Serbia's readiness to fulfil the Copenhagen criteria for EU membership and the conditions for the Stabilisation and Association process, assessment of the impact that Serbia's accession may have on relevant EU policies and recommendations to the Council on its response to the application of Serbia.
31	Annual European Neighbourhood Policy (ENP) package	Non-legislative	A Communication drawing conclusions from a strategic review of the ENP, five years after its establishment, and based on a wide consultation process involving member states, partner countries and other stakeholders. Communication to be accompanied by 14 Staff Working Documents (12 country reports, a sectoral report and a report on the Eastern Partnership in view of the EaP Summit to be held in the first semester of 2011).
Environment			
32	Review of the list of priority substances under the Water Framework Directive	Legislative	The Water Framework Directive requires the Commission to review the list of priority substances every 4 years. Priority substances are those posing a risk to or via the aquatic environment at EU level. They are part of the basis of the EU strategy to combat chemical pollution in EU waters.
33	Communication on implementing EU environmental law and policy: a common challenge.	Non-legislative	The communication will address the shortcomings in implementing environmental legislation and propose a strategic way forward as well as exploring a number of practical avenues to improve the current gaps in implementation of the EU acquis. Issues to be addressed, among others, will be improving the coherence of legislation, enhancing compliance promotion, strengthening the effectiveness of inspections and enhancing the role of national judges in supporting the implementation of EU legislation.

Health and Consumers			
34	Proposal for a revision of the Decision on communicable diseases combined with an initiative on prevention and control of other serious cross border health threats at EU level (Health Security in the European Union)	Legislative	The Health Security initiative aims to review and update the existing EU legislation on communicable diseases (Decision 2119/98 and its implementing decisions) and to reinforce the collaboration at EU level on serious cross-border health threats from a global public health perspective ("all-hazards approach" taking account of the existing structures and mechanisms at EU level).
35	Review of Directive 2001/95/EC on general product safety (GPSD)	Legislative	The Commission report (2009) on the implementation of the General Product Safety Directive identified areas for improvement of the Directive. Experience with handling recurrent product safety alerts, the complexity of establishing useful safety benchmarks, the globalisation challenges, are the main drivers. An internal market of safe goods for consumers needs simpler, clearer rules for more effective enforcement. Businesses deserve a genuine level playing field. Better coordination of action by Member State authorities is key to improvements. The RAPEX system is already widely recognised, yet it could even better help ensure that all Europeans enjoy same levels of safety if the legislative framework were upgraded. The current Consumer Policy Strategy covers the period 2007-2013. The new Strategy (2014-2020), to be presented as a Communication, should be done sufficiently early, in order to allow the necessary time to develop the associated Programme.
36	Communication on Consumer Policy Strategy (2014-2020)	Non-legislative	Substantial developments in tobacco product regulation have taken place. Therefore, an update of the Directive is necessary in order to target better young people and vulnerable groups.
37	Proposal for a revision of the Tobacco Products Directive 2001/37/EC concerning the manufacture, presentation and sale	Legislative	
38	Communication concerning the Second EU strategy for the protection and welfare of animals (2011-2015)	Non-legislative	The aim of the initiative is to consolidate future EU policies in this area in a strategic paper that will ensure that future action will be integrated and understood both inside and outside the EU. The Strategy responds to the demand of stakeholders and the EP to develop EU policies on animal welfare with due regard to the overall costs and their impacts on competitiveness of the sector.
Home Affairs			
39	Communication on an EU agenda for integration of third-country nationals, including the development of a coordination mechanism	Non-legislative	The Communication should launch a "second phase" of the Common Agenda on Integration aimed at enhancing existing tools of coordination of integration policies and developing new instruments, including European Modules on Integration. This corresponds to the political objective of ensuring a better integration of migrants, as announced in the EU 2020 Strategy, and will be based on the new legal basis provided by the Treaty of Lisbon (art. 79§4 TFEU), which excludes harmonisation of laws while allowing for supporting measures.
40	Directive on the use of Passenger Name Records for law enforcement purposes (European PNR)	Legislative	Reformatting of the proposal for an EU PNR Framework Decision following the entry into force of the Lisbon Treaty. The proposal provides that air carriers will be required to make available PNR data of their passengers to the Member States law enforcement authorities.
41	Communication on enhanced intra-EU solidarity	Non-legislative	The Communication will aim to create a coherent and comprehensive framework for better sharing responsibility for asylum seekers and beneficiaries of international protection across the EU.

42	European Terrorist Financing Tracking Programme (European TFTP)	Legislative	The EU-US Terrorist Financing Tracking Programme (TFTP) agreement holds out the longer-term prospective of the establishment within the EU of an EU system equivalent to the TFTP, implying a more targeted transfer of data in the future and allowing for the extraction of data to take place on EU soil. Article 2 of the Council Decision on the conclusion of the EU-US agreement invites the Commission to submit no later than 1 August 2011 a legal and technical framework for the extraction of data on EU territory.
43	Legislative proposal on the establishment of a European Border Surveillance System (EUROSUR)	Legislative	The aim of EUROSUR is to reinforce the control of the Schengen external border, especially the southern maritime and eastern land borders. EUROSUR will establish a mechanism for Member States' authorities carrying out border surveillance activities (border guards, coast guards, police, customs, and navies) to share operational information and to cooperate with each other and with FRONTEX in order to reduce the loss of lives at sea and the number of irregular immigrants entering the EU undetected, and to increase internal security by preventing cross-border crime such as terrorism, trafficking in human beings, smuggling of weapons and drugs, etc. Hence, for the purposes of establishing the technical and operational framework of EUROSUR, the legislative proposal will focus on the tasks and functions of national coordination centres, the setting up of a decentralised communication network and will provide common rules for the exchange of information between national coordination centres and with FRONTEX.
44	Communication on the evaluation and future development of the Global Approach to Migration	Non-legislative	As foreseen in the Stockholm programme, and based on the evaluation of the work done so far, this Communication will contribute to the further development and consolidation of the global approach to migration. It will be elaborated according to a broad participative process, associating all relevant stakeholders, and will promote increased coordination, coherence and synergies, as well as a more strategic and evidence based use of the global approach instruments. The Communication will be accompanied by three staff working documents which will explore the effects of climate change on migration, the connection between migration and development and labour shortages.
45	Proposal for a review of Directive 2006/24/EC (Data Retention)	Legislative	Following an evaluation of the existing Data Retention Directive and recent judgments of MS constitutional courts, a review of the Directive is aimed at better matching data retention obligations with law enforcement needs, protection of personal data (right to privacy) and impacts on the functioning of the internal market (distortions).
46	Regulation establishing a procedure for the freezing of funds of persons suspected of terrorist activities inside the EU	Legislative	The existing pre-Lisbon asset freezing measures against specified persons and groups to prevent and combat terrorism contain a gap in that, due to lack of legal base, they do not allow the listing of persons suspected of terrorist activities in the EU. To close this gap, the Lisbon Treaty has added a new legal base (Art. 75 TFEU) on the basis of which a complementary listing procedure for internal terrorists needs to be developed.
Industry and Entrepreneurship			
47	Communication on the strategy for the Sustainable Competitiveness of the EU Construction sector	Non-legislative	The Communication will define a strategy for strengthening the competitiveness of the European construction sector whilst meeting current and future societal challenges until year 2020. It will present a set of priority actions to be undertaken by the key sector operators (EU-level, Member States authorities, industry) allowing tangible steps to be taken towards meeting the foreseen objectives. This includes appropriate modalities of coordination in order to achieve maximum impact. The objectives and actions will fully take into account the different country settings in the Member States, the various construction subsectors, the differences in role and size of the operators as well as the impact of cyclical economic developments.
48	Review of Council Directive 89/105/EEC relating to the transparency of measures regulating the pricing of medicinal products for human use and their inclusion in the scope of national health insurance systems	Legislative	The underlying policy objective is to improve the functioning of the internal market for medicines. The aim of the review is therefore to look at the opportunity to update a directive dating back from 1989, taking into account the case-law developed by the European Court of Justice, the outcomes of the Pharmaceutical Sector Enquiry and of the market monitoring as well as developments in the market and in national pricing and reimbursement regulations.

49	Registration of motor vehicles previously registered in another Member State	Legislative	The main policy objective is to improve the functioning of the internal market through the elimination of barriers to the free movement of goods, services and workers, caused by the different administrative formalities and requirements for the registration of motor vehicles previously registered in another Member State.
50	Proposal for a Regulation relating to the permissible sound level and the exhaust system of motor vehicles	Legislative	The main objective of the initiative is aiming at reducing the negative impact of noise exposure of European citizens caused by motor vehicle traffic. The specific objective is to modify and improve the applicable requirements within the European system for the type-approval of motor vehicles with regard to their noise emissions. This concerns all new types of passenger cars, trucks, lorries and buses which shall be approved after this legislative measure comes into force.
51	Regulation establishing a Third Party Liability regime for the EU Global Navigation Satellite Systems	Legislative	The general objective is to help clarify the third party liability regime applicable to EU GNSS as one of the financial aspects of the further exploitation of the EU GNSS. The specific objective is to put in place a uniform liability regime which strikes a balance between the interests of all stakeholders: - of the users and third parties, as possible claimants - and of all players in the GNSS chain, as possible defendants. The operational objective is to define rules which are compatible with the specifics of the EU GNSS implementation.
52	Proposal for a Directive amending framework directive 2007/46/EC on the type-approval of motor vehicles (introducing market surveillance provisions of the new legislative framework on the marketing of products)	Legislative	The overall policy objective is to safeguard and strengthen the internal market for motor vehicles by ensuring that all necessary mechanisms are in place for an effective and uniform implementation and enforcement of the automotive product framework legislation. It aims at achieving that all motor vehicles as well as systems, components and separate technical units intended for such vehicles which are placed on the EU market fulfil the applicable requirements, with a view to ensure a high level of safety and environmental protection, and that a level playing field is maintained for the economic operators involved.
Internal Market and Services			
53	Modernisation of the EU Public Procurement legislative framework	Legislative	This initiative will aim at modernising and simplifying the existing EU public procurement framework (Directives 2004/17/EC and 2004/18/EC). While preserving the transparency and non discrimination principles, the review will seek to ensure that the EU procurement framework is optimised, in line with smart regulation principles, so that it provides the best possible procurement outcomes with the least possible transaction costs and administrative burdens. Issues such as the simplification of the procurement procedures, the updating of e-procurement provisions, public-public cooperation, the possible use of public procurement to achieve other policy objectives will be, inter alia, addressed.
54	Directive on Insurance Guarantee Schemes	Legislative	Legislative proposal (Directive) on IGS in order to ensure that IGS exist in all Member States and that they comply with a minimum set of design features
55	Regulation on a European Foundation	Legislative	To address the cross-border problems foundations (and possibly other philanthropic legal forms) and their donors face, notably as regards excessive administrative burdens or legal limitations.
56	Initiative on Concessions	Legislative	To provide legal clarity and certainty as to the rules governing award of concessions contracts.
57	Directive ensuring consistency and effectiveness of Pre-Contractual Disclosures and Sales Rules for Packaged Retail Investment Products (PRIPs)	Legislative	To obtain a high level of consumer protection by providing for appropriate and comparable product disclosure and selling requirements for similar products.

58	Green Paper on the Professional Qualifications Directive: a way forward to a possible reform	Non-legislative	To present the evaluation report based on the ex-post evaluation of the current functioning of the Professional Qualifications Directive and a Green Paper consulting on the need for further reform of the Professional Qualifications Directive.
59	Communication and Report on the results of the implementation of the Services Directive and its "mutual evaluation process"	Non-legislative	The Communication/report will describe the process of mutual evaluation and the state of the internal market after the implementation of the Services Directive and outline a follow up (including whether further action - legislative or not - may need to be considered in certain areas.)
60	Green Paper on a framework initiative on corporate governance	Non-legislative	To consider a range of corporate governance issues for companies, including effective functioning of boards, protection of minority shareholders, shareholder/investor engagement and general issues concerning the operation of the "comply or explain" system and monitoring across the Member States.
61	Social Business Initiative	Non-legislative / Legislative	To promote social business and its development in the Single market.
62	EU framework for the approximation of sanctioning regimes in the financial sector	Legislative	To strengthen national sanctioning regimes in a consistent manner and improve enforcement of sanctions.
63	Securities Law Directive Regulation on Central Securities Depositories (CSD's)	Legislative	The main policy objective is a simplification of holding and transaction by way of harmonising Member States' law. This relates to the substantive law as well as the conflict-of-law aspect. The second policy objective is to abolish rules hampering the deposit of securities issues into a depository located in a different Member State.
64	Amendment of the UCITS Directive as regards rules on UCITS depositories and remuneration policies	Legislative	To increase the level of investor protection and a level playing field for UCITS investors across Europe by prescribing precise rules as regards the safekeeping of securities by depository institutions.
65	Review of Directive concerning Institutions for Occupational Retirement Provision (IORP)	Legislative	To maintain a level playing field with Solvency II and promote more cross-border activity in this field and thereby help address the challenges of demographic ageing and public debt.
66	Follow-up to the Green Paper on Corporate Governance in Financial institutions	Legislative	To enhance the quality of corporate governance mechanisms in financial institutions in order to avoid repetition of corporate governance problems in banks and other financial institutions that contributed to the 2008 financial crisis.
Justice, Fundamental Rights and Citizenship			
67	Proposal for a Regulation on the conflicts of laws in matters concerning matrimonial property rights, including the question of jurisdiction and mutual recognition, and for Regulation on the property consequences of the separation of couples from other types of unions	Legislative	This Regulation will provide for objective criteria to determine the applicable law governing matrimonial assets in the case of international marriages. This would also cover the case of matrimonial assets located in different Member States. The Regulation will also deal with the question of which national court is responsible and contain a mechanism of recognition and enforcement of judgments from one Member State to another.
68	EU Framework for national strategies on Roma integration	Non-legislative	Based on the first phase of the work of the Roma Task Force, the Communication will, in particular, assess the use and the effectiveness of the EU funds by Member States to support Roma integration. It will identify deficiencies in their use and make proposals for action.

69	Proposal for a Directive on Access to a Lawyer in criminal procedures	Legislative	This initiative is designed to ensure consistent and adequate access to a lawyer for suspects and accused persons in criminal proceedings throughout the EU. This proposal is part of the Roadmap for strengthening procedural rights of suspected and accused persons in criminal procedures. Any EU citizen who is in a third country where his or her Member State is not represented, is entitled to receive effective consular assistance from embassies or consulates of any other Member State on the same conditions as their nationals. This proposal aims to assist the Member States with this task by proposing concrete measures to ensure that all EU citizens are informed of their rights and that the scope of protection is clarified.
70	Legislative proposal amending Decision 1995/553/EC implementing the right to consular protection	Legislative	This proposal aims at setting up a compensation system for crises situations between Member States, in line with the Commission's Action Plan 2007-2009 on providing effective consular protection in third countries.
71	Legislative proposal on improving financial compensation of consular protection in crisis situations	Legislative	The aim of the proposal is to modernise the current rules for the protection of consumers buying package travel, notably over internet, and facilitate the purchase of package travel from other Member States.
72	Revision of the Council Directive 90/314/EEC on Package Travel, Package Holidays and Package Tours	Legislative	The Communication will identify and examine areas for possible revision of the Directive.
73	Communication on misleading and comparative advertising Directive	Non-legislative	In line with the Stockholm Programme, the Communication will set out ideas on how to increase the number of legal practitioners trained in EU acquis in the EU Member States, support the development and organisation of European judicial training activities, at local, national or European level, and to improve their quality and to support the development and organisation of Erasmus-type exchanges.
74	Communication on European Judicial Training	Non-legislative	This initiative aims at ensuring that victims of cross border traffic accidents do not risk losing their right to compensation because of the differences in respect to limitation and prescription periods in the MS.
75	Regulation on limitation periods on cross border road traffic accidents	Legislative	This initiative aims at ensuring consistent application of mutual recognition and enforcement of financial penalties imposed in another Member State, including for road traffic offences.
76	Revision of the Framework Decision on financial penalties	Legislative	This initiative is designed to ensure consistent and adequate minimum common rules on the right to have at least one person informed of the deprivation of liberty for suspects and accused persons deprived of their liberty in criminal procedures throughout the EU. This proposal is part of the Roadmap for strengthening procedural rights of suspected and accused persons in criminal procedures.
77	Legislative proposal on Communication with Relatives, Employers and Consular Authorities in criminal procedures	Legislative	In line with the 2010 Women's charter and following from the 2008 reconciliation package, the Commission will consult the European social partners on further legislative measures to improve work life balance, including paternity and filial leave. These measures will have the double aim of increasing female employment rates as women bear the main responsibilities for caring for children and other dependants as well as tackling the demographic challenge. Depending on the outcome of the consultation, the Commission may adopt a legislative proposal on reconciliation, including on paternity and filial leave, in 2012.
78	(first-stage and second-stage) consultation of the European social partners on reconciliation between work, family and private life (2011)	Non-legislative	

Maritime affairs and fisheries			
79	Proposal for a legislative action of the European Parliament and Council setting a framework for Maritime Spatial Planning.	Legislative	Ensure that Member States provide a stable, reliable and future-oriented integrated planning framework to optimise the use of marine space to benefit economic development and the marine environment and that in doing so they apply a common approach in order to facilitate cross-border maritime spatial planning.
Protection of the financial interests of the EU			
80	Communication on protection of the financial interests of the European Union, including by criminal law	Non-legislative	The purpose is to set out options for the use by the Commission of the new competences introduced by the Lisbon Treaty to protect the financial interests of the Union by providing elements for a forward-looking and coherent approach to strengthen the protection of the financial interest of the European Union, including by means of criminal law.
81	Follow-up of the Reflection paper on the reform of the European Anti-Fraud Office (OLAF) – amended proposals amending the OLAF Regulations 1073/1999 and 1074/1999	Legislative	The Commission to adopt an amended proposal for the modification of Regulation 1073/1999. The amended proposal's purpose is to improve the efficiency of OLAF's investigations and the Office's accountability.
Research and Innovation			
82	European Strategy and Action plan towards a sustainable bio-based economy by 2020	Non-legislative	The Communication will provide a vision and action plan for a sustainable and innovative European Bio economy by 2020, including : - Implementation of a European Innovation Partnership and completion the European Research Area in the bio-economy sectors - to improve framework conditions for innovation including promotion of knowledge transfer and public procurement and development of standards - to stimulate the reforms of Member States national R&D and innovation systems, in order to enable the development of the bio-economy at national level.
83	Communication on "Partnerships in Research and Innovation "	Non-legislative	The Commission will present a Communication on how partnerships for innovation and research of different nature (such as public-private and public-public), can deliver towards the EU 2020 strategy and the Innovation Union. In this context special attention will be paid to the Innovation Partnerships concept.
84	Communication on Scientific information	Non-legislative	Follow-on to the 2007 Communication on 'scientific information in the digital age' that was adopted as part of the digital libraries initiative. The Communication will take stock of the developments in the area of access to scientific information, and will outline the next steps the Commission will take. It will amongst other things define a position on the possibility to extend the open access mandate from the current pilot areas to the whole of FP8.
Taxation and Customs Union			
85	Financial sector taxation	Legislative / Non-legislative	This initiative follows the Communication adopted on 7 October which sets out a two pronged approach to the taxation of the financial sector to respond to global and European challenges. The Commission supports the idea of a Financial Transaction Tax (FTT) at global level. A Financial Activities Tax (FAT) appears to be the best way to deal with the issue in the EU. The Commission will further assess these options, in order to bring forward policy initiatives on the taxation of the financial sector in the summer 2011. The assessment of cumulative impact on the financial institutions of new regulation, possible bank levies and taxes will be important before launching any proposal.

86	Initiative on cross border inheritance taxes	Non-legislative	To promote coordination of inheritance taxation between the EU Member States in order to avoid double taxation and double non-taxation in cross-border situations and propose recommendation to Member States in this field.
Trade			
87	Communication on Trade and Development	Non-legislative	The Communication is a follow-up to the EU 2020 strategy and Commission Communication on Future Trade Policy and will complement them by setting out more precisely how future EU trade policy will have a strong development dimension and will respond to the particular developmental needs and situations of developing and least developed trading partners in order to support their integration into the world economy.
Transport			
88	Proposal on security scanners	Legislative	As a follow-up to the report on security scanners from June 2010, and depending on the results of the impact assessment, it would establish a regulatory framework for the use of security scanners at EU airports
89	Package on a Social Maritime Agenda	Legislative / Non-legislative	It will discuss various aspects of the "human element" in maritime transport, most notably training and certification of sea farers (Communication on a Social Agenda for maritime transport, Proposal for Directive on controlling the application of the ILO convention, Proposal for the revision of Directive 2008/106/EC on the training of seafarers).
90	Communication on international transport policy with regard to neighbouring countries	Non-legislative	It is a joint Communication with DGs ELARG, AIDCO and RELEX/EEAS and will discuss transport policy towards neighbourhood and enlargement countries. This roadmap brings together all the various transport policy related to the eastern partnership and enlargement under one policy umbrella, including better links to our TEN-T policy.
91	Strategic Transport Technology Plan (STTP)	Non-legislative	The STTP will provide a strategic framework for research and technological development and deployment, based on policy needs and on a vision for an integrated efficient and environmentally friendly transport system at the horizon 2050.
92	e-mobility package	Legislative / Non-legislative	This set of legislative measures will introduce deployment of new technology across various transport modes in support of an efficient and sustainable transport system. Measures will tackle integrated rail ticketing, digital tachograph, electronic tolls, integrated maritime data etc.

2012 – 2014				
Nr	Title	Type of initiative	Description of scope of objectives	Year of adoption
Climate Action				
1	Measures to include maritime transport emissions in the EU's greenhouse gas reduction commitment if no international rules agreed	Legislative	According to the EU's climate and energy legislation, measures should be taken to include maritime transport emissions in the EU's greenhouse gas reduction commitment if these emissions are not included in an international agreement's reduction targets by 2011.	2012
Cohesion Policy				
2	2nd strategic report on the implementation of cohesion policy programmes 2007-2013	Non-legislative	Article 30 of regulation 1083/2006 requires the Commission to present a strategic report at the latest by 1st April 2013.	2013
Competition				
3	Review of the State aid rescue and restructuring guidelines	Non-legislative	The current Rescue and Restructuring Guidelines are applicable until October 2012. Although the financial crisis led to a prolongation of the current R&R guidelines, preparatory work for their revision had already started in 2007, when a revision by 2009 was still aimed for.	2012
4	Review of guidelines on national regional aid	Non-legislative	- Current Guidelines are in force until 31 December 2013 - Possible review of rules on demarcation of regions, aid intensities allowed and large investment projects.	2012
5	Review of the State aid guidelines for broadband networks	Non-legislative	The current Guidelines are to be reviewed by 30.09.2012 at the latest.	2012
Development				
6	Proposal for Council Decision replacing Council Decision 2001/822/EC of 27 November 2001 on the association of the overseas countries and territories with the European Community ("Overseas Association Decision")	Legislative	Council Decision 2001/822/EC of 27 November 2001 on the association of the Overseas Countries and Territories with the European Community ("Overseas Association Decision") expires on 31 December 2013 and will need to be replaced by a new Decision.	2012
Employment, Social Affairs and Inclusion				
7	Communication on "Developing labour market intelligence and skills governance: towards an EU skills audit"	Non-legislative	As a follow-up to the flagship initiative "An agenda for new skills and jobs", the EU skills audit will aim to assess the current and future skills supply and labour market needs and their implications for education and training systems. The EU skills audit should be carried out every two years.	2012

8	Proposal for a legal instrument on enforcement of rights of EU migrant workers in relation to the principle of free movement of workers	Legislative	Removing existing barriers to mobility of EU workers by enhancing the enforcement of rights conferred by EU law.	2012
9	Commission Communication on a new EU strategy on safety and health at work (2012)	Non-legislative	The Communication will define a new strategic framework for occupational health and safety at work for the period 2013-20.	2012
10	Proposal for a Regulation amending Regulation 1612/68 (EURES)	Legislative	The proposal will support the implementation of the flagship initiative "Youth on the Move". More specifically, it aims at reforming the EURES network, improving its already existing information and advice activities and expanding it to include an EU-wide scheme for the mobility of young workers.	2012
11	Legislative proposal to amend Directive 2004/37 concerning the protection of workers against the risks associated to the exposure to Carcinogens and Mutagens at work (2013)	Legislative	The purpose is to review the current legal framework in order to address acceptable cancer risk levels, improve risk management, and assess the extension of the scope of the Directive in order to take into account new factors of risk and substances that are toxic for reproduction.	2013
Energy				
12	Regulation on reporting intra-Community transfers of nuclear items	Legislative	Establish a reporting mechanism for intra-Community transfers of nuclear items subject to a reporting requirement by the Additional Protocols to the nuclear safeguards agreements in place between the MS and the IAEA. In the framework of the adoption of a recast dual-use regulation (Regulation EC 428/2009), the MS agreed to re-consider the list of nuclear items subject to intra-Community export controls.	2012
Environment				
13	ABS Package in relation to the international regime on access to genetic resources and benefit-sharing (ABS), including Proposals for Council Decisions for the Signature and Ratification of the international agreement and appropriate implement-ting initiatives at Union level.	Legislative/Non-legislative	These initiatives are part of the preparatory process leading to the signature and ratification by the EU of an international Treaty on access to genetic resources and benefit-sharing. Signature and ratification of the ABS Protocol must be underpinned by a Communication on how the Commission would seek to implement the ABS Protocol within the Union through legislative and other measures. Follow-up with appropriate measures to implement the ABS protocol in the EU are also foreseen.	2012
14	Revision to the EIA Directive (Environmental Impact Assessment)	Legislative	The global objective of the review is to improve the functioning of the Directive, by ensuring a more consistent and effective application of the principles of environmental assessment and ensure consistency with the international obligations deriving from the Espoo Convention (including the Protocol on Strategic Environmental Assessment).	2012
15	Blue Print to safeguard Europe's water resources	Legislative/Non-Legislative	The objective is to ensure the availability of sufficient quantities of good quality water to support aquatic ecosystems and sustainable use for human needs and economic purposes.	2012

	<p>It will be based on a review of existing water policy including on water scarcity, vulnerability and on droughts and on an assessment of the implementation of the Water Framework Directive. The potential for water savings in the EU is already estimated at 40%. An initiative on water efficiency could be envisaged to promote water savings in public and private buildings.</p>		
16	<p>Revision strategy on endocrine disruptors</p>	Non-legislative	2012-2013
Health and Consumer			
17	<p>Package containing:</p>		2012
	<p>1. Proposal for an Animal Health Law</p>	Legislative	<p>The proposal will be based on the experience gained in the implementation of the existing legislation and of the extensive evaluation of the EU animal health policy carried out. The new Animal Health law aims to establish a clearer regulatory structure for animal health in the EU combining several legislative acts into one comprehensive animal health framework.</p>
	<p>2. Proposal for a revision of Regulation 882/2004 on official controls along the food chain concerning in particular the financing of official controls, controls on residues of veterinary medicines (Directive 96/23/EC), and the principles governing the organisation of veterinary checks on products and animals presented for import into the EU from third countries (Directive 97/78/EC and Directive 91/496/EEC)</p>	Legislative	<p>The revision of Regulation 882/2004 aims to take into account the outcome of a number of evaluations currently ongoing (on fees, residues, import controls), which aim to improve the efficiency of official controls along the food chain by looking at specifically regulated areas (residues) and at inconsistencies and discrepancies in enforcement (fees), and by introducing a more flexible risk-based approach to border controls. It also aims at ensuring a fully integrated control system including animal health and plant health and to simplify the framework for enforcement cooperation between the Commission and the Member States. The proposal will also aim to simplify and rationalise the general framework under which the Commission and the Member States cooperate under the provisions of the Regulation.</p>
	<p>3. EU Plant Health Law</p>		<p>The initiative reflects the need to modernise the existing plant health regime, building on its recent ex-post evaluation. Improved prevention of the introduction of new pests and diseases will avoid expensive campaigns to eradicate or control in a later stage, will prevent avoidable increases in pesticide use, will enable sustainable production and agricultural competitiveness and will help to ensure food security and protection of forests, landscape and gardens. Improved legislation and better harmonised implementation provisions will allow to more effectively addressing the plant health impacts of globalisation and climate change.</p>

18	<p>Package;</p> <p>1) Proposal for a revision of the Directive on veterinary medicinal products</p> <p>2) Proposal for revision of medicated feed</p>	Legislative	<p>The veterinary medicines legislation will be evaluated to identify excessive administrative burdens and to specify the problems, e.g. the lack of authorised veterinary medicines to treat diseases of minor animal species or diseases occurring rarely. The objective of the review is to increase the availability of medicines on the market and to decrease the burden on enterprises by streamlining the authorisation processes of veterinary medicines while respecting public health, animal health as well as the environment.</p> <p>The initiative aims to clarify the scope of medicated feed legislation with respect to other parts of the feed law and with the legislation on veterinary medicinal products (VMPs), to assess the relationship between the administration of VMPs and the administration via MF, and to assess the different routes of administration of VMPs in terms of costs, safety and efficacy. The initiative seeks to establish a level playing field in the EU that ensures safe and efficient use of MF.</p>	2012
19	Communication on consumer empowerment	Non-legislative	<p>Markets, marketing, products and services become ever more complex and sophisticated. Consumers have difficulties to make informed choices and take the decisions that are in their interest. In this context, the Communication's objective is to put together best practices on consumer empowerment with regard to information, education, media, representation and redress). This will involve: identifying best practices in information of consumer rights, consumer advice provision, consumer complaint handling, consumer education and capacity-building, as well as development of guidelines on transparent price and quality/performance information.</p>	2012
20	Proposal for a revision of the Directive on clinical trials to foster clinical research and innovation in the pharmaceutical sector	Legislative	<p>The objective is to revise the Directive on clinical trials to address the shortcomings identified in various evaluations conducted by the Commission in previous years. The aim is to strengthen knowledge and innovation in clinical research. The proposal would respond to the fact that the vast majority of larger clinical trials are conducted in a pan-European setting. Possible issues that would be addressed are reduction of administrative delays prior to the commencement of clinical trials, avoiding divergent decisions throughout the EU and streamlining of reporting procedures.</p>	2012
21	Proposal for a Directive of the European Parliament and of the Council concerning medical devices and repealing Directives 90/385/ECC and 93/42/ECC and proposal for a Directive of the European Parliament and of the Council concerning in vitro diagnostic medical devices and repealing Directive 98/79/EC	Legislative	<p>Medical devices: The objective is to simplify and strengthen the rules in order to ensure a high level of health protection while at the same time ensuring the smooth functioning of the internal market and the competitiveness and innovation capacities of the sector. An evaluation of the current regime shows that there are legal gaps regarding products falling outside any specific Union legislation and that it is necessary to address some weaknesses in the system.</p> <p>In vitro diagnostic medical devices: The objective is to simplify and strengthen the rules in order to ensure a high level of health protection while at the same time ensuring the smooth functioning of the internal market and the competitiveness and innovation capacities of the sector. An evaluation of the current regime shows that there are some issues which need clarification, some aspects that need to be introduced in the legislation and some convergence with the regulations of our main trade partners which should be ensured.</p>	2012

Home Affairs			
		Non-legislative / Legislative	
22	European strategy on identity management, including legislative proposals on criminalisation of identity theft and on electronic identity (eID) and secure authentication systems		To propose measures to maintain the integrity of identity data in all the phases of the "identity chain" and to ensure the EU wide criminalization of identity related fraud. This should allow disrupting criminal activity before more serious crimes are committed. A specific offence of identity theft and identity fraud could also facilitate the investigation and prosecution of offenders across the borders.
23	Communication on the European Information Exchange Model, followed by an Action Plan	Non-legislative	The European Information Exchange Model (EIXM) seeks to map, assess and recommend ways to consolidate cross-border information exchange among law enforcement authorities in the EU
24	Amendment of the CEPOL Decision	Legislative	To widen the policy making tools of the European Policy College - CEPOL (accreditation) and re-organise the institutional set-up of CEPOL (increase Commission monitoring powers and the autonomy of the Director)
25	Proposal for a Regulation establishing the European Police Office (Europol)	Legislative	Change of the legal framework of Europol following the entry into force of the Treaty of Lisbon (in line with Article 88 TFEU).
26	EU Immigration Code		Consolidation of all legislation in the area of immigration, starting with legal migration, and where necessary extending the existing provisions foreseen by the Stockholm Programme.
Humanitarian Aid and Crisis Response			
27	Proposal for a Regulation for the setting-up of a European Voluntary Humanitarian Aid Corps (EVHAC)	Legislative	The objective is to establish a framework for joint contributions from young Europeans to the humanitarian aid operations of the Union. Preparatory actions in 2011 an external study will help in identifying possible options, including on preparatory actions.
Industry and Entrepreneurship/Environment			
28	Review of REACH	Non-legislative/ Legislative	The Commission is required to conduct an evaluation of the REACH regulation in 2012, taking into account the following minimal requirements for the scope: Review of the experience acquired with the operation of this Regulation and the amount and distribution of funding made available by the Commission for the development and evaluation of alternative test methods (art 117.4 of REACH). An assessment to whether to amend (or not) the scope of REACH regulation to avoid overlaps with other relevant Community provisions (art 138.6 of REACH). Review of the European Chemicals Agency (art 75.2 of REACH)
Industry and Entrepreneurship			
29	Review of Europe's Standardisation System	Legislative	Major review of the existing standardisation system aiming i.a. at strengthening the innovation dimension.

Internal Market and Services				
30	Proposal to amend the Financial Conglomerates Directive (2002/87/EC)	Legislative	Following ongoing developments on revised regulatory approaches for financial conglomerates at Joint Forum level (adoption of Final Report scheduled for November 2011), appropriate amendments will be made to the FICOD with a view to a) integrating non regulated entities in the scope of FICOs supervision and b) ensuring better cross-sectoral consistency on relevant aspects.	2012
31	Review of Professional Qualifications legislation	Legislative	Following the evaluation of the professional qualifications acquis, appropriate amendments will be made to the legislative framework.	2012
32	Venture capital funds initiative	Legislative	The Commission will ensure by 2012 that venture capital funds established in any Member State can operate and invest freely across the European Union, including without unfavourable tax treatment (through additional legislative regime, if necessary).	2012
33	Initiatives promoting citizens' savings and private investments	Legislative	The Commission will explore measures which could promote longer term savings and private investments to invest in infrastructures and innovative projects.	2012
34	Evaluation of European System of Financial Supervision	Non-legislative	Evaluation due to take place by end of current mandate to assess the functioning of the new supervisory structures in the EU.	2012-2014
35	Evaluation of regulatory reform in the financial sector	Non-legislative	An evaluation of crisis-related financial sector regulation should be undertaken before the end of the current mandate to review whether the objectives of the legislation are being met.	2012-2014
Justice, Fundamental Rights and Citizens				
36	Legislative proposal on a comprehensive regime on obtaining evidence in criminal matters based on the principle of mutual recognition and covering all types of evidence	Legislative	This initiative aims at ensuring a comprehensive regime on obtaining evidence in criminal matters, covering all types of evidence, containing deadlines for enforcement and limiting grounds for refusal.	2012
37	Legislative proposal to introduce common standards for gathering evidence in criminal matters in order to ensure its admissibility	Legislative	This initiative aims at facilitating admissibility of evidence in criminal matters.	2012
38	Legislative proposal on an ECRIS-TCN system regarding convicted third country nationals	Legislative	This initiative aims at setting up a register of third-country nationals who have been convicted by the courts of the Member States.	2012

39	Revision of Regulation (EC) No 1393/2007 on service of documents in civil and commercial matters which could include the establishment of common minimum standards	Legislative	Proposal on the application of the Regulation (EC) No 1393/2007 on service of documents in civil and commercial matters, paying special attention to the effectiveness of the transmitting and receiving agencies and focusing on the practical application of the execution of a request for forwarding a request for service.	2012
40	Legislative proposal on Special Safeguards in criminal procedures for Suspected or Accused Persons who are Vulnerable	Legislative	This initiative aims at ensuring that special attention is shown in criminal procedures throughout the EU to suspected or accused persons who cannot understand or follow the content or the meaning of the proceedings, owing, for example, to their age, mental or physical condition. This proposal is part of the Roadmap for strengthening procedural rights of suspected and accused persons in criminal procedures.	2012
41	Regulation on EU hotlines for missing children	Legislative	This initiative is a follow-up of the communication on the 116 children hotlines of 2010 and aims at ensuring appropriate functioning of the 116 hotline in all Member States.	2012
42	Legislative proposal on the strengthening and the future of Eurojust	Legislative	This initiative aims at developing and reinforcing Eurojust's functioning and its capacity to tackle offences against the financial interests of the EU.	2013
44	Legislative proposal on mutual recognition of the effects of certain civil status documents	Legislative	Follow-up to Green Paper on the free circulation of documents, civil status documents, authentic acts and the simplification of legislation. The proposal should cover mutual recognition of effects of certain civil status documents (e.g. relating to birth, affiliation, adoption, name, death).	2013
45	Legislative proposal for dispensing with the formalities for the legalisation of documents between Member States	Legislative	Follow-up to Green Paper on the free circulation of documents, civil status documents, authentic acts and the simplification of legislation. The proposal should cover the dispensing with the formalities of legalisation of documents between Member States.	2013
46	Legislative proposal on mutual recognition of disqualifications	Legislative	This initiative aims at ensuring mutual recognition to disqualifications imposed by a judicial decision in criminal proceedings in order to execute such measures in a Member State other than the one that imposed it.	2013
47	Proposal for a Regulation amending Regulation (EC) No 2201/2003 concerning jurisdiction and the recognition and enforcement of judgements in matrimonial matters and the matters of parental responsibility, including establishment of common minimum standards in relation to the recognition, of decisions on parental responsibility	Legislative	Following a report on the application of Regulation (EC) No 2201/2003, this proposal aims at amending this legal instrument and establishing common minimum standards in relation to the recognition of decisions on parental responsibility with a view to abolishing exequatur proceedings for these decisions.	2013

Maritime Affairs and Fisheries			
48	New sources of growth from seas and oceans: Commission Communication on "blue growth" – a new vision for sustainable growth in coastal regions and maritime sectors.	Non-legislative	The Communication will build on a study exploring future growth scenarios for coastal regions and the maritime economy, with a particular emphasis on positive effects on employment.
49	Proposal for a Regulation of EP and Council to support growth and sustainability through better Marine Knowledge.	Legislative	To finance a more effective European architecture for marine knowledge.
50	Commission Communication on the integration of maritime surveillance. And Proposal for a legislative action from the EP and Council setting a framework for the establishment of the Common Information Sharing Environment.	Non-legislative / Legislative	The Commission has been requested to identify the financial implications of creating a Common Information Sharing Environment.
Protection of the financial interests of the EU			
51	Legislative proposal on protection of the financial interests of the European Union, including by criminal law	Legislative	This initiative is a follow-up on the Communication on protection of the financial interests of the European Union, including by criminal law, under Treaty art 325, para 4.
Research and Innovation			
52	Framework directive on European Research Area (ERA)	Legislative	As announced in the "Innovation Union" flagship initiative, the Commission will propose a European Research Area framework and supporting measures to remove obstacles to mobility and cross-border cooperation.
Services of General Interest			
53	Communication on a quality framework for services of general interest	Non-legislative	This initiative will build on Protocol N° 26 annexed to the Treaty.

2012

2013

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2013

2012

2012

Taxation and Customs Union			
54	Evaluation of the state of the Customs Union	Non-legislative	Overall assessment of the functioning of the Customs union to support future customs initiatives and needs.
55	Proposal to amend Council Regulation (EC) No 111/2005 of 22 December 2004 laying down rules for the monitoring of trade between the Community and third countries in drug precursors	Legislative	The Commission Report (COM (2009) 709) highlighted the risk of diversion of medicinal products containing drug precursors. Council invited the Commission to propose legislative amendments (Council Conclusions on the functioning and implementation of the EU drug precursor legislation of 25th May 2010 – 3016th Competitiveness Council).
56	Communication on cross-border withholding taxes on dividend distribution to Portfolio Investors and Collective Investment Vehicles	Non-legislative	To suggest possible solutions to the problems raised by the levying of withholding taxes by the Member States of residence of the distributing company on cross-border dividends paid to portfolio investors. Withholding taxes play an important role in the taxation of cross-border dividends but may cause both juridical and economic double taxation problems, creating distortions detrimental to the Internal Market
Transport			
57	Legislative proposal for the revision of Regulation 261 on Air Passenger Rights	Legislative	The revision of the legislation on air passenger rights will clarify some provisions in the existing rules.
58	Communication and legislative proposal on rail market access	Legislative / Non-legislative	Review of the rail market organisation, including the market for domestic passenger transport.
59	Revising the Regulation establishing the European Railway Agency	Legislative	It will suggest extending the competencies of ERA to the field of safety.

Commission Work Programme for 2011 - Annex III
Simplification Rolling Programme and Administrative Burden Reduction initiatives

Chief de File	Full title	Process	Scope and objectives	Foreseen adoption
1	<p>AGRI</p> <p>Commission Communication establishing formal recognition that a certain number of acts have become obsolete, like:</p> <ul style="list-style-type: none"> • Commission Regulation (EC) No 1412/2003 of 7 August 2003 suspending Regulation (EC) No 934/2003 opening an invitation to tender for the refund on common wheat exports to certain third countries • Commission Regulation (EC) No 1323/2002 of 22 July 2002 derogating from Regulation (EC) No 800/1999 as regards the export of cereals products to third countries other than Hungary • Commission Regulation (EC) No 1677/2002 of 20 September 2002 laying down detailed rules for the application of Council Regulation (EC) No 1151/2002 as regards import licences for oats and barley originating in the Republic of Estonia 	Repeal	<p>The objective of the proposal is to declare obsolete Commission texts that are of no practical relevance or broader interest, thus contributing to the objectives of updating and simplifying the Community Acquis. Their removal will clarify the "essential" acquis of acts that are active and generally applicable.</p> <p>The initiative covers all agricultural sectors in which obsolete acts exist.</p>	2011

2	CLIMA	Decision No 280/2004/EC of the European Parliament and of the Council concerning a mechanism for monitoring Community greenhouse gas emissions and for implementing the Kyoto Protocol + Commission Decision 2005/166/EC laying down rules implementing Decision No 280/2004/EC	Revision	The legislation on monitoring and reporting of greenhouse gas emissions needs to be revised in particular to reflect the experience gained through the implementation of the Kyoto Protocol and the adoption of the Climate and Energy Package. This initiative will also aim at simplifying the current legislation and reducing unnecessary administrative burden in particular by introducing clearer and simpler reporting procedures and tools.	2011
3	EMPL	Community initiative on work-related musculoskeletal disorders (follow-up of the second phase of consultation of the social partners) Council Directive 90/269/EEC of 29 May 1990 on the minimum health and safety requirements for the manual handling of loads where there is a risk particularly of back injury to workers (fourth individual Directive within the meaning of Article 16 (1) of Directive 89/391/EEC) Council Directive 90/270/EEC of 29 May 1990 on the minimum safety and health requirements for work with display screen equipment (Fifth individual Directive within the meaning of article 16 (1) of Directive 87/391/EEC)	Recast	The objective of this initiative is to integrate into a single legislative instrument the provisions on the protection of the health and safety of workers from the risks of musculo-skeletal disorders at work. These provisions are currently fragmented over Council Directive 90/269/EEC and Council Directive 90/270/EEC.	2011
4	EMPL	Council Directive 2001/86/EC of 8 October 2001 supplementing the Statute for a European company with regard to the involvement of employees	Revision	The objective would be to simplify the arrangements for the involvement of employees in the SE (Societas Europaea) and address the problems identified in the Commission Communication COM 2008(591) (the fate of employee involvement when changes occur in the SE after the registration, the participation at group level, the scope of the 'before and after' principle and the complexity of the procedure) as well as in the forthcoming report on the SE Regulation (the complexity of the procedure on employee involvement). As to the scope, subject to the consultation of Social partners under Article 154 TFEU, the revision could concern Articles 2, 3, 5, 11 and 12.	2012
5	EMPL	Council Directive 2003/72/EC of 22 July 2003 supplementing the Statute for a European Cooperative Society with regard to the involvement of employees	Revision	The aim is to examine possible simplification of the provisions on involvement of employees once the full evaluation report on related Regulation (EC) No 1435/2003 (European Cooperative Society Statute) has been completed. The options can only be developed in terms of actions to be proposed once the Commission has analysed the results of the evaluation and decided on the course of action as concerns the possible revision of the Regulation. The action proposed will have to be coordinated with any development in the revision of the ECS Regulation as well as with the SE Directive 2001/86/EC.	2012

6	ENER	Council Directive 96/29/EEC laying down basic safety standards for the protection of the health of workers and the general public against the dangers arising from ionising radiation	Recast	2011	<p>This initiative will extend the requirements of the directive to medical exposure, outside workers exposure, public information, and high-activity sealed sources through the merge of five Directives into one. The main objectives are:</p> <ol style="list-style-type: none"> 1. to update Euratom radiation protection legislation responding to latest scientific data and operational experience; 2. to simplify and clarify radiation protection requirements (introduction of a coherent system for the protection of workers, outside workers, patients and the public; introduction of a consistent set of definitions; facilitation of the free movement of outside workers; facilitation of mutual recognition of radiation protection expertise across borders); 3. to harmonise its requirements with International Basic Safety Standards to the extent possible.
7	ENER	2003/796: Commission Decision on establishing the European Regulators Group for Electricity and Gas	Repeal	2011	The European Regulators Group for Electricity and Gas will become obsolete when the Agency for the Cooperation of Energy Regulators is established. Commission Decision 2003/796 will then be repealed.
8	ENTR	Proposal for a Directive of the European Parliament and of the Council amending Directive 97/68/EC on emissions of gaseous and particulate pollutants from engines in non-road mobile machinery	Revision	2011	The purpose of its revision is to identify and prescribe new emission limits for all engine types covered and to extend the scope to new engine categories. Another objective is to simplify testing procedures based on international standards and reduce costs of producers linked to them.
9	ENTR	Directive amending the Directive 1999/5/EC of the European Parliament and Council of 9 March 1999 on radio equipment and telecommunications terminal equipment and the mutual recognition of their conformity	Revision	2011	<p>The objectives are</p> <ul style="list-style-type: none"> - to replace many impractical and ineffective administrative provisions which do not allow to retrieve the manufacturers or importers of a number of mass market radio equipment by more modern electronic means; and - to create an environment more conducive to innovative technologies and mitigate risks when interference phenomena are not known yet, and in particular when there is no harmonised standard.

10	<p>ENTR</p> <p>Alignment of ten directives to the New Legislative Framework (Decision 768/2008)</p> <ul style="list-style-type: none"> • Directive 2006/95/EC on the harmonisation of the laws of Member States relating to electrical equipment designed for use within certain voltage limits; • Council Directive 2009/105/EC on the harmonisation of the laws of the Member States relating to simple pressure vessels; • Directive 2009/23/EC on non-automatic weighing instruments; • Council Directive 93/15/EEC on the harmonisation of the provisions relating to the placing on the market and supervision of explosives for civil uses; • Directive 94/9/EC of the European Parliament and the Council on the approximation of the laws of the Member States concerning equipment and protective systems intended for use in potentially explosive atmospheres; • European Parliament and Council Directive 95/16/EC of 29 June 1995 on the approximation of the laws of the Member States relating to lifts • Directive 97/23/EC of the European Parliament and of the Council on the approximation of the laws of the Member States concerning pressure equipment; • Directive 2004/22/EC of the European Parliament and of the Council on measuring instruments; • Directive 2004/108/EC on the approximation of the laws of the Member States relating to electromagnetic compatibility and repealing Directive 89/336/EEC • Directive 2007/23/EC on the placing on the market of pyrotechnic articles 	<p>Recast</p>	<p>2011</p> <p>Communication and proposal to align 10 existing Directives to the goods package and Lisbon Treaty. The overall objective is to ensure that products on the EU market are safe and fulfill all the requirements guaranteeing a high level of protection. Furthermore, this initiative also aims at simplifying the regulatory environment for products by making it much more coherent and user-friendly for economic operators and national authorities.</p> <p>Specific Objectives:</p> <ul style="list-style-type: none"> • Reduce the number of non-compliant products, in particular of unsafe products • Ensure equal treatment of non-compliant products throughout the EU market and equal treatment of economic operators in the enforcement process • Ensure the reliability and high quality of conformity assessment activities carried out by notified bodies <p>Ensure more consistency of terminology and procedural requirements throughout the directives to facilitate their interpretation and implementation.</p>
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11	ENTR	Regulation of the European Parliament and of the Council relating to fertilisers and repealing Regulation (EC) No 2003/2003	Revision	<p>The main policy objectives are :</p> <ul style="list-style-type: none"> - To cover the broad range of products that are currently only subject to national legislation, including organic fertilisers, organo-mineral fertilisers, growing media and soil improvers. - To reduce the administrative burden for authorities (Member State and the Commission) and for industry in the technical adaptation of the current harmonised legislation. - To simplify the rules and accelerate procedures to allow for new nutrient combinations/delivery forms from different origins to be able to come to the market more quickly and in line with the agricultural needs in different regions of the EU - To guarantee the safety of fertilisers placed on the market with regard to human health and the environment (in particular content of natural impurities, contaminants and pathogens). - To ensure that farmers can rely on the agronomic efficacy of the product bought. 	2012
12	ENTR	Directive 89/686/EC on personal protective equipment	Revision	<p>Review and alignment with the new legal framework for the marketing of products.</p> <p>Clarification of the scope of the Directive to facilitate its application by manufacturers, market surveillance authorities as well as Notified Bodies.</p> <p>Simplification of Annex II basic health and safety requirements for placing the products on the market. Simplification/clarification of the conformity assessment procedures, in particular by harmonising requirements for the EC type-examination certificates.</p>	2012
13	ENTR	Directive 2000/9/EC relating to cableway installations designed to carry persons	Revision	<p>Review and alignment with the new legal framework for the marketing of products.</p> <p>Simplifying the text of the Directive clarifying major concepts and definitions and scope to make the text more coherent, and facilitate its application by manufacturers, national authorities and all stakeholders.</p>	2012
14	ENV	Legislative proposal on the coherence/simplification of the waste acquis	Revision	<p>The aim will be to carry out a full screening of the EU recycling directives. It will align product-specific waste legislation (including the Directives on end-of-life vehicles, batteries and packaging) to the Waste Framework Directive.</p>	2012
15	ENV	Directive 2004/107 of the European Parliament and of the Council relating to arsenic, cadmium, mercury, nickel and polycyclic aromatic hydrocarbons in ambient air	Recast	<p>It is envisaged to include this Directive in the general review of Directive 2008/50/EC in 2013 with the objective of merging those two Directives. This merger would ensure that all ambient air quality objectives are contained in one legal instrument.</p>	2013
16	ENV	Directive 1999/32/EC on the sulphur content of certain liquid fuels	Recast	<p>Codification will be considered after the review of the directive will have been adopted by co-legislation.</p>	2013
17	ESTAT	Regulation 1221/2002 of the European Parliament and of the Council on quarterly non-financial accounts for general government	Recast	<p>Regulation 1221/2002 provides for the transmission of non-financial sector accounts of governments (STPFS (Short term Public Finance Statistics) / table 25). However, with the adoption of regulation 1161/2005 (QSA / table 801Q), a similar set of data has started being collected for all institutional sectors including government. With a view to reduce the burden on Member States, the Commission is planning to merge both tables and collect STPFS data through the QSA (Quarterly Sector Accounts) questionnaire.</p>	2014

18	HOME	Regulation (EC) No 562/2006 of the European Parliament and of the Council of 15 March 2006 establishing a Community Code on the rules governing the movement of persons across borders (Schengen Borders Code)	Codification	The objective is to codify the Schengen Borders Code following technical amendments	2011
19	HOME	EU Immigration Code	Consolidation	Consolidation of all legislation in the area of immigration, starting with the 5 existing Directives on legal migration, foreseen by Stockholm Programme. This exercise will improve coherence between the instruments and will allow the identification of any gaps. It will take into account the results of the forthcoming application reports on the individual Directives. Having all the EU legal migration rights and obligations in one text will also lead to greater transparency.	2013
20	INFSO	Directive 1999/93 of the European Parliament and of the Council on a Community framework for electronic signatures	Revision	2008 e-Signature / e-Identification Action Plan seeks an EU-wide solution to cross-border use of online public services. Progress report envisaged in 2010. The Commission will assess whether further horizontal and/or sectoral initiatives are needed.	2011
21	JUST	Council Directive 90/314/EEC on Package Travel, Package Holidays and Package Tours	Revision	The revision aims at improving the protection for consumers going on holidays and the legal certainty for businesses. Due to the minimum harmonisation of the Directive, the legal fragmentation in Member States is significant, causing compliance costs for businesses eager to trade cross-border and can also cause detriment for consumers trying to pursue their legal rights in a cross border context.	2011
22	JUST	Decision 2004/757/JHA laying down minimum provisions on the constituent elements of criminal acts and penalties in the field of illicit drug trafficking	Revision	The Decision calls for the Commission to submit a Report to the Council and the Parliament by 12 May 2009 to assess measures taken by MS to comply with the Decision. Possibilities of simplification can also be assessed at the same occasion.	2012
23	JUST	Directive 93/109/EC on EP elections, with a view to reduce administrative burden on citizens and on national administrations	Amendment	The proposal aims at reducing administrative burden on citizens and on national administrations in the electoral process and at improving efficiency of the current mechanism for enforcing the prohibition of voting in two Member States in the same European elections.	2012
24	MARE	Regulation of the European Parliament and the Council amending Regulation (EC) No 1185/2003 on the removal of fins of sharks on board vessels ("shark finning")	Amendment	The objectives are: - Improve the implementation of the ban on shark finning; - Facilitate the relevant control; - Enhance the collection of data; - Ensure coherence of EU legislation with international rules. Control would be greatly simplified under certain options envisaged, as finning would become impossible and the use of weight ratios which in reality vary by species, fishing location and cutting technique would be abolished. Administrative burden would either remain the same or be reduced.	2011

25	MARE	Regulation of the European Parliament and the Council amending Regulation (EC) No 1954/2003 on the management of the fishing effort relating to certain Community fishing areas and resources	Amendment	2011	The proposal will amend the effort management system applicable in the Western Waters, with a view to simplification, more effective and transparent management, and an orientation of effort management towards exploiting the related resources at the maximum sustainable yield. Attaining that objective by 2015 was adopted by Member States at the 2002 UN World Summit on Sustainable Development.
26	MARKT	Fourth Council Directive 78/660/EEC of 25 July 1978 based on Article 54 (3) (g) of the Treaty on the annual accounts of certain types of companies Seventh Council Directive 83/349/EEC of 13 June 1983 based on the Article 54 (3) (g) of the Treaty on consolidated accounts	Recast	2011	Review of the Accounting Directives: An ambitious proposal to bring about substantial burden reduction simplification of regulatory environment and harmonisation of financial reporting obligations focusing on SMEs. It entails a completely different approach to SME accounting requirements with 'think small first'.
27	MARKT	Directive 2009/101/EC of the European Parliament and of the Council of 16 September 2009 on coordination of safeguards which, for the protection of the interests of members and third parties, are required by Member States of companies within the meaning of the second paragraph of Article 48 of the Treaty, with a view to making such safeguards equivalent Eleventh Council Directive 89/666/EEC of 21 December 1989 concerning disclosure requirements in respect of branches opened in a Member State by certain types of company governed by the law of another State	Amendment	2011	The aim of the initiative is to lay down additional legal requirements on the cooperation between business registers, not only in terms of scope, but also methods/channels to use. There may be ways to contribute to the improvement of the network of business registers by making use of the ISA programme. The amendments to the two Directives will introduce new elements which will ultimately make life easier for companies.
28	MARKT	Directive on Transparency Obligations of listed companies	Revision	2011	Modernisation of the Directive to increase the attractiveness of "regulated markets" for smaller listed companies seeking capital; to increase the legal clarity and effectiveness of the existing transparency regime on disclosure of financial information about issuers of securities. This initiative is related to the on-going discussions before Council and EP on the modification of the Prospectus Directive (2003/71) and the financial supervision legislative package.
29	MARKT	Directive 2003/41/EC of the European Parliament and of the Council of 3 June 2003 on the activities and supervision of institutions for occupational retirement provision (IORP)	Revision	2011	To maintain a level playing field with Solvency II and promote more cross-border activity in this field and thereby help address the challenges of demographic ageing and public debt. Certain options envisaged - the "review" policy option - leading to greater harmonisation in the EU, would simplify procedures and reduce administrative burden for employers wishing to sponsor pension funds in another Member State. No specific difficulties to transpose a revised IORP Directive in specific Member States are expected.

30	MARKT	Directive 2002/92/EC of the European Parliament and of the Council of 9 December 2002 on insurance mediation (IMD)	Revision	<p>The aim of the revision is to improve harmonization and legal certainty; to facilitate cross-border provision of insurance mediation services and to reduce existing difficulties in the application of the current IMD at national level.</p> <p>The initiative will simplify / clarify the complex regulatory patchwork so as to create more consistent and clear European insurance conduct of business rules. This should reduce administrative burdens for some entities (especially those working across markets and across sectors). It will however also lead to new administrative burdens for those distribution channels that are currently not subject to regulation (e.g. insurance undertakings and their employees), and possibly increased burdens for other distributors already regulated but where new requirements will apply (e.g. insurance intermediaries subject to new MiFID-style rules on insurance PRIIPs sales).</p>	2011
31	MARKT	Council Regulation (EC) No 207/2009 on the Community Trademark (codified version) and Revision of the Trade Mark Directive	Revision	<p>The aim is to upgrade, streamline and modernise both the EU Regulation and Directive, where appropriate, and to establish an enhanced cooperation between the OHIM and National Trade Mark Offices with the purpose of making the trade mark system in Europe, as a whole, more effective, efficient and consistent.</p>	2011
32	MARKT	Regulation 2157/2001 on the Statute for a European Company	Revision	<p>Possible simplification of the rules for setting up a European Company (SE) and transferring its seat.</p>	2012
33	MOVE	Regulation (EC) No 3821/85 on recording equipment in road transport	Recast	<p>This will update the legislative framework to enhance the security and functionality of the digital tachograph used by professional drivers. It will reduce the administrative burden on business while making controls more reliable to ensure fair competition between road transport operators.</p>	2011
34	MOVE	Commission Regulation on licensing of pilots	New	<p>Regulation (EC) 216/2008 mandates the Commission to adopt technical requirements and administrative procedures in the area of licensing of pilots. The objective is to provide for a set of binding, homogeneous requirements and privileges linked to a given licence to allow for a mutual recognition of pilot licences throughout the EU.</p>	2011
35	MOVE	Directive 2003/42 of the European Parliament and of the Council on occurrence reporting in civil aviation	Recast	<p>The Directive aims at preventing aviation accidents by collecting and analysing information on civil aviation occurrences ('accident precursors'). The objective of the revision will be to more efficiently use occurrence data at the EU level, in particular by better integration of occurrence data in a central database and improving and simplifying the flow of quality data between the aviation authorities for accident prevention purposes.</p>	2011

36	OLAF	Regulation n° 515/97 on mutual assistance between the administrative authorities of the Member states and cooperation between the latter and the Commission to ensure the correct application of the law on customs and agricultural matters, as amended by Regulation 766/2008 and Decision 2009/917/JHA on the use of information technology for customs purposes	Recast	Regulation 766/2008 and Council Decision 2009/917/JHA of 30 November 2009 on the use of information technology for customs purposes partially deal with the same issues. The objective is under the provision of the TFUE (article 33 and 325), to have a single instrument instead. Impact: in particular improve accessibility to law.	2011
37	SANCO	Regulation revising Directive 2009/39/EC on foodstuffs intended for particular nutritional uses (Dietetic food)	Revision	The main aim of the revision is to simplify the regulatory environment of foods intended for particular nutritional uses (dietetic foods) without compromising existing levels of food safety and consumer information. In particular, to provide food business operators and Member States with clearer and simpler rules regarding the notification procedure for dietetic foods. Replacing a directive by a regulation will reduce the risk differences in implementation by Member States.	2011
38	SANCO	Regulation revising the legislation (12 Directives) on the marketing of seed and propagating materials to foster innovation in seeds	Revision	The core objective is to replace the 12 Directives on seed and plant propagating material (S&PM) and to modernise and simplify the legislation in the context of Better Regulation. Ensuring identity and availability of healthy and qualitative S&PM, which meet the expectations of users continues to form the basic aim of the legislation. At the same time the initiative seeks to reduce overall administrative burden and introduce flexibility within the regulatory framework with a view to globalisation, specialisation and development of new uses of agricultural commodities, together with changes in the societal expectations on the interplay of agriculture and the natural environment. Thus the initiative aims to foster innovation in the area and to contribute to halt the loss of biodiversity as well as to achieve a harmonised implementation of the legislation throughout the EU and to improve economic competitiveness by ensuring free circulation of S&PM in the EU.	2011

39	SANCO	Hygiene Package (decision 2007/205 on composite products and meat inspection)	Revision	2011	<p>Composite products: First objective is to change the transitional measures for the import of composite products (Commission Decision 2007/275) as promised by the Commission in SCOFCAH (Standing Committee on the Food Chain and Animal Health) when the transitional measures were prolonged. The proposal aligns current animal health rules on import of composite products with the rules for public health and partially lifts unfair competition between third countries and Member States. The proposal would add public health certification, but would introduce one certificate for both public health and animal health certification and for all types of food of animal origin (simplification of administrative burden). As a second step, provisions in Regulation 853/2004 should be reconsidered to ensure risk-based requirements on composite products.</p> <p>Meat inspection: The objective is to review meat inspection in order to adapt to trends in epidemiological situations of certain zoonoses. New emerging risks should be better covered while attention to limited risks may be reduced in order to guarantee a more risk-based approach. The initiative will be developed in consultation with major trade partners in third countries, to facilitate export.</p>
40	SANCO	Proposal for a Directive of the European Parliament and of the Council concerning medical devices and repealing Directives 90/385/ECC and 93/42/ECC and proposal for a Directive of the European Parliament and of the Council concerning in vitro diagnostic medical devices and repealing Directive 98/79/EC	Recast - Revision	2012	<p>Medical devices: The objective is to simplify and strengthen the rules in order to ensure a high level of health protection while at the same time ensuring the smooth functioning of the internal market and the competitiveness and innovation capacities of the sector. An evaluation of the current regime shows that there are legal gaps regarding products falling outside any specific Union legislation and that it is necessary to address some weaknesses in the system. In vitro diagnostic medical devices: The objective is to simplify and strengthen the rules in order to ensure a high level of health protection while at the same time ensuring the smooth functioning of the internal market and the competitiveness and innovation capacities of the sector. An evaluation of the current regime shows that there are some issues which need clarification, some aspects that need to be introduced in the legislation and some convergence with the regulations of our main trade partners which should be ensured.</p>
41	SANCO	Directive on clinical trials to foster clinical research and innovation in the pharmaceutical sector	Revision	2012	<p>The objective is to revise the Directive on clinical trials to address the shortcomings identified in various evaluations conducted by the Commission in previous years. The aim is to strengthen knowledge and innovation in clinical research. The proposal would respond to the fact that the vast majority of larger clinical trials are conducted in a pan-European setting. Possible issues that would be addressed are reduction of administrative delays prior to the commencement of clinical trials, avoiding divergent decisions throughout the EU and streamlining of reporting procedures.</p>
42	SANCO	New proposal for an Animal Health Law (first item in package of three) -- (Regulation)	New	2012	<p>The proposal will be based on the experience gained in the implementation of the existing legislation and of the extensive evaluation of the EU animal health policy carried out. The new Animal Health law aims to establish a clearer regulatory structure for animal health in the EU combining several legislative acts into one comprehensive animal health framework.</p>

43	SANCO	Regulation 882/2004 on official controls along the food chain concerning in particular the financing of official controls, controls on residues of veterinary medicines (Directive 96/23/EC), and the principles governing the organisation of veterinary checks on products and animals presented for import into the EU from third countries (Directive 97/78/EC and Directive 91/496/EEC). (second item in package of three)	Revision	The revision of Regulation 882/2004 aims to take into account the outcome of a number of evaluations currently ongoing (on fees, residues, import controls), which aim to improve the efficiency of official controls along the food chain by looking at specifically regulated areas (residues) and at inconsistencies and discrepancies in enforcement (fees), and by introducing a more flexible risk-based approach to border controls. It also aims at ensuring a fully integrated control system including animal health and plant health and to simplify the framework for enforcement cooperation between the Commission and the Member States. The proposal will also aim to simplify and rationalise the general framework under which the Commission and the Member States cooperate under the provisions of the Regulation.	2012
44	SANCO	EU Plant Health Law (third item in package of three)		The initiative reflects the need to modernise the existing plant health regime, building on its recent ex-post evaluation. Improved prevention of the introduction of new pests and diseases will avoid expensive campaigns to eradicate or control in a later stage, will prevent avoidable increases in pesticide use, will enable sustainable production and agricultural competitiveness and will help to ensure food security and protection of forests, landscape and gardens. Improved legislation and better harmonised implementation provisions will allow to more effectively addressing the plant health impacts of globalisation and climate change.	2012
45	SANCO	Directive on veterinary medicinal products	Revision	The veterinary medicines legislation will be evaluated to identify excessive administrative burdens and to specify the problems, e.g. the lack of authorised veterinary medicines to treat diseases of minor animal species or diseases occurring rarely. The objective of the review is to increase the availability of medicines on the market and to decrease the burden on enterprises by streamlining the authorisation processes of veterinary medicines while respecting public health, animal health as well as the environment.	2012
46	TAXUD	Legislative proposal for a Common Consolidated Corporate Tax Base (CCCTB)	New	The proposal will aim to make tax rules simpler, reduce compliance costs and remove tax obstacles which companies currently suffer when they operate cross-border.	2011
47	TAXUD	Directive on the taxation of interest and royalty payments between associated companies of different Member States	Recast	To extend the scope of the Directive by reducing the participation thresholds, the inclusion of indirect holdings and by updating the annex (types of companies). This proposal will be accompanied by a Communication on double taxation of companies.	2011
48	TAXUD	Legislative initiative on VAT on public authorities and exemptions	New	To ensure a level-playing field between private and public operators through a neutral VAT system. To analyse and quantify the current problems linked to the application of VAT rules to public bodies and activities carried out in the public interest	2012

Annex IV: list of withdrawals of pending proposals

DGs	COM/SEC - Inter-institutional reference	Title	Justification
ENER	SEC(2008) 1903	Proposal for a COUNCIL DECISION On establishing the European Community position within the Ministerial Council of the Energy Community (Brussels, 27 June 2008)	Obsolete.
ENER	COM(2003)032	Proposal for a COUNCIL DIRECTIVE (Euratom) on the management of spent nuclear fuel and radioactive waste.	The new Nuclear Waste Directive should be adopted by the College in 2010.
ENV	COM(1992) 316/2	Draft - COUNCIL DECISION authorizing the Commission to negotiate, on behalf of the Community, a protocol amending the international Convention on the regulation of whaling, Washington, 2 December 1946	The Council took a pluriannual Council Decision on this subject in 2009. This proposal is obsolete.
ENV	COM(2008) 174	Proposal for a COUNCIL DECISION establishing the position to be taken on behalf of the European Community on the interpretation of Article 14 of the Aarhus Convention	This proposal can be withdrawn as the Aarhus Meeting of the Parties for which it was prepared took place in 2008 and it is now obsolete.
ENV	COM(2008) 695	Proposal for a COUNCIL DECISION establishing the position to be adopted on behalf of the European Community with regard to proposals for amending Appendices I and II to the Convention on the conservation of migratory species of wild animals at the ninth meeting of the Conference of the Parties	The CITES meeting has already taken place and this proposal is obsolete.
MARE	COM(2009) 505	Proposal for a COUNCIL REGULATION amending Regulation (EC) No 754/2009 excluding certain groups of vessels from the fishing effort regime laid down in Chapter III of Regulation (EC) No 1342/2008	Obsolete: linked to Council Regulation (EC) No 43/2009 of 16 January 2009 fixing for 2009 the fishing opportunities and associated conditions for certain fish stocks and groups of fish stocks, applicable in Community waters and, for Community vessels, in waters where catch limitations are required.
MARE	COM(2009) 506	Proposal for a Council Regulation amending Regulation (EC) No 43/2009, as regards fishing opportunities and associated conditions for certain fish stocks.	Obsolete: linked to Council Regulation (EC) No 43/2009 of 16 January 2009 fixing for 2009 the fishing opportunities and associated conditions for certain fish stocks and groups of fish stocks, applicable in Community waters and, for Community vessels, in waters where catch limitations are required.
MARE	COM(2009) 122 2009/0039(CNS) 2009/0039 COD	Council Regulation : establishing a long-term plan for the northern stock of hake and the fisheries exploiting that stock	The Commission has changed its position on the subject.
MOVE	COM(2008) 650 2008/0650(COD)	Proposal for a DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL amending Directive 2002/15/EC on the organisation of the working time of persons performing mobile road transport activities	The Commission has changed its position on the subject. As announced by the Commission in the Transport Council on 24 June 2010, it intends to withdraw this proposal rejected by the EP.

RELEX	COM(2006) 704 2006/0232/APP	COUNCIL DECISION on the approval of an exchange of letters between the European Community and its Member States, of the one part, and the Swiss Confederation, of the other, authenticating the Maltese-language version of the Protocol of 26 October 2004 to the Agreement between the European Community and its Member States, of the one part, and the Swiss Confederation, of the other, on the free movement of persons, regarding the participation, as contracting parties, of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia and the Slovak Republic, pursuant to their accession to the European Union	The two proposals are obsolete. They were never adopted by the Council, as the adoption of a formal Council decision was not deemed necessary. Instead, the Council authenticated the texts in question through I-/A-item notes (based on a separate Protocol with the Swiss Confederation). Both I-/A-item notes were adopted by the Council on 14 May 2007.
RELEX	COM(2006) 717 2006/0235/APP	COUNCIL DECISION on the approval of an exchange of letters between the European Community and its Member States, of the one part, and the Swiss Confederation, of the other, authenticating the Agreement between the European Community and its Member States, of the one part, and the Swiss Confederation, of the other, on the free movement of persons, as drawn up in the Czech, Estonian, Hungarian, Latvian, Lithuanian, Maltese, Polish, Slovak and Slovenian language	
SG	COM(2009)0142 2009/0048(COD)	Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL adapting a number of instruments subject to the procedure referred to in Article 251 of the Treaty to Council Decision 1999/468/EC, with regard to the regulatory procedure with scrutiny)	This proposal aimed at adapting legislative instruments to the regulatory procedure with scrutiny. After the entry into force of the treaty of Lisbon, it is no longer possible to make use of the regulatory procedure with scrutiny in new legislative acts. Therefore, the proposal has no legal grounds any more.
SJ	COM(1995) 622/4 1995/0305(COD)	PROPOSAL FOR A COUNCIL DIRECTIVE ON THE MARKETING OF FODDER PLANT SEED (CONSOLIDATED VERSION)	Obsolete. Converted to a recast to be presented.
SJ	COM(1995) 628/2 1995/0321(COD)	PROPOSAL FOR A COUNCIL DIRECTIVE ON THE MARKETING OF CEREAL SEED (CONSOLIDATED VERSION)	Obsolete. Converted to a recast to be presented.
SJ	COM(2003) 243 2003/0096(COD)	Proposal for a COUNCIL REGULATION on the common organisation of the market in raw tobacco (Codified version)	Obsolete. Amendment to basic act adopted and amended codified proposal under preparation.
SJ	COM(2007) 848 2007/0287(COD)	Proposal for a REGULATION (EC) No 1601/91 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL concerning the general rules on the definition, description and presentation of aromatized wines, aromatized wine-based drinks and aromatized wine-product cocktails (Recast)	Obsolete. Converted to a recast to be presented.
SJ	COM(2007) 302 2007/0103(CNS)	Proposal for a COUNCIL REGULATION (EURATOM) laying down maximum permitted levels of radioactive contamination of foodstuffs and of feeding stuffs following a nuclear accident or any other case of radiological emergency (Codified version)	Obsolete. Amended codified proposal under examination by the legislative authority.
SJ	COM(2008) 26 2008/0009(COD)	Proposal for a DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL concerning mergers of public limited liability companies (Codified version)	Obsolete. Amended codified proposal under examination by the legislative authority.
SJ	COM(2008) 91 2008/0039(COD)	Proposal for a COUNCIL DIRECTIVE 68/193/EEC on the marketing of material for the vegetative propagation of the vine (Codified version)	Obsolete. Converted into recast.

SJ	COM(2008) 544 2008/0173(COD)	Proposal for a DIRECTIVE 77/91/EEC OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on coordination of safeguards which, for the protection of the interests of members and others, are required by Member States of companies within the meaning of the second paragraph of Article 48 of the Treaty, in respect of the formation of public limited liability companies and the maintenance and alteration of their capital, with a view to making such safeguards equivalent (Codified version)	Obsolete. Amended codified proposal under preparation.
SJ	COM(2008) 873 2008/0253(COD)	Proposal for a COUNCIL DIRECTIVE laying down the principles governing the organisation of veterinary checks on animals entering the Community from third countries (codified version)	Obsolete. Converted to a recast to be presented.
SJ	COM(2008) 891 2008/0265(COD)	Proposal for a COUNCIL REGULATION (EC) 1683/95 down a uniform format for visas (codified version)	Candidate for withdrawal ... No priority anymore.
SJ	COM(2006)0346 2006/0808(CNS)	DRAFT COUNCIL DECISION adapting the provisions concerning the Court of Justice in fields covered by Title IV of Part Three of the Treaty establishing the European Community	Obsolete.

ROADMAP	
TITLE OF THE INITIATIVE	Communication on a more integrated European Standardisation System and legislative proposal on standardisation, covering inter alia the ICT sector
TYPE OF INITIATIVE	<input checked="" type="checkbox"/> CWP <input type="checkbox"/> Non-CWP <input type="checkbox"/> Implementing act/Delegated act
LEAD DG – RESPONSIBLE UNIT	ENTR/C/5
EXPECTED DATE OF ADOPTION	Month/Year: 2011
VERSION OF ROADMAP	No: 6 Last modification: Month/Year: 9/2010

This indicative roadmap is provided for information purposes only and is subject to change. It does not prejudice the final decision of the Commission on whether this initiative will be pursued or on its final content and structure.

A. Context, problem definition
<p>(i) What is the political context of the initiative?</p> <p>(ii) How does it relate to past and possible future initiatives, and to other EU policies?</p> <p>(iii) What ex-post analysis of the existing policy has been carried out and what results are relevant for this initiative?</p>
<p>Standardisation is one of the key factors of the internal market. The use of standards facilitates cross-border trade and increases the competitiveness of European enterprises, inter alia by allowing suppliers to achieve economies of scale through lower per-unit costs by producing large homogeneous batches. The European standardisation bodies and their members were frontrunners in developing very successful and widely accepted standards. Standards are the fruit of close cooperation between economic actors as well as between businesses and non-governmental organisations within civil society. Yet, the increasing globalisation, the necessity to further develop a European economy based on knowledge and innovation and the ambition to transform Europe into a more resource efficient, greener and more competitive economy present new challenges for standardisation bodies and the users of standards. This initiative implements the Europe 2020 Strategy and will be one of the principal initiatives of the EU2020 Flagship on the Innovation Union [COM(2010)546], the forthcoming "Single Market Act", the forthcoming EU2020 Flagship on Industrial Policy and the Digital Agenda [COM(2010)245].</p> <p>The future of European standardisation was discussed extensively at the European Parliament. In October 2010, it adopted a report on the future of European standardisation [A7-0276/2010] according to which the review of the European standardisation should preserve its many successful elements, improve its deficiencies and strike the right balance between the European, national and international dimensions. The European Parliament stressed that the proposed review should build on the strengths of the existing system, which constitute a solid basis for improvement, while refraining from any radical changes that would undermine the core values of the system</p> <p>The standardisation package will be the conclusion of a long process of reflection and broad consultation of stakeholders. In its Communication COM(2008)133 of 11 March 2008, the Commission pleaded for a reform of the European Standardisation System (ESS), in order to make it more reactive to innovation and more supportive to competitiveness of EU enterprises. In its Conclusions of 25th September 2008, the Council encouraged the reform of the ESS, and invited the Commission to review its action plan for standardisation. In addition, the Small Business Act [COM(2008)394] encouraged the European Standards Organisations to review their Business Model and called for an adaptation of the ESS to the needs of SMEs. In addition, the consultation on the "White Paper" for a new ICT Standardisation Policy [COM(2009)324] has demonstrated the urgency of a reform of the ICT standardization system in Europe. A study on "access to standardisation" examined how all interested parties could be more closely involved in the standardisation process (final report published in April 2009). An independent advisory Expert Panel for the Review of the European Standardisation System (EXPRESS) made recommendations on how standardisation can bring greater value to Europe and can capitalise on its strengths and values in the global standardisation context.</p>

What are the main problems which this initiative will address?

Standards fulfill a variety of functions. They convey information, allow interoperability between products and processes, guarantee minimum levels of quality and safety, and result in economies of scale by reducing variety. Positive economic effects of standards include their ability to exploit network externalities, to enhance productive and innovative efficiency, to reduce imperfect information, to diffuse information on innovation, and to promote competition. Although European standardisation is highly beneficial for the EU and the functioning of the internal market, the following main problems will be addressed by this initiative:

1. The contribution of European standardisation to innovation within the EU and its role in the internal market is tremendous, especially in the field of product standards:

a) Standards play an important role for innovation. By codifying information on the state of the art of a particular technology, they enable dissemination of knowledge, interoperability between new products and services and provide a platform for further innovation. For example, the opening of the telecommunications market combined with the GSM standard laid the foundation for Europe's success in mobile phones. However, standards play this useful role only if they keep pace with the development of new technologies. The rapid shortening of innovation cycles and the convergence of technologies across the boundaries of the three European standardisation organisations are a particular challenge. If not able to adapt, the European standardisation system risks becoming irrelevant with companies turning instead to other instruments (as could be seen in the ICT sector) or worse could start to work as a brake on innovation. A dynamic standardisation system is also a pre-condition for the EU to maintain and further reinforce its impact on the setting of standards at global level, where other countries are increasingly seeking to set the rules. In addition, new standardisation needs and integration of standards into R&D projects could be much improved.

b) Compliance with harmonised standards provides a presumption of conformity with the corresponding requirements of the 'New Approach' directives and other relevant directives. Manufacturers can use harmonised standards to demonstrate that products comply with EU legislation. In other fields, however, European standardisation did not yet fully play the role which it deserves or evolved outside the formal channels, such as in the field of services. Moreover, other fora have elaborated innovative solutions that stakeholders recognize as de facto standards. However, their lack of formal status prevents Member States to use them, for example for public procurement.

2. In the digital economy, Europe does not yet reap the maximum benefit from interoperability. Weaknesses in standard-setting, amongst others, prevent digital services and devices used by Europeans from working together as well as they should. The Digital Agenda can only take off if its different parts and applications are interoperable and based on standards and open platforms. However, the currently applied specifications which are widely accepted by the relevant stakeholders are not recognised as having the same value as a formal standard.

3. A greener European economy requires greener standards. In several fields, there is hardly a legal basis for the development of standards to support green policies, e.g. the measurement of greenhouse gas emissions, the introduction of renewable energies, the improvement of energy management, etc. Furthermore, the revision of environmental parts of existing harmonised or other European standards in order to adapt them to new technological development is often a laborious process so that the development of the internal market of green products often does not keep pace with the technological evolution of these products.

4. Standards share four major characteristics: they are the result of a work carried out among interested parties, they are based on scientific and technical data, they rely on consensus, and their application remains voluntary. European standards institutes provide for the participation of various representatives: from trade unions, consumer groups, local governments, national government officials, individual firms, and trade associations. Standard-setting thus constitutes a procedure in which the participants have formally the same rights and the same influence. However, there are generally profound inequalities between them in terms of access to information and technical expertise. For example, small and medium enterprises (SMEs) and non-commercial stakeholders rarely have the capacity to take an active part in standardization work. Despite the consensual mode of establishment of standards, there are risks that standards development may be biased in some cases by an over-representation of specific vested interests.

Who will be affected by it?

Businesses, European and national standardisation bodies, public authorities and civil society.

- (i) Is EU action justified on grounds of subsidiarity?
(ii) Why can Member States not achieve the objectives of the proposed action sufficiently by themselves?
(Necessity Test)
(iii) Can the EU achieve the objectives better? (Test of EU Value Added)

European standards are an inherent part of the internal market for goods since more than 25 years. European standardisation necessarily takes place at EU-level. Around 90 % of standards applicable in the EU are either European or international standards. More than three quarters of European standards do not come under a directive but result from a market initiative. At European level, there are three recognised European Standards Organisations (ESOs): CEN, CENELEC and ETSI. National standards bodies are members of CEN and CENELEC, which are based on the principle of national delegation in their governance and procedures: national members take decisions at European level. In contrast with this, ETSI functions on the basis of direct membership of companies, administrations and other organisations. There are 3 recognised international standards organisations: ISO, IEC and ITU. National standards bodies are also the members of ISO and IEC, whereas the members of ITU, which is part of the system of United Nations, are national governments. Consequently, problems related with European standardisation can only be solved by action at European level.

B. Objectives of the initiative

What are the main policy objectives?

The main objective of the initiative, which will inter alia cover the ICT sector, is to speed up and modernise standard-setting to enable interoperability and foster innovation in fast-moving global markets. Moreover, new standardisation needs should be anticipated and standards should be integrated into R&D projects in the research Framework Programme. In a longer term perspective, the initiative should ensure that the standardisation system is able to adapt to the quickly evolving environment and to contribute to Europe's strategic internal and external objectives (relating, among others, to innovation and technological development).

Do the objectives imply developing EU policy in new areas?

No.

C. Options

- (i) What are the policy options being considered?
(ii) What legislative or 'soft law' instruments could be considered?
(iii) How do the options respect the proportionality principle?

Option 1 : No action

Option 2 : a Communication accompanied by a legislative proposal on standardisation, which will inter alia cover the ICT sector, in order to speed up and modernise standard-setting to enable interoperability and foster innovation in fast-moving global markets. It would consist of the following main elements:

- a) Standardisation in the field of services;
- b) Increase transparency and efficiency of European standardisation;
- c) Possibility to recognise existing de facto standards in certain fields, especially IT services and products;
- d) Strengthen involvement of stakeholders.

Option 3: a Communication accompanied by a legislative proposal in order to improve the functioning of EU standardisation by an increase of the budgets and the revision of Decision 1673/2006/EC (partly legislative initiative):

- a) Increase budgets for standardisation;
- b) Include IT operability in Decision 1673/2006/EC and repeal Decision 87/95/EEC;
- c) Conclusion of separate agreements with ESOs;
- d) Formal Commission recommendation on fundamental principles of European standardisation.

Option 4: a Communication setting out the main elements of new agreements with ESOs and other interested bodies that play an important role in European standardisation (non-legislative)

Option 5: Abolish the involvement of the EU in European standardisation (legislative).

The last option is clearly disproportionate. All other options fully respect the proportionality principle.

D. Initial assessment of impacts
What are the benefits and costs of each of the policy options?
Option 1 does not solve any problem. It would deny requests from the EP, the Council, ESOs and all other stakeholders to address certain problems. The benefit of option 2 is its general and overall approach whereby the fragmented legal framework would be put together and adapted to the new needs. If a regulation or decision would be used, the costs would be minimal. The benefit of option 3 is its flexibility and the possibility to react fairly quickly to new developments, which could be interesting in the field of innovation. An amendment of Decision 1673/2006/EC could permit an extension of the situations in which activities in the area of standardisation could be financed. The main disadvantage is that it does not offer an appropriate solution for the formal recognition of existing de facto standards for IT interoperability. Option 3 could also suffer from budgetary constraints. The advantages and drawbacks of option 4 are more less the same as those of option 3. Yet, an complementary drawback would the fact that any possibility to finance new standardisation activities would not necessarily be possible under Decision 1673/2006/EC. Option 5 would have probably no benefits and would only create additional costs for all stakeholders.
Could any or all of the options have significant impacts on (i) simplification, (ii) administrative burden and (iii) on relations with other countries, (iv) implementation arrangements? And (v) could any be difficult to transpose for certain Member States?
Option 5 would cause a heavy additional administrative burden for national authorities, national standardisation bodies and businesses. None of the other options would have significant impacts on administrative burden.. At the moment, none of the options seem to have significant impacts on simplification, relations with other countries and implementing arrangements. No transposition difficulties could be identified at this stage.
(i) Will an IA be carried out for this initiative and/or possible follow-up initiatives? (ii) When will the IA work start? (iii) When will you set up the IA Steering Group and how often will it meet? (iv) What DGs will be invited?
Yes. The IA work is ongoing since 1 December 2009 under the auspices of an IA Steering Group. The most important services users of standards within the Commission, i.e various units of DG ENTR, ENV, SANCO, MARKT, TRADE, INFOS, BUDG, SG, COMP and TREN, have been invited.
(i) Is any of options likely to have impacts on the EU budget above €5m? (ii) If so, will this IA serve also as an ex-ante evaluation, as required by the Financial regulation? If not, provide information about the timing of the ex-ante evaluation.
An increase of or re-orientation within the EU-Budget for standardisation (currently around 20 to 24 Million €/year) might be necessary under options 2, 3 and 4. According to Article 6(1) of Decision 1673/2006/EC, the Commission is obliged to evaluate the relevance of the standardisation activities receiving Community financing in the light of the requirements of Community policies and legislation and inform the European Parliament and the Council about the outcome of such evaluation at least every five years.

E. Evidence base, planning of further work and consultation
(i) What information and data are already available? Will existing impact assessment and evaluation work be used? (ii) What further information needs to be gathered, how will this be done (e.g. internally or by an external contractor), and by when? (iii) What is the timing for the procurement process & the contract for any external contracts that you are planning (e.g. for analytical studies, information gathering, etc.)? (iv) Is any particular communication or information activity foreseen? If so, what, and by when?
(i) The initiative is the result of preparatory work, which is available as reports and documents : - a report drafted by an independent group, the Expert Panel for the Review of the European Standardisation System (EXPRESS): this group was established by the European Commission in January 2009 to review the entire ESS, its functioning, coherence, financing and legal framework. The Panel was composed of 30 individual experts from European, national and international standards organisations, industry, SMEs, NGOs, academia, and public authorities from EU Member States and EFTA countries. The European Commission is using the Panel's advice via the report that EXPRESS delivered in February 2010. - Evaluation of the contribution of community financing of standardisation to the fulfilment of policy objectives of the Commission (30 June 2009)

- Access to standardisation – Study for the European Commission, Enterprise and Industry Directorate General (Final report, 10 March 2009)
- SME Access to European Standardisation (Report commissioned by CEN and CENELEC – Final version available in September 2009)
- Reforming the European standardisation system (Internal DG ENTR Note dated 29 October 2008)
- CEN/CENELEC/ETSI common objectives (June 2006)
- Economic benefit of standardisation – DIN (2000)
- The empirical economics of standards (DTI – 2005)
- Impact économique de la Normalisation (AFNOR – June 2009)
- Standards and economic growth in Denmark (DS – 2003).

(ii) and (iii) At the moment, sufficient information seems to be available.

(iv) The outcome of the IA and the corresponding decision of the Commission on the preferred option will be the subject of a press release and specific messages to stakeholders via the specialised channels of the DGs. A press conference could be envisaged.

Which stakeholders & experts have been or will be consulted, how, and at what stage?

The following stakeholders were closely involved in all the preparatory works:

- the European Standards Organisations, CEN, CENELEC and ETSI as well as some of their national members
- Industry federations (e.g : BusinessEurope, Orgalime, UEAPME)
- Organisation representing stakeholders in standardisation (ANEC, ECSO, ETUI and NORMAPME)

The open consultation took place from 23.03.2010 until 21.05.2010. Its results are available on http://ec.europa.eu/enterprise/policies/european-standards/public-consultation/index_en.htm

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ROADMAP			
TITLE OF THE INITIATIVE	European Strategy and Action plan towards a sustainable bio-based economy by 2020		
TYPE OF INITIATIVE	X CWP	• Non-CWP	• Implementing act/Delegated act
LEAD DG – RESPONSIBLE UNIT	DG RTD		
EXPECTED DATE OF ADOPTION	November 2011		
VERSION OF ROADMAP	No: 2	Last modification:	10/2010:

This indicative roadmap is provided for information purposes only and is subject to change. It does not prejudice the final decision of the Commission on whether this initiative will be pursued or on its final content and structure.

A. Context, problem definition

- (i) What is the political context of the initiative?
- (ii) How does it relate to past and possible future initiatives, and to other EU policies?
- (iii) What ex-post analysis of the existing policy has been carried out and what results are relevant for this initiative?

The proposed initiative responds to the Europe 2020 strategy which calls for an innovative and a resource efficient Europe and highlights the building of a bio-economy by 2020 as one of the deliverables under the Innovation Union.

On 13-14 September the Belgian Presidency held a high-level conference "Knowledge Based Bio-Economy towards 2020" which concluded that "The Knowledge Based Bio-Economy will play a key role for the new EU 2020 strategy: it can provide new solutions for the food and energy crisis, for climate change mitigation and adaptation, as well as for the conservation of biodiversity and the optimisation of the use of our natural resources."

The bio-economy concept brings under one umbrella all sectors of the economy that produce and process biological resources from land and sea. It relies on research in bio-sciences, information technologies, robotics, and materials and aims to transform the knowledge and new technologies into agricultural, industrial and social innovation. In economic terms, the bio-economy is worth around two trillion Euros and provides more than 22 million jobs in Europe, across sectors as diverse as agriculture, forestry, fisheries, food, feed and chemicals.

The bio-economy strategy and action plan will offer a framework for stronger coherence between our various policies and funding instruments; and it aims to ensure the utilisation of the full potential of Europe's resources, knowledge and industrial capabilities in all of the bio-economy sectors, taking into account the needs of farmers, fishermen, industry and consumers, and society in general. The initiative is of high relevance to CAP reform. It takes forward the Life sciences and biotechnology strategy, which finished in 2010. It also closely links to a range of current policies such as DG ENV Communication on Roadmap for Resource Efficiency, DG ENTR Lead Market Initiative; DG ENTR Industrial Policy; Environmental Technologies Action Plan; rural and coastal initiatives.

A number of ex-post studies are considered in preparation of the proposed initiative (e.g. reports in Member States including ERANETS, OECD, third countries and internal documents based on the development of the Knowledge-Based Bio-Economy as part of FP7); Ex-post impact assessment of FP6 TP5; Biotech clusters study; Taking bio-based from products to market report prepared in relation to the LEAD market initiative on biobased products. Report KBBE in Europe: achievement and challenges (prepared in relation to conference on 14 September 2010). The studies suggest the high potential of the bio-economy in addressing the societal challenges, as well as the importance of the development of the integrated bio-economy framework in order to better link education, research and innovation.

What are the main problems which this initiative will address?

What is at stake? The bio-economy has a potential in:

- Creating new markets and employment opportunities for European coastal and rural communities;
- Greening the industry - reducing costs, pollution and waste;
- Increasing the use of the bio-based raw materials in chemical industry;
- Securing food supply in the context of climate change and growing population;
- Strengthening competitiveness of European food industry;
- Building a socially inclusive and healthy Europe;
- Moving towards a zero waste society.

While Europe has a strong life sciences and biotechnology research base to support the development of a sustainable and smart bio-economy and a leading position in related industrial sectors such as chemical and enzyme industries (e.g. EU produces about 75% of the world's enzymes), the bio-economy sectors are fragmented and subject to increasing competition from overseas. There is also a lack of speed and critical mass in deploying research results and new technologies in the markets for industrial and social innovation, and for addressing societal challenges. Supply-side and demand-side policy actions at European and Member State level are often launched in isolation and with weak engagement of the end-users. In addition, certain technologies engender public concern, which may limit the potential in Europe if these cannot be properly addressed. A shift from fossil resource-based industries to more sustainable, efficient and competitive bio-industries requires more investment in technology development and the expansion of the supply chain.

Who will be affected by it?

The trends and problems outlined above are directly affecting academia, industries concerned, rural and coastal communities, public policy makers and the general public.

The Strategy and action plan would bring together the knowledge markets (education, research, innovation), economic sectors, including financial partners/actors, public policy makers and social actors and will identify the structural and technical changes needed to implement the incentives and targets needed to achieve the objectives listed above, taking into account existing tools and measures. The implementation will need actions at EU and MS level with a strong coordination mechanism from subgroups related to the main big economic sectors.

(i) Is EU action justified on grounds of subsidiarity?

(ii) Why can Member States not achieve the objectives of the proposed action sufficiently by themselves?
(Necessity Test)

(iii) Can the EU achieve the objectives better? (Test of EU Value Added)

The development of the bio-economy is closely linked to a series of policies for which there is an EU competence:

- the European Research Area, whose role is strengthened under the Lisbon Treaty, leading to a stronger coordination between EU and Member States (e.g. JPIs);
- EU Innovation and Industrial policy;
- CAP;
- regulatory frameworks to protect the environment, health and safety;
- regulatory frameworks related to waste;
- EU role in standard setting at the European and international level.

An improved coordination at EU level of public investments (and the stimulation of private investment), as well as of the development of coherent policy and legislative framework, is essential. The action plan should enable a balanced, coherent and efficient approach to the bio-economy, which would bring stronger synergies while allowing Member States to take their own initiatives according to the principle of subsidiarity, within an EU policy framework. The implementation of the bio-economy strategy will require coordinated actions at EU and MS level.

B. Objectives of the initiative

What are the main policy objectives?

The overall aim of the initiative is to optimise the beneficial impact of the bio-economy on economic growth, the environment and employment so as to increase the quality of life and well being of European Citizens. It will anticipate and shape proactively the transition to a low carbon, renewable-based economy, maximising benefits to society.

Through the development of new biological products and processes, the bio-economy concept will contribute to the attainment of a broad range of policy goals in the following domains:

- ***Reinforcing European leadership and creativity in the biosciences***
 Developing the relevant technologies will require investment in the knowledge triangle of education, research and innovation, across the biosciences in order to ensure that Europe has the skills it will need to maintain and further develop its leadership in biotechnology.
- ***Optimising innovation and the systems for knowledge transfer***
 In order to fully exploit the knowledge developed, to optimise innovation, and promote smart growth, better policy and regulation for demand side and a more efficient framework for the monitoring and transfer of scientific results into marketable products/services need to be developed. This will involve a broad range of partners and build on known structures such as Knowledge Transfer Networks and the strength of European clusters in the biosciences.
- ***Research into safe, nutritious and affordable food***
 In order to ensure a socially inclusive and healthy Europe, a research approach that will assist in the prevention of diet related diseases will need to be developed. This will entail moving to knowledge-intensive systems using advanced technologies to enhance the functionality, quality and nutritional value of food. There is also a need to make policy and regulation more coherent, simple, and harmonised so as not to place unnecessary additional burdens on food businesses operators that may hinder innovation. At the same time, Europe has to assume its role in improving food security and keeping food prices affordable at global scale by assisting its agriculture in adapting to climate change. The move to a bio-economy has to be socially sustainable.
- ***Making rural and coastal economies more sustainable***
 Using land and water to produce raw materials, and processing these into high-value products, will be a growing market for agricultural, forest and ocean based products. Thus, the development of the bio-economy will support the economies, and employment opportunities, in rural and coastal areas while ensuring the protection of our natural resources.. At the same time, rural and coastal economies will gradually use less finite resources, supported by new technologies.
- ***Improving the efficiency of agricultural, food and industrial production and distribution systems***
 It is necessary to properly integrate land and marine production of biomass for food, feed, energy use and industrial use. This will entail efficient processing of raw materials – adding value to the production chain – prioritisation of land use, avoiding waste, low energy consumption, improved use of waste streams, and the deployment of novel technologies. These complex, interlinked demands will require a broadly based life-cycle approach.
- ***Maintaining the competitiveness of European industry and agriculture.***
 In the light of the emergence of powerful economies, it is important that European industries, including agriculture, food and service sector, remain competitive in order to generate the economic growth. This will require a move to knowledge intensive economy which will foster more innovation leading to more efficient advanced technologies, in addition to investment in the modernisation of industrial plant and equipment and more efficient services.
- ***Building low-carbon industries***
 Improved efficiency, such as using enzymatic rather than traditional chemical processes, will reduce the

demand for energy, while the use of crops as a sustainable carbon source will enable the replacement of a proportion of fossil based carbon, thus potentially reducing Europe's dependence on imported oil and gas.

- **Reducing emissions of GHG and waste**

Careful use of renewable materials, waste reducing strategies, efficient use of energy and the recycling of organic waste streams will help reduce the emissions of GHG.

The operational objectives are:

- to implement European Partnership initiatives, link with Joint Programming Initiatives and complete European Research Area in the bio-economy sectors;
- to better link education with research and innovation in the bio-economy sectors, also taking into account existing tools and measures – such as EIT;
- to improve framework conditions for innovation in bio-economy sectors;
- to encourage the reform of Member States' national (and regional) level of their R&D and innovation systems to enable the development of the bio-economy at national level
- to better integrate the bio-economy approach into the forthcoming reform of the CAP as well as in waste treatment legislation.

Do the objectives imply developing EU policy in new areas?

No. They aim at making current policy more coherent and including of targets into existing legislation revision. Some examples are provided under section 6.

C. Options

- What are the policy options being considered?
- What legislative or 'soft law' instruments could be considered?
- How do the options respect the proportionality principle?

PO1: continuation without a new Strategy and Action Plan, including:

- Funding through FPs, coordination of policies and actions through existing instruments (ERA-NETs, JPIs, etc)
- No legislative or 'soft law' instruments applied

PO2: Strategy covering research priorities and ERA creation only

- Implementation of ERA in the bio-economy sectors
- Proposing mechanism for common research priority setting
- Implementation of mechanism fostering better communication of research results and knowledge transfer –
- Funding through FPs, coordination of policies and actions through existing instruments (ERA-NETs, JPIs, etc)
- Linking with activities of the Joint Programming Initiatives in the bio-economy sectors
- Supporting 'research side' of the Innovation Partnerships in the Bio-economy sectors

PO3: A new policy framework for bio-economy (to be implemented at the EU and Member States level).

A framework would:

- Build the ERA in the Bio-Economy sectors as in option 2
- bring together key actors and relevant policies and instruments throughout all value chain;
- strengthen links between the research and innovation component of the Bio-Economy;
- coordinate education/research/innovation initiatives both at European as well as at the Member States level.
- address some legislative or standardisation bottlenecks, for example in the area of waste treatment and bio-based products.

Based on the invitation in Europe 2020 strategy to build bio-economy by 2020, the Strategy and action plan would set a vision until 2020 accompanied by an action plan (3 years, renewable in 2014 and 2017).

Specific, innovative deliverables of the strategy will be defined during the drafting process. They might require specific targets and might include actions in relation to: strengthening European research and innovation capacities in biosciences; recommendations on education and training needs; recommendations for infrastructure, biorefinery demonstration plants, experimental farming facilities; stimulating the creation of bioclusters and creating links between clusters, stimulating economic growth, providing new opportunities to coastal and rural communities; improving the efficiency of agricultural, food and industrial production and distribution systems; reduction on water use in food production systems through innovative new technologies; providing safe, nutritious and affordable food; reducing dependence on fossil based resources, reducing emissions of GHG and waste.

The Communication builds on current policies and actions, seeking to provide coherence to improve their delivery. It also proposes new actions for better integrating funding streams and for providing incentives for knowledge transfer and for stimulating the integration of new technologies into industrial and social innovation. It should, therefore, improve efficiency and effectiveness.

D. Initial assessment of impacts

What are the benefits and costs of each of the policy options?

The impact of three outlined policy options will be assessed against a number of criteria and possible impacts. These, for example, relate to:

Economic impacts

- Increase competitiveness of the European bio-economy sectors
- Maintain EU leadership in bio-sciences
- Support sustainable agriculture and rural incomes by further diversification of rural economy
- Stimulate research and development
- Facilitate the development of new production methods, technologies and products
- Reduce Europe's dependence on imported fossil fuels

Environmental impacts

- Promote greater resource efficiency
- Reduce GHG emissions
- Reduce water and energy use in industry and primary production

Social impacts

- Ensure affordable food to low income groups
- Reduce food related diseases
- Support development in coastal and rural areas

Could any or all of the options have significant impacts on (i) simplification, (ii) administrative burden and (iii) on relations with other countries, (iv) implementation arrangements? And (v) could any be difficult to transpose for certain Member States?

The proposed communication should enable a balanced, coherent and efficient approach to the bio-economy, which would bring stronger synergies while allowing Member States to take their own initiatives according to the principle of subsidiarity, within an EU policy framework. The implementation of the bio-economy strategy would require coordinated actions at EU and MS level. The Communication could offer more coherence across the EU and would improve simplification with third countries, for example on cross-border trade in biomass.

(i) Will an IA be carried out for this initiative and/or possible follow-up initiatives? (ii) When will the IA work start? (iii) When will you set up the IA Steering Group and how often will it meet? (iv) What DGs will be invited?

The Impact Assessment will be carried out during November 2010 – June 2011. The following DGs are invited to the Interservice coordination group: DG AGRI, DG JRC, DG SANCO, DG MARE, DG ENV, DG ENTR, DG EAC, DG REGIO, DG DEV, DG CLIMA, DG BEPA, DG EMPL, DG TRADE, DG ENER and SG. It is

proposed to meet every 2 months starting from November 2010.

- (i) Are any of the options likely to have impacts on the EU budget above €5m?
 (ii) If so, will this IA serve also as an ex-ante evaluation, as required by the Financial regulation? If not, provide information about the timing of the ex-ante evaluation.

The initiative will not have a direct impact for the EU budget. For all the implementation issues in the new strategy and action plan, the budgetary impacts will be strictly limited to the means that are planned in consecutive work programmes of FP7 and its likely successor and within the specific policies themselves. Thus, any budgetary impacts within the policies will be considered as part of the assessment of those policies. The strategic action plan will *not* in itself lead to an increase of the foreseen budgets, but specific actions will be funded through allocation of existing budgets. Other Community funding instruments may also play a role, according to the same principle (e.g. EIT, CIP, structural funds). Certain activities may be funded at the Member State level.

E. Evidence base, planning of further work and consultation

- (i) What information and data are already available? Will existing impact assessment and evaluation work be used?
 (ii) What further information needs to be gathered, how will this be done (e.g. internally or by an external contractor), and by when?
 (iii) What is the timing for the procurement process & the contract for any external contracts that you are planning (e.g. for analytical studies, information gathering, etc.)?
 (iv) Is any particular communication or information activity foreseen? If so, what, and by when?

- (i) The following sources are considered:
- Range of information from reports in Member States including ERANETS, OECD, third countries and internal documents based on the development of the Knowledge-Based Bio-Economy as part of FP7;
 - Studies from DG AGRI, DG ENTR, DG ENV, JRC, etc;
 - Ex-post impact assessment of FP6 TP5;
 - Bio-clusters study;
 - KBBE in Europe: achievement and challenges report, prepared in relation to conference on 14 September 2010.
- (ii) Evaluation results in relation to preparation of FP8 will feed into preparatory work; expert groups will be called for socio-economic implications measurement and also on education and skill needs in the bio-economy. Ex-ante impact study, building on different policy scenarios, is considered to be launched early 2011.
- (iii) Expert group appointment (for expert groups), public procurement (for study).
- (iv) Main steps of Communication Actions are outlined in the Annex A to the draft roadmap.

Which stakeholders & experts have been or will be consulted, how, and at what stage?

- The Theme 2 Programme Committee and Advisory Group have been consulted and will be consulted in the upcoming meetings.
- An event was organised in the European Parliament in May 2010 for research policy makers.
- There was a high-level KBBE 2020 conference in September 2010 and Euro-Ocean conference in October 2010 (both events were organised under the Belgian Presidency).
- An Impact Assessment will be carried out during first half of 2011.
- Public consultation will be launched end of 2011.
- External expert groups are consulted: SCAR, KBBE-NET, LMI, DG ENTR expert group, DG RTD expert groups, DG AGRI Advisory Group.
- Additional expert groups will be launched early next year to assist with selected aspects of the impact assessment exercise.
- Stakeholder meetings will take place during first half of 2011.

ROADMAP

Title of the initiative: **Modernisation of higher education**
 Type of initiative (CWP/Catalogue/Comitology): CWP Non-legislative action / Commission Communication
 Lead DG/contact person/details: EAC
 Expected date of adoption of the initiative (month/year): September 2011
 Date of modification: 7 July 2010
 Version No: 4

This indicative roadmap is provided for information purposes only and is subject to change. It does not prejudice the final decision of the Commission on whether this initiative will be pursued or on its final content and structure.

Initial IA screening & planning of further work

A. Context and problem definition

(i) What is the political context of the initiative?

As acknowledged in the EU2020 Strategy, **higher education plays an essential role** in society by creating new knowledge, transferring it to students and fostering innovation. Institutions throughout Europe are working to modernise, both in terms of the courses they offer and the way they operate.

Europe has around 4,000 higher education institutions (HEIs), with over 19 million students and 1.5 million staff. Some European universities are amongst the best in the world, but the overall **potential of European higher education is not exploited in full**. Curricula are not always up-to-date, not enough young people go to university after finishing school and not enough adults have ever attended university. European universities often lack the management tools and funding to match their ambitions.

Governments and actors from the higher education sector are working to create better conditions for HEIs. The **European Commission supports EU Member States** and neighbouring countries in their modernisation efforts through policy initiatives, discussion papers and events, as well as through EU programmes promoting mobility in education such as Erasmus, Tempus, Erasmus Mundus and the Marie Curie Actions.

The modernisation agenda for universities formed part of the Lisbon Strategy for Growth and Jobs. Against this backdrop, the Commission (DGs EAC and RTD) issued a **Communication: "Delivering on the modernisation agenda for universities" (COM(2006) 208 final)** in 2006, which was welcomed by the Member States and the main stakeholders in higher education. This Communication set out nine priorities for reform, which can be summarised under the following three headings:

- **Curricular reform:** The three cycle system (bachelor-master-doctorate), competence based learning, flexible learning paths, recognition, mobility.
- **Governance reform:** University autonomy, strategic partnerships, including with enterprises, quality assurance.
- **Funding reform:** Diversified sources of university income better linked to performance, promoting equity, access and efficiency, including the possible role of tuition fees, grants and loans.

The new Europe 2020 strategy and, more specifically, the flagship initiative Youth on the Move, stress the need to **step up the higher education modernisation process**. The second action line of Youth on the Move focuses precisely on this priority, aiming at once to increase higher education participation rates and improve the relevance and performance of higher education systems as such. As part of this action line, the Commission proposes a renewed agenda for reform and modernisation of higher education. The proposed Communication would form an important part of this, by **taking stock of progress in higher education reform** and highlighting where challenges remain and **further progress is required**.

(ii) How does this initiative relate to past and possible future initiatives, and to other EU policies?

The **strategic framework for European co-operation in education and training ('ET 2020')**, adopted by the Council in May 2009, underlines the need to promote the modernisation agenda for higher education to improve the quality and efficiency of education and training. This framework strategy provides the basis for the Open Method of Coordination in the field of higher education (alongside other aspects of education and training), including ongoing implementation of the Bologna reforms¹.

In this context, the **Europe 2020 Strategy** highlighted education as a key policy area where collaboration between the EU and Member States can deliver positive results for jobs and growth. It included **Youth on the Move**² as the main flagship initiative in the field of Lifelong Learning and Mobility (with a strong focus on higher education) and a **Youth on the Move package**, including a draft Commission Communication and Council Recommendation, is scheduled for adoption in early autumn 2010.

The **Youth on the Move Communication**, which contains four main action lines, provides an additional strategic framework to guide Commission activities on higher education. The first action line "Promoting the attractiveness of higher education for the knowledge economy", reiterates the need to step up efforts to modernise higher education and proposes the adoption of a Commission Communication in 2011 to act as a *reinforced agenda* for higher education.

The proposed Communication will revisit the priorities set out in the 2006 Communication (COM(2006) 208 final) and report on progress to date. It will also highlight new or emerging challenges which need to be addressed (thus updating the previous Communication) and present examples of effective practice. The Communication will thus **build directly on previous work** and, by highlighting to Member States and stakeholders the continued importance of the higher education reform agenda, **support the objectives of Youth on the Move and ET 2020**.

The Youth on the Move Package, to which the proposed Communication is closely linked, will also inform the review of **existing learning mobility programmes**³ as part of the preparation of programmes for the new Financial Perspective.

In addition, the proposed Communication has links to the following:

- Council conclusions: in particular on the knowledge triangle (2009), on the social dimension of education (2010), on the internationalisation of higher education (2010)
- Council Resolution (2007) on Modernising universities for Europe's competitiveness in a global knowledge economy
- Opinion of the European Economic and Social Committee: Universities for Europe (2010/C 128/09)

(iii) What are the main problems identified?

The proposed Communication will form part of the Commission's response to the **need for reform** in European higher education systems (which can be viewed as a "strategic problem"). More specifically, the Communication will seek to respond to a **risk that efforts to reform**

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1. The Bologna process (intergovernmental co-operation in Higher Education between 47 countries) aims to make tertiary level degrees and quality assurance standards more comparable and compatible throughout Europe and focuses primarily on reforms related to higher education curricula
 2. Youth on the Move: aims to respond to the challenges young people face and help them succeed in the knowledge economy, by enhancing the performance and attractiveness of Europe's higher education institutions and raising the overall quality of all levels of education and training in the EU, combining both excellence and equity, by promoting learning mobility, and improving the employment situation of young people.
 3. Lifelong Learning Programme (in particular Erasmus, Leonardo da Vinci, and Comenius strands); Erasmus Mundus for international learning mobility and Marie Curie for the mobility of young researchers. In the period 2007-13, these programmes are making available in excess of € 13bn in support of learning mobility

higher education are reduced in the wake of the current economic situation and pressures on public finances, at a time when the need for reform is more pressing than ever (the "specific problem"). We review these two levels of problem in turn.

a) The Strategic problem

Given the closely connected roles of universities in education, research and innovation, the modernisation of higher education in Europe is pivotal in an increasingly global and knowledge-based economy. If Europe is not to lose out to global competition in the education, research and innovation fields, this crucial sector of the economy and of society **needs in-depth restructuring and modernisation.**

The 'Delivering on the Modernisation Agenda for Universities: Education, Research and Innovation' Commission Communication identified **key challenges** facing European higher education systems:

1. European higher education is fragmented into (what are often) small national systems and sub-systems, without effective links and bridges between them. This still poses particular difficulties in terms of mutual recognition of qualifications: **Barriers between systems need to be broken down;**
2. National regulations are too often over-detailed, diminishing universities' responsiveness to changing learning and research needs emerging from markets and society: **Universities should have sufficient autonomy;**
3. Universities under-use the knowledge they produce because they and business still inhabit largely separate worlds: **More incentives are required for partnerships with business;**
4. Funding for universities is far too low compared to our major competitors, both in education and in research, due mainly to much smaller contributions from private sources: **Appropriate funding needs to be ensured;**
5. Europe's universities have a tendency to uniformity within each system/subsystem which has led to a good average level, but has limited access and failed to enable enough world-class research: **Excellence must be rewarded;**
6. Many universities are insufficiently prepared to deal with increased competition for students, researchers and resources in the context of globalisation: **European higher education must be made more visible and attractive in the world;**
7. Furthermore, access rates to higher education are still lower in Europe than in many other leading world regions, especially for adult learners: **Universities need to engage more actively with society and develop new approaches to lifelong learning.**

Despite some progress in relation to these problems since the 2006 Communication, recent studies on higher education reform⁴ illustrate that **much still needs to be done** in order to realise the ambitions set out in 2006. Furthermore, **new challenges** have emerged to a greater extent in recent years, of which the most important may be considered to be:

- increasing **demands from the users** of education to know more about its content and outcomes, and the expanded role of transparency tools such as rankings;
- an emerging focus on the **employability outcomes** of graduates both in curriculum design and in formal quality assessment procedures and funding mechanisms
- a stronger emphasis on the **social dimension of higher education**, including the need to reach out to non-traditional learners (eg. lower socio-economic status groups, ethnic minorities and migrants, people who wish to return to higher education later in life or combine it with working).

b) The specific problem

The recent economic crisis has increased pressure on public finances in the EU, with **cuts in higher education funding** already implemented or forecast in some Member States. At the same time, the range of challenges resulting from recent economic difficulties (notably the general state of government finances and increased unemployment) may **divert attention away from the priority of higher education reform**, leading to reduced impetus for, and concrete

⁴ For example, The Bologna Process Stocktaking Report (2009) http://www.ond.vlaanderen.be/hogeronderwijs/bologna/conference/documents/Stocktaking_report_2009_FINAL.pdf

The series of three independent studies on Implementation of the Bologna Process, Governance and Funding Reforms (CHEPS, 2010).

actions to implement, the reform process. These risks need to be countered if the higher education reform process is not to lose momentum.

(iv) Who is affected?

The main actors affected by the problems outlined above are:

- **Current and future students** at European higher education institutions (who experience difficulties in relation to issues such as access, relevance and quality of study programmes and recognition of qualifications);
- **Employers** (who experience difficulties recruiting graduates with the right skill sets);
- **Management and staff in Higher Education Institutions** (who may currently be constrained in adapting their operations and programmes as they would wish to).

(v) Is EU action justified on grounds of subsidiarity?

Education, Youth and Training Policy is an area where the EU has **supporting competence** as defined by the Treaty on the Functioning of the European Union (Lisbon Treaty).

The Treaty (articles 165 and 166) provides that '*The Community shall contribute to the development of quality education by encouraging cooperation between Member States and, if necessary, by supporting and supplementing their action*' and in particular, foresees that Community action shall be aimed at '*encouraging mobility of students and teachers, by encouraging inter alia, the academic recognition of diplomas and periods of study*'.

In general terms, the EU adopts a **twin-track approach** to this mission, a) through policy cooperation with EU Member States (based on the Open Method of Coordination), and b) through the implementation of the Lifelong Learning Programme which provides funding in support of mobility actions (i.e. Erasmus, Comenius, Leonardo, Grundtvig).

Within the area of policy cooperation, the Commission's main role is to **inform and support the work of the Member States** by undertaking policy analysis, highlighting where problems exist and suggesting possible solutions. The proposed Communication would fall clearly within this line of action, which is well established and conforms to the principle of subsidiarity.

(vi) Why can the objectives of the proposed action not be achieved sufficiently by Member States (necessity test)?

The complementary role of the European Commission in promoting the modernisation of higher education is stressed in the strategic framework for European cooperation in education and training ('ET 2020'). While the modernisation agenda would certainly be pursued at Member State level in the absence of Commission intervention, the Commission is uniquely well placed to support and strengthen the European dimension of reform, notably by:

- Promoting the development of the **European Higher Education Area** to allow easy transfer between and comparability of national education systems, notably through such measures as the European Qualification Framework;
- **Monitoring and reporting** on progress made against existing reform targets in order to highlight where individual Member States are performing well and where further work is required;
- **Providing clear examples of effective reform / practice**, which may serve as inspiration for authorities and higher education institutions in other Member States.

(vii) As a result of this, can objectives be better achieved by action by the Community (test of EU Value Added)?

By further promoting and highlighting the **existing objectives** of the European Higher Education Area and the modernisation agenda, **reporting on progress** to date and highlighting **outstanding and new challenges**, the proposed Communication is intended to send a **clear message** to relevant stakeholders and further reinforce the ongoing reform process in higher education. The Commission is best placed to formulate and communicate this message.

B. Objectives of EU initiative

(i) What are the main policy objectives?

At a **specific level**, the objectives of the initiative are:

1. To **raise the profile** of the higher education modernisation agenda and **stress its importance**, at a time when national governments face other serious challenges and difficult choices regarding public spending;
2. To provide a **clear and concise overview** of progress made in addressing the challenges faced by higher education in Europe already set out in the last Communication, ET2020 and elsewhere;
3. To highlight **new or emerging challenges** facing higher education, which have not featured prominently in previous EU strategic policy statements. These include the increasing need for transparency, the increased focus on employability and the social dimension of higher education;
4. To present (concise) **examples of how the outstanding and new challenges can be addressed** effectively in different contexts.

At a **strategic level**, the initiative should:

1. Ensure that higher education and higher education reform **remains high on the political agenda** at Member State level and reforms progress;
2. Support the process of **breaking down the barriers** around universities in Europe (including continued progress in the implementation of Bologna process reforms, increasing the proportion of graduates and researchers spending a semester abroad or in industry, and improving academic recognition processes);
3. Support the creation of real **autonomy and accountability** for universities;
4. Encourage provision of incentives for **structured partnerships with the business community**;
5. Promote provision of the right **skills and competencies** for the labour market;
6. Encourage **increased funding** for higher education and make funding work harder in education and research;
7. Promote enhanced **interdisciplinarity and transdisciplinarity**;
8. Help to make the European Higher Education Area and the European Research Area **more visible and attractive** in the world, including an EU internationalisation strategy

The initiative is conceived as a **supporting measure to reinforce and update the ongoing modernisation agenda** and highlight areas where further work (or future initiatives) may be required. At this stage, it is **not** intended to propose substantive new actions at Community level.

The Commission will continue to support the modernisation of EU higher education through a process of identifying and sharing good practice, and through its funding programmes for education, research and innovation: the Lifelong Learning Programme, the Seventh Framework Programme for research and development, the Competitiveness and Innovation programme, and the Structural and Cohesion Funds

(ii) Do the objectives imply developing EU policy in new areas or in areas of strategic importance?

As noted, the initiative will reinforce and, to some extent, update the existing EU policy framework in the field of higher education. It **does not imply the development of policy in a new area**. However, it is clear that higher education reform occupies a strategic place in the Europe 2020 Strategy, as part of coherent Community action to develop a knowledge-based society.

C. Options

(i) What are the policy options? (ii) What legislative or 'soft law' instruments could be considered? (iii) Would any legislative initiatives go beyond routine up-date of existing legislation?

The initiative has been conceived from the outset as an **update of the previous Commission Communication** on modernisation of higher education (COM(2006) 208 final) and alternative policy options have not been examined in detail. Nevertheless, from a formal perspective, the two main policy options available are:

1. **Continue existing activities** (maintaining the status quo). This would involve maintaining

the existing (2006) Commission Communication, the text of which remains relevant in many respects but is in need of up-dating.

2. **A new Communication** to update and refocus the previous Communication, taking into account developments over the last five years. This would include providing a concise review of progress made so far, identification of new challenges and presentation of effective solutions. This would reinforce the Commission's message that continued reform of, and sustained investment in higher education, is vital for the growth of the knowledge economy, in particular in the framework of the Europe 2020 Strategy. The Communication will set out the specific challenges in a 2020 perspective for higher education in Europe and how to tackle them.

Although a new Council Recommendation setting out specific reform fields or measures to be addressed or adopted by Member States is a formal possibility, this is not considered appropriate. This is because the objective of the proposed EU activity is to highlight and review a wide range of existing and new challenges in the field of higher education and, in so doing, provide a broad strategy document in the context of which future initiatives can be developed. A Council Recommendation would be more appropriate when more specific issues / fields are addressed and specific, concrete solutions proposed (as in the Youth on the Move Council Recommendation on mobility).

(iv) Does the action proposed in the options cut across several policy areas or impact on action taken/planned by other Commission departments?

The action proposed covers the policy fields of Education and Culture and Research. It is proposed that the text for the Communication is developed jointly by the two services. This approach has been agreed between the respective DGs.

(v) Explain how the options respect the proportionality principle.

The Communication is a non-legislative instrument. Moreover, no substantive new policy measures are foreseen. As such, we believe the action conforms to the principle of proportionality.

D. Initial assessment of impacts

(i) What are the significant impacts likely to result from each policy option (cf. list of impacts in the Impact Assessment Guidelines pages 32-37), even if these impacts would materialise only after subsequent Commission initiatives?

Option 1: Continue existing activities

- Higher education process continues as at present, with associated risks that momentum is reduced in the wake of the current economic difficulties and conflicting priorities at Member State level.

Option 2: New Communication

- The higher education modernisation process receives additional attention at Member State and stakeholder level (with variation expected between Member States)
- Reform is either maintained (ie not reduced) or accelerated in the Member States where the need for reform is greatest (variation between Member States expected).
- New initiatives are taken at Member State level to address some of the "newer" (less traditional) challenges identified in the Communication (such as the role of universities in providing flexible lifelong learning solutions to those who have already begun their professional career or the role of distance learning in reaching more marginalised groups; more attention is given to enhancing transparency in profiles and performance of higher education institutions; institutions give more attention to employability aspects when designing curricula).

(ii) Could the options have impacts on the EU-Budget (above 5 Mio €) and/or should the IA also serve as the ex-ante evaluation, required by the Financial Regulation?

The Communication will not have an impact on the EU budget.

(iii) Could the options have significant impacts on (i) simplification, (ii) administrative burden or on (iii) relations with third countries?

No

E. Planning of further impact assessment work

(i) When will the impact assessment work start?

It is not considered necessary to undertake an impact assessment for the proposed Communication. This assessment reflects that fact that:

- The new Communication would form part of an **ongoing EU policy agenda** on higher education reform, which has already been endorsed by the Member States, and constitutes an updating of the 2006 Communication
- The **objectives of the Communication** are to raise the profile of the higher education modernisation agenda, provide an overview of progress, and highlight new challenges and present examples of best practice. **No substantive new Community actions** will be proposed in the Communication.
- In light of the principle of **proportionate analysis**, an additional impact assessment would appear unnecessary.

(i) What information and data are already available? (ii) Will this impact assessment built on already existing impact assessment work or evaluations carried out? (iii) What further information needs to be gathered? (iv) How will this be done (e.g. internally or by an external contractor) and by when? (v) What type and level of analysis will be carried out (cf. principle of proportionate analysis)?

The results of a number of completed or ongoing EU-level studies will inform the Communication. Among the most important are:

- European Commission (2009) Report on Progress in Quality Assurance in Higher Education, COM(2009) 487 final
- CHEPS et al. (2010) The Bologna Process Independent Assessment: The first decade of working on the European Higher Education Area
- CHEPS et al. (2010) Progress in higher education reform across Europe: Governance Reform
- CHEPS et al. (2010) Progress in higher education reform across Europe: Funding Reform
- London School of Economics (forthcoming: February 2011) Feasibility study to examine the potential need for a Student Lending Facility at European Level
- U-Multirank Consortium (forthcoming: May 2011) Final Report of Multi-dimensional Global ranking of Universities feasibility project

Which stakeholders & experts have been/will be consulted, how and at what stage?

The development of the Communication text will entail consultation with representatives of relevant stakeholder organisations, including representatives of higher education institutions (including the European University Association), representatives of students, representatives of higher education staff and representatives of business and employers organisations.

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ROADMAP	
TITLE OF THE INITIATIVE	Modernisation of EU public procurement rules
TYPE OF INITIATIVE	X CWP • Non-CWP • Implementing act/Delegated act
LEAD DG	DG MARKT
EXPECTED DATE OF ADOPTION	Q3 2011
VERSION OF ROADMAP	No:1 Last modification: Month/Year: 08/2010

This indicative roadmap is provided for information purposes only and is subject to change. It does not prejudge the final decision of the Commission on whether this initiative will be pursued or on its final content and structure.

A. Context, problem definition
<p>(i) What is the political context of the initiative? (ii) How does it relate to past and possible future initiatives, and to other EU policies? (iii) What ex-post analysis of the existing policy has been carried out and what results are relevant for this initiative?</p>
<p>(i)</p> <p>Public procurers spend over €2,000 billion (17% of EU GDP) on supplies, works, and services every year. Especially in times of strained public finances, it is crucial to make sure that this money is used in the most cost-effective way, generating the least possible transaction costs and the best possible procurement outcomes, notably through effective EU-wide competition.</p> <p>At the same time, public purchasers are more and more called upon not only to save money but also to procure goods and services with higher "societal" value in terms of respect of the environment or improvement of social conditions and to find out innovative solutions better suited to new needs (so also the EU 2020 strategy).</p> <p>The future White paper will set out the specific challenges which public procurement policy faces today and explore possibilities to adapt the existing procurement rules (Directives 2004/17/EC and 2004/18/EC) in order to better respond to these challenges, and to make public procurement more efficient in achieving the above outlined policy objectives (greatest possible cost-efficiency and better supporting other policy objectives).</p>
<p>(ii)</p> <p><i>Relation to other policies</i></p> <p>The White paper will cover a wide range of EU policies (as far as public procurement is concerned), notably: SMEs, environmental and social policies and innovation.</p> <p><i>Relation to other initiatives</i></p> <p>When exploring if and how the current EU public procurement Directives would need to be changed, the White paper will take into account the results of the ongoing evaluation of the Directives, of the consultation of stakeholders in the context of the Green paper on how public procurement can underpin the EU2020 priorities and of the Green Paper on expanding the use of e-procurement.</p> <p>It will also integrate experiences from the work in the field of SME policy (notably the 2008 Commission staff working document "European Code of Best Practices facilitating SMEs' access to public procurement contracts") and various sector-specific initiatives on how to use public procurement in support of other policy objectives, including</p> <p>- legislative initiatives:</p> <ul style="list-style-type: none"> - EU Regulation 106/2008 (so called EU Energy Star Regulation) - Directive 2009/33/EC on promotion of clean and energy-efficient vehicles - Directive 2006/32/EC on energy end-use efficiency and energy services - Directive 2009/28/EC on the promotion of the use of energy from renewable sources

- and non legislative initiatives, e.g.:
 - the 2008 Commission Communication "Public Procurement for a Better Environment"
 - the 2007 Commission staff working document "Frequently asked questions concerning the application of public procurement rules to social services of general interest"
 - the handbook "Buying social – A Guide to Taking Account of Social Considerations in Public Procurement (to be published in 2010)"
 - the 2007 Commission's Communication "Contributing to Sustainable Development: The role of Fair Trade and nongovernmental trade-related sustainability assurance schemes"
 - in the field of innovation, the 2007 Guide on Dealing with Innovative Solutions in Public Procurement, the 2007 Commission Communication on "Pre-commercial procurement: Driving innovation to ensure sustainable high quality public services in Europe", the 2007 Commission Communication "A lead market initiative for Europe", and the public procurement aspects in the 2010 flagship initiative "Innovation Union"

(iii)

Ex-post evaluation of EU public procurement Directives currently ongoing, results expected for Q2 2011:

This evaluation will bring together a body of empirical evidence and practitioner experience relating to the application of current EU procurement legislation.

What are the main problems which this initiative will address?

1. Contracting authorities frequently voice the concern that public procurement procedures would be too costly, lengthy and complex. This would generate unnecessary administrative burdens for public authorities and undertakings (especially SMEs) and additional costs for European taxpayers.

This concern is in reality only one aspect of a much wider debate on the cost-effectiveness of the current public procurement rules and practices. As outlined above, the overall objective of these rules is to ensure efficient public spending, notably due to EU-wide open procurement markets. Of course, efficient procurement includes that as little time and money as possible is spent on coping with procedural administrative burdens.

However, optimizing public procurement cannot be limited to reducing costs of the procedure, but must also aim at improving procurement outcomes (making sure that the procedures deliver purchases of best value for taxpayers' money). Amongst other factors, the still low direct cross-border participation in public tender procedures may indicate that there is some untapped potential to improve procurement outcomes by further enhancing EU-wide competition for public contracts (with the potential effects of bigger choice and lower prices for public authorities).

Thus, the rules and practices in place must be screened in view of analyzing if and how they could be optimized to ensure the best possible procurement outcomes with the least possible transaction costs and administrative burdens. Any optimization at EU level will of course only be effective if it is transposed in the Member States so as to translate into more cost-effective procedures on the ground (avoiding gold-plating to the extent possible).

2. Responding efficiently to today's major challenges in terms of protection of the environment, social cohesion and fostering innovation requires that the best use is made of all levers at the disposal of public authorities. One of these levers can be the high amount of money spent by public procurers on a daily basis.

A number of stakeholders suggest that this potential could be better exploited. On the other hand, there is an ongoing debate if such "policy oriented procurement" is desirable, or if on the contrary a stronger "instrumentalisation" of public procurement to achieve other policy objectives would create disproportionate administrative burdens for public procurers and undertakings, prevent purchases at the best price and possibly disadvantage certain (smaller) undertakings.

Who will be affected by it?

Contracting authorities, procurement agencies, supervisors and public administrations, business (small, medium size and large), citizens as taxpayers and users of public services

(i) Is EU action justified on grounds of subsidiarity?

(ii) Why can Member States not achieve the objectives of the proposed action sufficiently by themselves? (Necessity Test)

(iii) Can the EU achieve the objectives better? (Test of EU Value Added)

Yes. The WP will explore the possibilities of modernising existing EU Directives 2004/17 and 2004/18 (cf. subsidiarity justification for these Directives). Coordination of public procurement rules at EU level is needed to ensure EU-wide transparency and non-discriminatory treatment of bidders, in order to create a level playing field for all European undertakings and avoid national fragmentation of procurement markets.

Exclusively national regulation of public procurement would lead to foreclosure of procurement markets; divergent national rules and practices would discourage (or even render impossible) cross-border participation in public tenders.

As for the use of public procurement in support of the EU2020 policy objectives, procurement rules and practices currently in place in the Member States diverge considerably. This has led to a fragmentation of procurement practices in this regard. Measures at EU level could help to overcome this fragmentation and create legal certainty for undertakings operating cross-border. At the same time, more EU-wide harmonisation of procurement practices in this field could make public procurement a more efficient instrument to achieve these policy objectives, compared to purely national action.

B. Objectives of the initiative

What are the main policy objectives?

Set out possible options for the modernisation of the EU public procurement legislative framework in line with the EU2020 goals, in view of

1. increasing efficiency and cost-effectiveness of public procurement notably by eliminating unproductive or excessive restrictions on contracting authorities ;
2. better taking into account the policy objectives set out in the EU2020 Strategy (such as combating climate change, protecting the environment, preventing social exclusion and fostering innovation) in public procurement.

Do the objectives imply developing EU policy in new areas?

No.

C. Options

- (i) What are the policy options being considered?
- (ii) What legislative or 'soft law' instruments could be considered?
- (iii) How do the options respect the proportionality principle?

A. No policy change

B. Modernisation of EU public procurement policy in order to better achieve the above outlined policy objectives of

1. more efficient public procurement
2. better using public procurement in support of other EU2020 policy objectives

In some cases, these two objectives may be conflicting, as the pursuit of other policy objectives through public procurement may require imposing additional requirements on contracting authorities and economic operators, and may also entail that purchasers will be encouraged/obliged not to pursue primarily the objective of savings in the pure economic sense. The trade-offs between these two objectives and the best ways to reconcile them will have to be determined carefully.

The detailed options (including the choice of the adequate instrument, and their assessment with regard to the proportionality principle) to achieve these objectives can only be determined on the basis of the results of the currently ongoing large ex-post evaluation of the EU public procurement Directives and of the public consultation via the Green paper on how public procurement can underpin the EU2020 policy objectives.

Policy options will notably need to be developed for the following issues/questions:

1. More efficient procurement

Density of rules (more or fewer rules at EU level)

Legal instrument (coordination Directives/ harmonisation Directives/ Regulation, use of secondary legislation/comitology, use of soft-law, guidance and interpretation documents)

Scope of application of the EU public procurement Directives
Exemptions

Clarification of application of public procurement rules to cooperation between public authorities
Thresholds

"A and B services":

Currently, certain services (e.g., social and health services, hotel services, water transport) are only subject to a very "light" procurement regime (only few provisions of the Directives apply to the award of service contracts for such services). Is this light regime for certain services (and the types of services falling under this light regime) still justified?

Procedures

Types of procedures (open/restricted/negotiated/other?) and conditions for choice of the type of procedure

Changes to the current procedures in order to make them more efficient

Possible differentiation of procedures for different types of contracts or contracts of different values

Possible "de minimis" exemption for certain very small contracts (e.g. some types of small social SIEG)?

Requirements linked to the choice of the contractor / rules for exclusion of bidders, selection and award / administrative burden reduction with regard to evidence (certificates) for the fulfilment of selection criteria

More thorough development of rules and responsibilities of central purchasing bodies and other collective procurement mechanisms in recognition of the trend towards centralisation of purchasing and aggregation.

Instruments for preventing corruption/ conflicts of interest

Subcontracting

Better access of SMEs to public contracts

Creation/improvement of instruments/ mechanism to facilitate cross-border participation in public tenders:

European prequalification systems/better mutual recognition of certificates/ evidence for selection criteria

Rules/instruments to overcome natural barriers (e.g. language: publication of tender documents in a second language/ translation of tender documents/ acceptance of offers in foreign languages?)

Clarification/improvement of methods/instruments/rules for cross-border joint procurement

More explicit treatment of questions linked to the organisation of electronic procurement procedures, introduction of regulatory incentives to use e-procurement, or permissions for Member States to require use of e-procurement under certain circumstances.

2. Better use of public procurement in support of EU 2020 policy objectives

Impose requirements for an enhanced use of public procurement in support of other policy objectives? If yes:

What kind of requirements: e.g. mandatory targets/ quotas of green, social, innovative products and services or certain considerations to be taken into account in the procurement procedures (e.g. taking into account life-cycle costs when evaluating prices)?

At what level (EU/ Member States) and in which type of legislation (sectoral legislation or general public procurement rules)?

Maintain the rule that all requirements must be linked to the subject matter of the contract (i.e. the product or service to be purchased or the execution of the contract), or abandon/attenuate this principle? In the latter case, how, and what safeguards would be needed to ensure fair competition?

Need of specific procedures for policy-oriented procurement (e.g., specific procedures for procurement of innovative products or services, with strong protection of intellectual property rights and know-how of bidders)?

How can the compliance with policy related requirements be verified, especially if these requirements relate to situations in the supply chain (e.g., no involvement of child labour in the production of any of the components of a final product, even if imported from third countries) - question of labels/ certificates, and possible problem of discrimination if certain labels are accepted as automatic/exclusive guarantees for the fulfilment of such requirements.

Need for specific rules for services of general economic interest?

D. Initial assessment of impacts

What are the benefits and costs of each of the policy options?

A. The benefits of the option "no policy change" would be that national legislation and procurement practice would not need to be adapted to new standards at EU level. However, the existing concerns (perceived high administrative burdens, little direct cross-border trade and a limited and disparate use of public procurement in support of other EU2020 policy objectives) would persist.

B. In case of policy changes to modernise EU public procurement policy, the impacts of the various options will have to be assessed on the basis of the results of the currently ongoing ex-post evaluation of the EU public procurement Directives and the results of the public consultation on how public procurement can underpin the EU2020 policy objectives (Green paper).

In general, the following considerations will be relevant when assessing the costs and benefits of future policy options:

1. Measures aiming at simplifying procurement procedures, while possibly reducing transaction costs for public authorities and undertakings, in particular SMEs, bear the risk of cutting back on procedural safeguards to ensure transparency and non-discrimination and may result in less competition and hence economically less advantageous procurement outcomes. For each of the issues highlighted above, the right balance has to be found between minimizing procedural burdens and at the same time maximizing stimulus and safeguards for efficient cross-border competition and optimal procurement outcomes.

2. Likewise, policy options related to the objective of better using public procurement in support of the EU2020 policy objectives will also have to be assessed under a double angle: On the one hand, their efficiency to ensure the achievement of these policy objectives, but on the other hand, the possible negative impact on the cost-effectiveness of the procedures in the above sense and the possible risks for undistorted and open competition.

For instance, the introduction of far reaching obligations on contracting authorities to buy green or innovative products or services or to take into account social considerations in their procurement decisions may be a very effective tool to achieve the overall political aim of protection of the environment, fostering innovation or combating social exclusion. On the other hand, the introduction of such obligations it is likely to create administrative burdens in the procurement process and might also have an impact on the prices paid by public authorities for the products and services purchased.

For each of the options to be considered, these trade-offs will have to be carefully weighted against each other in order to strike the right balance.

Could any or all of the options have significant impacts on (i) simplification, (ii) administrative burden and (iii) on relations with other countries, (iv) implementation arrangements? And (v) could any be difficult to transpose for certain Member States?

Issue of simplification/ administrative burdens addressed above.

No impacts on relations with other countries/ implementation agreements identifiable at this stage (only options ensuring compliance with EU international commitments to be considered).

Possible problems to transpose for certain Member States will have to be examined/ identified at a later stage in the process.

(i) Will an IA be carried out for this initiative and/or possible follow-up initiatives? (ii) When will the IA work start? (iii) When will you set up the IA Steering Group and how often will it meet? (iv) What DGs will be invited?

Yes (IA for the White Paper as well as for any possible legislative proposal following the WP).

IA for the White paper to start in Q4 2010. The preparation of the impact assessment will have to take place in parallel with the preparation/finalisation of the evaluation.

Steering group calendar and DGs to be invited. An inter-service steering group has been created to support the preparation of the ex-post evaluation comprising a number of services (SG, REGIO, BUDG, TRADE, ECFIN, ENER, MOVE, ENV, RTD). This steering committee could be used for the impact assessment.

The work of the steering group will take place during the period December 2010-June 2011. This could involve 3-4 meetings to discuss evolving analysis and IA report.

(i) Is any of options likely to have impacts on the EU budget above €5m?

(ii) If so, will this IA serve also as an ex-ante evaluation, as required by the Financial regulation? If not, provide information about the timing of the ex-ante evaluation.

No.

E. Evidence base, planning of further work and consultation

- (i) What information and data are already available? Will existing impact assessment and evaluation work be used?
- (ii) What further information needs to be gathered, how will this be done (e.g. internally or by an external contractor), and by when?
- (iii) What is the timing for the procurement process & the contract for any external contracts that you are planning (e.g. for analytical studies, information gathering, etc.)?
- (iv) Is any particular communication or information activity foreseen? If so, what, and by when?

Green paper on how public procurement can underpin the EU2020 priorities to be adopted in October 2010 – results of the public consultation should be available by end of the year

Evaluation of EU public procurement Directives ongoing, results expected for Q2 2011

The comprehensive ex post evaluation of EU public procurement Directives will generate a body of material relating to the impact and effectiveness of current rules. This evaluation will provide a solid body of material for assessing the extent to which existing rules have achieved their objectives, identify shortfalls and factors that contribute to observed outcomes. This will help to identify aspects of the existing framework that may call for further attention. It will also help to identify the consequences and opportunity costs associated with the status quo.

Consequently, the evaluation will be the principal source of information for the impact assessment.

The impact assessment will also include structured qualitative analysis of the advantages and disadvantages of the main options presented above, including impacts for key stakeholders and on realisation of other policy objectives.

More detailed assessment of the potential impacts of preferred options will be undertaken prior to and along with preparation of those measures.

Which stakeholders & experts have been or will be consulted, how, and at what stage?

Green paper on how public procurement can underpin the EU2020 priorities to be adopted in October 2010 – open internet consultation of all interested parties planned for October-November 2010.

Responses to the Green Paper on e-procurement will help to inform analysis of possible options relating to integration of ICT communications in the EU legislative framework.

Many of the studies being undertaken in the context of the ex-post evaluation involve practitioner surveys (purchasing bodies and suppliers) which will provide a detailed insight into stakeholder views on aspects of the existing framework.

Reactions to the ex-post evaluation could be gathered through a consultation process following the publication of the evaluation (including possible Commission conference).

Consultation and discussions with Member States through the Advisory Committee on Public Contracts.