

EU LOBBYING NEWS | 2. QUARTER 2007

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- how overall effects on the land use should be monitored, whereby especially an increase of the total amount of land devoted to forestry and crop production is seen to be an indirect result of increased demand for biofuels

- how a second-generation biofuel should be encouraged and what types of criteria will be needed to define "second-generation biofuels"

- what further action will be needed to achieve a 10% biofuel share, whereby the blending of ordinary fuel with biofuels is taken into consideration.

The European Commission is now drafting proposals to incorporate these targets in legislation. The Consultation is directed to stakeholders who are connected with the roadmap's proposals. Those stakeholders should show their view about the foregoing questions immediately.

European Strategic Energy Technology Plan (SET-Plan)

The European Commission intends to accelerate the market introduction and take up of low-carbon and efficient energy technologies. The EU increasingly is dependent on energy imports. The dependency to few energy suppliers makes the EU more vulnerable in a feasible international crisis. The use of low-carbon energy opens the opportunity to lower the dependency on the unstable energy markets which currently exist. To reach this target, the use of existing energy-efficient technologies like low-energy bulbs, solar panels, hybrid cars and insulation is intended to be increased. Alongside the European Commission sees the necessity to develop new energy-efficient technologies. The boosting investment in energy efficiency, new technologies and renewable energy therefore will hold on. Research and development will be broadly influenced by the EU target and have the opportunity to spread their market position. The potential of the intended investments is heavy because of the superior interest of the EU on environmental security, sustainability and fighting the climate change.

Energy companies and other stakeholders should

comment on the future EU energy policy and possible ways of successful approach in the legislation process, now having the opportunity to influence the process in a very early phase of its preparation.



Guidelines on non-horizontal mergers

The European Commission launched a public consultation until 12 May 2007 on draft Commission Guidelines on the assessment of non-horizontal mergers on the control of concentrations between companies. The guidelines will focus on the impact of non-horizontal mergers onto competition.

Non-horizontal mergers are mergers, which intend to increase a company's activities by merging with a company active in a separate but related market to broaden the variety of the company's market power (conglomerate) or with a company active on another step of the supply-chain (vertical merger), such as the acquisition of a supplier by a customer.

The background is the European Commission's fear that the increase of non-horizontal mergers could lead to risks to market shares and concentration thresholds. Hereby it is feared that customers could be deprived of effective competition benefits by significantly increased market power of certain firms.

The draft guidelines are intended to provide guidance to companies envisaging a vertical or conglomerate merger and should contribute to further predictability of the European Commission's assessment under the EU Merger Regulation.

All stakeholders which have not commented on this issue so far should do so in the further legislative process.

Renewable Energy Roadmap

The European Commission made proposals for a new Energy Policy for Europe. These include a renewable energy roadmap. The roadmap is proposing:

- a binding 20% target for the overall share of renewable energy in 2020, the effort to be shared in an appropriate way between the EU Member States
- a binding 10% target for the share of biofuels in petrol and diesel in each EU Member State in 2020, to be accompanied by the introduction of a sustainability scheme for biofuels.

The aim is certainly to minimise environmental risks. However, this is not intended to raise a barrier to trade. To reach this balance the legislation is also supposed to deal with the questions of:

- how a biofuel sustainability system should be designed while taking into account the reduction of greenhouse gases and the increase of the environmental security

Green Paper on consumer rights

With a new Green Paper, the European Commission launched a review of the so-called Consumer Acquis. This review covers eight directives aiming at protecting consumers. The aim of the review is to achieve a consumer internal market striking the balance between a high level of consumer protection and the competitiveness of enterprises.



The essential rights of the consumers in the EU are intended to be fully assimilated. The goal of the initiative is, that wherever you are in the EU or wherever you buy from it makes no difference: your essential rights are the same. Further, compliance costs of businesses should thereby be decreased by a more predictable regulatory environment.

In this review, the rapidly evolving markets shall be taken into account better in the face of the growing importance of digital technology and services. Further, issues that have been left open or suffer disparity because of the conception of minimum harmonization shall be ruled more stringently.

Stakeholders should get into the legislative process as soon as possible.

EU strategy on tourism policy

The European Commission has launched a consultation on EU tourism. The main aim of the consultation is to increase the sustainability of European tourism linked to the coverage of the tourism quality and competitiveness.

The questionnaire asks stakeholders for their opinion on the proposals and the recommendation contained in the Tourism Sustainability Group (TSE) report and on possible new initiatives at EU level which could usefully complement EU Member States' tourism initiatives. The respective TSE report deals with encouraging joint action between the public and the private sectors. Some of the criteria are:

- taking all the various impacts of tourism into account by balancing the tourism activities and social and environmental issues
- planning for the long term to take care of the belongings of future generations

- achieving an appropriate pace and rhythm of development to gain long-dated success respecting the belongings of the host communities and destinations

- involving all stakeholders to have a wide-spreading view to take into account for decision making and implementation

- undertaking continuous monitoring to guarantee the sustainability of European tourism by understanding impacts and being alert to them all time.

Stakeholders should comment on the challenges of reducing the seasonality of demand, addressing the impact of tourism transport, minimising resource use and produce of waste and using tourism as a tool in global sustainable development.

Hazardous substances in electrical and electronic equipment

The European Commission intends a review of the Directive on the restriction on the use of hazardous substances in electrical and electronic equipment. The review will investigate hazardous substances and how they are used in electrical or electronic equipment and how they are managed currently. Further there will be an exploration for substitutes to these hazardous substances.

New scientific evidence and the adaption of the list of restricted substances shall be taken into account. The administrative effort is intended to be reduced, whilst the environmental benefit and cost efficiency shall be increased.

Possible topics of the review are:

- inclusion of medical devices and monitoring and control instruments

- the impact on the environment and on human health of other hazardous substances and materials used in electrical and electronic equipment. Those hazardous substances are intended to be replaced by harmless substances and materials.

Since the European Commission will consider options for amendments and stakeholders' experiences and knowledge with potential hazardous substances shall be taken into account, stakeholders have the opportunity to influence the Directive accordingly. They should therefore act as soon as possible.

Internet for children

The European Commission has launched a public consultation to identify the most effective ways of making the online environment and communication technologies safe for users, in particular children.

An increasing number of children use the Internet for various purposes: finding information for school work, read news, searching for information about hobbies/interests, playing games, participating in competitions and quizzes, downloading, listening and watching music and films, communicating with friends and getting new friends through own home pages, social networking sites, chats, instant messaging services, e-mail and mobile phones. The risks children are exposed to are obvious. Protecting children online means taking into consideration the fact that children themselves are users of the technologies and therefore might be exposed to both potentially harmful content and conduct, such as bullying, harassment and online grooming for sexual abuse.

The European Commission gave out a questionnaire about how to decrease the risks. It is split into three parts:

- fighting illegal content
- fighting harmful content
- user-generated content and online communication

Stakeholders such as Internet providers, search engines etc. should comment on the questionnaire in time to cover their interests.

Excise duties on tobacco products

The European Commission has launched a consultation on the excise duties structure and tax rates applied on cigarettes and other manufactured tobacco. The purpose of the consultation is to obtain feedback on excise problems in these areas and on options for changing the existing provisions in the Tobacco Excise Directives.

Although excise duty is primarily an instrument for generating revenue at national EU Member States level, policy-making in this area has to take the wider objectives of the EU into account. Given the characteristics of manufactured tobacco products, the consultation pays particular attention to health policy considerations, on the prevention of smoking and on initiatives to improve tobacco control and of the Framework Convention on Tobacco Control, negotiated under the auspices of the World Health Organisation. Additionally, priority is given to questions of simplification and transparency of the structure of excise duties on tobacco as well as the options to bring the structure of excise duties for fine-cut smoking tobacco into line with the structure of excise duties for cigarettes.

Cigarette companies and other businesses involved in the manufacturing and distribution of tobacco products should comment on the subject now.

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