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Main results of the Council

*Ministers held a policy debate on the main actions in support of European **small and medium-sized enterprises** (SMEs). They took stock of developments since the establishment of the Small Business Act, which set out actions to respond to challenges resulting from the economic crisis, and examined ways to further improve their growth capacities.*

*Ministers also exchanged views on the framework conditions for a competitive **industry** in Europe, including competitive aspects of other EU policies such as energy, climate, research and trade policies. The outcome of the debate forms the basis for the preparation of Council conclusions to be adopted at the December Competitiveness Council. Moreover, the debate focused on a number of strategic industrial sectors, in particular the **defence industry**, following the action plan proposed by the Commission in July ahead of the December European Council.*

*The recent action plan in support of the **steel industry** also received due consideration.*

*The Council held a policy debate on the state of the Innovation Union strategy and on the steps forward towards the completion of a common **European Research Area**.*

*In this context, the Council took note of a presentation on a new generation of **public and private partnerships** that will implement major elements of the Innovation Union and other relevant EU strategies to stimulate the creation of growth and jobs. These partnerships will allow large-scale and long-term innovation activities to be carried out under the umbrella of "**Horizon 2020**", the EU's next research framework programme.*

- It is proposed that five private-public partnerships be set up or further developed as Joint Technology Initiatives in the fields of bio-based industries, aeronautics, electronics, fuel cells and hydrogen and innovative medicines.*
- It is proposed that four public-public partnerships be further developed on research programmes jointly undertaken by member states with the participation of the Union in the areas of active and assisted living, clinical trials in African countries, metrology and research-performing SMEs.*

*Without discussion, the Council adopted an update of the **Union Customs Code**.*

CONTENTS¹

PARTICIPANTS	5
---------------------------	----------

ITEMS DEBATED

INTERNAL MARKET and INDUSTRY	7
------------------------------------	---

Supporting SME competitiveness	7
--------------------------------------	---

Framework conditions for a competitive industry	8
---	---

– Defence industry	9
--------------------------	---

– Steel industry	10
------------------------	----

RESEARCH and INNOVATION	11
-------------------------------	----

State of the Innovation Union and European Research Area	11
--	----

Private and public partnerships for research and innovations	12
--	----

OTHER BUSINESS	14
----------------------	----

Tobacco products	14
------------------------	----

State aid: General block exemption regulation	14
---	----

Earth monitoring space programme "Copernicus" for 2014-2020	14
---	----

OTHER ITEMS APPROVED*CUSTOMS UNION*

– Flat panel displays	15
-----------------------------	----

– Update of the Union Customs Code	15
--	----

¹

- Where declarations, conclusions or resolutions have been formally adopted by the Council, this is indicated in the heading for the item concerned and the text is placed between quotation marks.
- Documents for which references are given in the text are available on the Council's Internet site (<http://www.consilium.europa.eu>).
- Acts adopted with statements for the Council minutes which may be released to the public are indicated by an asterisk; these statements are available on the Council's Internet site or may be obtained from the Press Office.

ECONOMIC AND FINANCIAL AFFAIRS

- Bank of Spain – External auditor 16

FOREIGN AFFAIRS

- Republic of Fiji - appropriate measures..... 16
- Republic of Moldova - restrictive measures 16

TRADE POLICY

- Association agreement with Central America - Costa Rica and El Salvador 16

TRANSPARENCY

- Public access to documents 16

JUSTICE AND HOME AFFAIRS

- UN High-Level Dialogue on Migration and Development 17
- Agenda on Migration and Mobility EU-Nigeria..... 17
- Mobility Partnership EU-Azerbaijan..... 18

FOOD LAW

- Breakfast directives - Commission implementing powers 18

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ITEMS DEBATED

INTERNAL MARKET and INDUSTRY

Supporting SME competitiveness

Ministers held a policy debate on the main actions in support of European small and medium-sized enterprises (SMEs). They took stock of developments since the establishment of the Small Business Act.

A number of key concrete and priority actions were addressed with a view to reinforcing the growth potential of small companies, such as the creation of a business-friendly environment in the digital and services single market, the simplification of the regulatory framework for innovative firms and better enforcement of the Small Business Act.

The outcome of the debate will provide input for the preparation of the European Council summit on 24 and 25 October.

During the debate many delegations mentioned access to finance as one of the most pressing difficulties that SMEs are facing, and the need to explore and use alternative sources to facilitate greater provision of SME financing, such as capital-risk markets and EU funding instruments.

All delegations agreed on the important role played by the services single market in the development of SMEs, but many regretted that the possibilities offered are not yet fully used and called for the elimination of the unnecessary hurdles that are hampering cross-border transactions between member states. This challenge was particularly highlighted in relation to online operations in the context of the development of a digital single market.

A number of measures of paramount importance were outlined in order to take advantage of the digital economy for creating new business models, stimulating start-ups and encouraging innovation. Pushing on with the digital agenda would mean rapid progress in certain areas such as the e-commerce, e-authentication and e-invoicing initiatives, interoperability, secure electronic payment systems, data protection, intellectual property rights, creation and extension of appropriate infrastructures, etc.

There was a general consensus on the idea that simplification of administrative practises and the reduction of regulatory burden, linked to the use of "smart" regulation initiatives, could also promote a favourable environment for EU companies and reduce costs for companies.

Many ministers also asked for a more systematic application of the "Think Small First" principle, which is embedded in the Small Business Act.

The development of a modern public administration responsive to the needs of small businesses was also considered to be a fundamental way of helping SMEs.

Finally, ministers agreed to improve the monitoring of SME-related policies through the network of SME envoys¹ in the member states, including by inviting them to report to the Competitiveness Council.

The Small Business Act (SBA) was launched by the European Commission and endorsed by the European Council in 2008². It contains a set of common principles in ten different areas to make policies more SME-friendly and puts in place a comprehensive policy framework for the EU and its member states. At the heart of the SBA is the objective to achieve the best possible conditions for SMEs based on the application of the “Think Small First” principle.

The review of the SBA in 2011 highlighted four priority areas in order to respond to challenges resulting from the economic crisis, and to further improve growth capacity: access to finance, access to markets, smart regulation/cutting red tape and entrepreneurship.

Framework conditions for a competitive industry

Ministers exchanged views on the current framework conditions and outlook for **European industry** in connection with competitiveness aspects of other EU policies such as energy, climate, research and trade policies.

The debate also focused on some strategic industrial sectors, in particular the **defence industry**. The recent action plan in support of the **steel industry** ([10900/13](#)) also received due consideration.

The outcome of the debate, together with contributions from the Commission, will lay the foundations for Council conclusions to be adopted at the December Competitiveness Council. These conclusions are expected to put forward recommendations on a broad range of issues affecting industrial competitiveness.

On the basis of a Presidency note ([13593/13](#)), ministers stressed a number of priority actions that could significantly improve the current framework conditions and facilitate industrial cooperation between member states, notably in the fields of access to markets (both internal and third country markets), standardisations and interoperability, innovation, skills and human capital, access to finance, energy markets, and access to raw materials.

¹ <http://ec.europa.eu/enterprise/policies/sme/small-business-act/sme-envoy/>

² [Small Business Act for Europe](#)

It was considered important that a broad approach should be taken to promoting EU industrial policy, including when discussing measures in other policy areas that have an effect on our industry.

They stressed that industrial competitiveness is a sound component of EU policies (e.g. targets, policy options, etc.) and of future international negotiations on these subjects.

Last December, the Council adopted conclusions on an update to industrial policy and its contribution to growth and economic recovery ([17566/12](#)). The conclusions emphasised four pillars: stimulating investment in innovative and new technologies; allowing EU companies to derive maximum benefit from the internal market and international markets; improving access to finance; and increasing investment in people and skills.

In this regard, the Council underlined the importance of speeding up actions in strategic sectors with strong potential for underpinning competitiveness and job creation, as well as facilitating the transition to a low-carbon and resource-efficient economy.

– ***Defence industry***

The Council held a debate on an action plan for a more competitive and efficient defence and security sector, proposed by the Commission on 24 July ([12773/13](#)).

The outcome of the debate will feed into preparations for the thematic European Council on common defence policy scheduled for 19-20 December.

The debate was steered on the basis of a Presidency note ([13458/13](#)).

The new action plan sets out a wide range of measures designed to promote the competitiveness and efficiency of the sector.

Many delegations highlighted a number of key measures for strengthening the competitiveness of Europe's defence sector, including:

- strengthening the internal market by tackling market distortions and improving security of supply;
- promoting common standardisation and certification; and
- exploiting civil / military synergies, especially in research, to support the development of more dual-use products and capabilities.

– *Steel industry*

Ministers welcomed the action plan drawn up by the Commission in support of the steel industry in Europe ([10900/13](#)).

The steel action plan, which was presented last June, has been established in consultation with the industry, trade unions and stakeholders.

It puts forward a wide range of measures in the short, medium and long term in order to overcome the current difficulties of the sector and to help consolidate and develop its competitiveness.

Several areas of particular importance for the competitiveness of the steel sector have been identified for action, including international competition (including protectionism and unfair trade practices), access to raw materials, administrative burdens, implementation of EU climate policy, energy costs, skills shortages, production capacities, research and innovation and demand-side measures.

Within twelve months, the Commission will assess how the implementation of the action plan has had an impact on the competitiveness of the steel industry.

The EU is currently the second largest producer of steel in the world.

RESEARCH and INNOVATION

State of the Innovation Union and European Research Area

The Council held a policy debate on the state of the Innovation Union strategy and on progress towards the completion of a common European Research Area.

The outcome of the debate will provide input for the preparation of the European Council summit on 24 and 25 October.

The Council also took note of three relevant reports presented by the Commission:

- The communication "State of the Innovation Union 2012 - Accelerating change"¹, which gives an overview of the state of implementation of the Innovation Union flagship initiative and outlines the progress made towards increasing competitiveness through innovation and the creation of further favourable employment opportunities. In addition, the report emphasises preparations towards the future EU research and innovation programme "Horizon 2020"², which covers the entire value creation chain, placing greater emphasis on innovation.
- The first progress report on the European Research Area (ERA) ([13812/13](#)), which includes the level of progress in the five ERA priority areas: more effective national research systems; optimal transnational cooperation and competition; an open labour market for researchers; gender equality and gender mainstreaming in research; and optimal circulation, access to and transfer of scientific knowledge.
- The communication on "Measuring innovation output in Europe: towards a new indicator" ([13759/13](#)), which proposes a new tool for policy-making through the use of an indicator to measure innovation output performance. The indicator is intended to assess how the various strengths and weaknesses of member states and the EU determine their overall performance. The innovation indicator is built on four components: technological innovation, measured by patents; how the highly skilled labour force feeds into the economic structure of a country; trade in knowledge-intensive goods and services; and the contribution to job creation of fast-growing firms.

All delegations welcomed the three reports and broadly endorsed the approaches and next steps contained in the ERA report.

¹ http://ec.europa.eu/research/state_of_the_innovation_union_report_2012.pdf

² http://ec.europa.eu/research/horizon2020/index_en.cfm

During the debate, which was conducted on the basis of a Presidency note ([13471/13](#)), Ministers also referred to a number of essential elements of the European Research Area that will promote research and innovation with the ultimate goal of generating economic growth and allowing the creation of new jobs, including:

- Better and increased use of public administration tools to foster innovation, particularly through public procurement procedures;
- Closer and deeper collaboration between industry and universities and higher education institutes;
- Promotion in the national educational systems of specialised skills for young people in order to fill the gap in labour-market demand;
- More targeted funding of future-orientated projects, while also bearing in mind transformation into commercial solutions;
- Better circulation of data and results of research projects that could have multiplier effects;
- The stepping up of coordination of national research programmes.

All delegations considered the new innovation indicator to be a very useful tool based on relevant components; however, many suggested using it in conjunction with other parameters and indicators to better capture the impact of research projects in the real economy.

Finally, many delegations highlighted the huge potential of private and public innovation partnerships in the configuration of the ERA, as they are called upon to address some of the big upcoming common societal challenges.

Private and public partnerships for research and innovation

During a public session, the Council took note of a presentation by the Commission on a new generation of public and private partnerships that will implement major elements of the Innovation Union and other relevant EU strategies to stimulate the creation of growth and jobs.

These partnerships will make it possible to carry out large-scale and long-term innovation activities under the umbrella of Horizon 2020, the EU's next research and innovation framework programme.

It is proposed that five private-public partnerships be set up or further developed as Joint Technology Initiatives (JTIs) in the fields of:

- bio-based industries, to develop new and competitive bio-based value chains that replace the need for fossil fuels and have a strong impact on rural development ([12355/13](#));
- aeronautics ("Clean Sky 2"), to reduce the environmental impact of the next generation of aircraft ([12347/13](#)),
- electronics, to keep Europe at the forefront of electronic components and systems and bridge the gap to exploitation more quickly ([12375/13](#));
- fuel cells and hydrogen, to develop commercially viable, clean solutions that use hydrogen as an energy carrier and fuel cells as energy converters ([12378/13](#)); and
- innovative medicines ("IMI 2"), to improve European citizens' health and wellbeing by providing new and more effective diagnostics and treatments such as new antimicrobial treatments ([12370/13](#)).

The Commission communication "Public-private partnerships in Horizon 2020: a powerful tool to deliver on innovation and growth in Europe" ([12344/13](#)), states that these five JTIs are expected to mobilise a total investment of over EUR 17 billion, of which the EU budget contribution will be up to EUR 6.4 billion.

It is proposed that four public-public partnerships be further developed with research programmes jointly undertaken by member states with the participation of the Union in the areas of:

- active and assisted living, to improve the quality of life for the elderly and the availability of technology-based products and services ([12367/13](#));
- clinical trials in African countries, to contribute to the reduction of the social and economic burden of poverty-related diseases ([12369/13](#));
- metrology, to provide fit-for-purpose metrology solutions as well as measurement technologies addressing societal challenges such as energy, environment and health ([12372/13](#)); and
- research and development-performing SMEs ("Eurostars-2" programme), to stimulate the competitiveness of innovative SMEs ([12336/13](#)).

The Commission called upon the European Parliament and the Council to conclude the necessary legislative decisions to launch these partnerships at the start of Horizon 2020.

OTHER BUSINESS

Tobacco products

The Council took note of information from the Polish delegation ([13795/13](#)) concerning the draft directive on the manufacture, presentation and sale of tobacco and related products ([18068/12](#)).

The Polish delegation drew attention to the competitiveness aspects of the proposals and potential consequences for economic operators.

On 21 June, EU ministers for health agreed on a general approach for the draft directive ([11388/13](#)). The European Parliament is expected to vote at an upcoming plenary session.

State aid: General block exemption regulation

The Council took note of information from the Czech delegation ([13809/13](#)) concerning preparations to update the "General block exemption regulation" on state aid measures, which enables the Commission to declare certain categories of state aid compatible with internal market aid.

Several delegations recalled the opportunity to improve the system of state aid that was offered while carrying out the general reform.

The review of the regulation is part of the wider reform for the modernisation of state aid rules launched in 2012. It aims to ensure that member states and stakeholders have a clear set of rules as of 2014 as a reference point for the development of their policies and aid interventions.

Earth monitoring space programme "Copernicus" for 2014-2020

The Council took note of the information given by the Commission on the proposal for the funding and operation of the European Earth Monitoring Programme "Copernicus" for the period 2014 to 2020.

The proposal for the establishment of Copernicus ([10275/1/13](#)), which is the new name of the European Commission's Earth Observation Programme, previously known as GMES (Global Monitoring for Environment and Security), is currently under examination.

The Commission urged the member states to step up efforts, together with the European Parliament, so that the programme can be adopted as soon as possible and start running as from 2014.

OTHER ITEMS APPROVED

CUSTOMS UNION

Flat panel displays

The Council amended regulation 2658/87 on the Tariff and Statistical Nomenclature and on the Common Customs Tariff with a view to providing, on an autonomous basis, duty-free treatment for flat panel displays which are able to display signals from automatic data-processing (ADP) machines with an acceptable level of functionality ([13418/13](#) and [13861/13 ADD1](#)).

Update of the Union Customs Code

The Council adopted a recast version of the Union Customs Code in order to update the current Customs Code laid down under regulation 450/2008 ([PE-CONS 36/13](#) and [13770/13 ADD1 REV2](#)).

Most of the provisions of the current regulation have been affected by changes, either due to the need to align provisions with the Lisbon Treaty, which entered into force on 1 December 2009, or because of the evolution of relevant EU and international legislation.

The new code will provide more legal certainty to businesses and national customs administrations. Furthermore, it will promote the use of electronic procedures and a more uniform application of legislation during customs control at the EU's external borders, thus contributing to efficient and simple clearance procedures that will facilitate trade and reduce costs for businesses.

The European Parliament voted its approval of the new Union Customs Code on 11 September.

The Union is based upon a customs union. The code assembles current customs legislation in the interests both of economic operators and of the customs authorities in the Union. Based on the concept of an internal market, the code contains general rules and procedures which ensure the implementation of tariff and other common policy measures introduced at Union level in connection with trade in goods between the Union and countries or territories outside the customs territory of the Union.

ECONOMIC AND FINANCIAL AFFAIRS

Bank of Spain – External auditor

The Council adopted a decision approving the appointment of KPMG Auditors as external auditor of the Bank of Spain for the financial years 2013 to 2017.

FOREIGN AFFAIRS

Republic of Fiji - appropriate measures

The Council extended the EU's appropriate measures for the Republic of Fiji, which have been in place since October 2007 as a consequence of a military coup in 2006, until 31 March 2015. At the same time, the Council amended the measures and invited the government of Fiji to engage in an enhanced political dialogue under Article 8 of the ACP-EU Partnership Agreement.

Republic of Moldova - restrictive measures

The Council extended the EU restrictive measures against the leadership of the Transnistrian region of the Republic of Moldova until 30 September 2014.

TRADE POLICY

Association agreement with Central America - Costa Rica and El Salvador

The Council decided to send notifications to Costa Rica and El Salvador by the end of September, setting a start date of 1 October 2013 for the provisional application of the EU-Central America association agreement for the two countries.

This follows the EU's assessment that the two countries have fulfilled the requirements for provisional application.

TRANSPARENCY

Public access to documents

On 26 September 2013, the Council approved the reply to confirmatory application No 17/c/01/13 made by Ms Berthier, with the Estonian, Finnish and Swedish delegations voting against as reflected in 13113/13.

JUSTICE AND HOME AFFAIRS

UN High-Level Dialogue on Migration and Development

- (a) The Council endorsed the statement on the 2013 UN High-Level Dialogue on Migration and Development (HLD) and on broadening the development-migration nexus, which is based on recent Council conclusions on this subject ([12415/13](#)). The statement will be delivered by the Commission, with the exception of the paragraph related to labour mobility, which will be delivered by the Presidency.

The first edition of the High-Level Dialogue on Migration and Development took place in September 2006 and this second one will take place in New York on 3 and 4 October, during the 68th session of the UN General Assembly.

The purpose of the HLD is to identify concrete measures to strengthen coherence and cooperation at all levels, with a view to enhancing the benefits of international migration for migrants and countries alike and its important links to development, while reducing its negative implications.

- (b) **Joint declaration of the European Union and the ACP countries**

The Council endorsed the joint declaration of the European Union and the African, Caribbean and Pacific countries (ACP) on the High-Level Dialogue on International Migration and Development, with a view to the UN High-Level Meeting in New York.

Agenda on Migration and Mobility EU-Nigeria

The Council endorsed the joint declaration on a Common Agenda on Migration and Mobility between the Republic of Nigeria and the European Union and its member states. The Common Agenda is the new framework which the EU and its member states may use along the already existing ones, in particular the Mobility Partnerships, to develop cooperation in the area of migration with relevant partner countries

See also: Commission communication: "Global Approach to Migration and Mobility" ([17254/11](#))

Mobility Partnership EU-Azerbaijan

The Council endorsed the joint declaration on a Mobility Partnership between the European Union and the Republic of Azerbaijan, in the framework of the implementation of the EU Global Approach to Migration.

Mobility Partnerships are established in cases where they can bring added value to both the EU and the third country concerned on the management of migration flows.

FOOD LAW

Breakfast directives - Commission implementing powers

The Council adopted a regulation aligning the existing Commission implementing powers for five so-called breakfast directives with the Treaty on the Functioning of the EU (TFEU), and more specifically with its article 290 on delegated acts ([31/13](#)). This follows a first-reading agreement reached with the European Parliament.

The five breakfast directives concern:

- coffee and chicory extract;
- cocoa and chocolate products;
- sugars;
- fruit jams;
- dehydrated milk.

Article 290 TFEU makes it possible for the EU co-legislators (i.e. the Council and the European Parliament) to delegate to the Commission the power to amend or supplement certain non-essential elements of legislative acts. The so-called delegated acts cover almost the same type of measures as those adopted so far under the "regulatory procedure with scrutiny" (as introduced into the "comitology" decision by the Council in 2006).

Subject to the conditions of the delegation, the Council and the European Parliament may decide to revoke this delegation or object to a Commission delegated act. The specific objectives, content, scope and duration of a delegation must be defined in each basic act.