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Til underretning for Folketingets Europaudvalg vedlægges i forbindelse med
Det Europæiske Råd i Laeken den 14.-15. december 2001 Rådets udkast til
rådskonklusioner vedrørende forsyningspligtigheder.



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 23 November 2001

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REV 1**

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NOTE

from : Permanent Representatives Committee
to : Council (Internal Market, Consumer Affairs and Tourism)

No. prev. doc. : 14075/01 MI 173

Subject : Draft Conclusions on Services of general interest

Delegations will find in the Annex a revised draft of the Council conclusions, prepared in the light of discussions in the Permanent Representatives Committee on 21 and 23 November 2001.

DRAFT CONCLUSIONS ON SERVICES OF GENERAL INTEREST

The Council,

HAVING REGARD to the essential role of services of general interest and their vital importance for citizens and consumers as well as for territorial and social cohesion;

RECALLING the three principles stated by the Commission in its communication of 20 September 2000¹;

RECALLING the Conclusions of the Nice European Council, in particular as regards ways of ensuring greater predictability and increased legal certainty in the application of competition rules relating to services of general interest, as well as the Statement on Services of General Economic Interest annexed to those Conclusions;

1. **WELCOMES** the Commission's Report on Services of General Interest² submitted in accordance with the Conclusions referred to above.
2. **NOTES WITH SATISFACTION** the Commission's intention to increase certainty and predictability of the legal framework in the application of state aid rules to services of general interest;
 - **WELCOMES** the Commission's intention, as a first step, to establish in the near future, in close cooperation with the Member States, Community framework guidelines on state aid, granted to undertakings entrusted with the provision of services of general interest, which will clarify inter alia under which conditions compensatory measures are not covered by the rules on state aid;

¹ 12022/00 CONSOM 54 MI 122 CAB 9 – COM(2000) 580

² 13235/01 MI 156 ECO 296 CONSOM 87 - COM(2001) 598.

- INVITES THE COMMISSION, in the light and on the basis of experience gained with the application of these guidelines, to draw up, as soon as possible, in close cooperation with the Member States, a proposal for a regulation exempting certain aids in this area from the obligation of prior notification, taking account of sectoral specificities;
 - INVITES the Commission to report to the Council on the drawing up of such a regulation, in view of the Copenhagen European Council.
3. ENCOURAGES the Commission also to pursue, where possible, the same objectives of increasing legal certainty and predictability in the application of internal market rules to services of general interest.
4. AGREES with the need for effective and dynamic evaluation at Community level of the competition effects and performance of services of general interest, while taking due account of national, regional and local specificities and competences;
- CONSIDERS that this evaluation should be carried out within existing structures, in particular through horizontal and sectoral reporting and the Commission's Cardiff report on economic reform, and should cover market structure and performance, including employment aspects, an economic and social assessment of public service obligations, and citizens' and consumers' opinions on the performance of services of general interest and the impact of liberalisation on them;
 - WELCOMES in this context the intention of the Commission to submit a communication on evaluation methodology.
5. EMPHASIZES the importance of the Lisbon Strategy for the provision of services of general interest.

6. NOTES that the Commission will examine the appropriateness of consolidating and specifying the principles on services of general interest, underlying Article 16 of the Treaty, in a framework directive, while taking due account of the specificities of the different sectors involved, and LOOKS FORWARD to the results of that examination.
 7. CONFIRMS its intention to continue to pay close attention to services of general interest in the ongoing process of economic reform and development of the internal market.
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