

Committee on the Internal Market and Consumer Protection
The Chairwoman

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Ms Margrethe Vestager
Executive Vice President of the European
Commission for a Europe Fit for the Digital
Age

Mr Thierry Breton
Commissioner for Internal Market

Mr Didier Reynders
Commissioner for Justice

Mr Darko Horvat
Croatian Minister of Economy,
Entrepreneurship and Crafts

Dear Ms Vestager,

Dear Mr Breton,

Dear Mr Reynders,

Dear Mr Horvat,

The COVID-19 virus crisis is an unprecedented public health emergency, presenting a serious threat to all European citizens, society and economy.

We want to express our solidarity with all Member States and the citizens affected, together with our appreciation towards the measures taken at European level to face this crisis.

We consider that the internal market, as the main achievement of the European Union, must be central to our response. We should consequently mobilise all the internal market tools to put them at the service of the immediate and medium-term response to the crisis. A scattered and diverging approach between Member States would not be the right response to the COVID-19 crisis. We need to ensure strong coordinated approach now, therefore we ask you to take further actions.

Free movement of goods

While we understand that Member States need to take extraordinary decisions, unilateral restrictions to the free movement of goods could jeopardise the supply and distribution of goods, including food, pharmaceuticals, medical supplies and personal protection equipment and affect dramatically Europe's capacity to manage the COVID-19 crisis.

We call on the Commission to ensure the effectiveness of the monitoring mechanisms, with respect to Article 36 of TFEU and in accordance with Directive 2015/1535, and the exchange of information on the cases of restrictions to the free movement of goods. This is indispensable in order to prevent the shortage of essential goods all across Europe and to effectively improve cooperation at EU level with the aim of limiting, as much as possible, the restrictions to the internal market.

We welcome the Commission's efforts to launch joint procurement for specific medical supplies needed and we strongly welcome this approach as necessary, as well as flexibility to allow fast-track purchases of medical equipment and devices. Joint procurement needs to be strengthened also in view of future purchase of the vaccine once available, also in order to avoid price speculation and allow for equal access in the Union. In this regard, we also call on the Commission to provide clear guidance to public procurers on public procurement questions arising because of the COVID-19 crisis, including on how to guarantee transparency, how to ensure that contracts awarded in urgency are of adequate duration, and how to avoid inappropriate use of flexibility.

National public procurement initiatives, in particular concerning digital solutions, also present opportunities for rapid deployment of needed solutions for public authorities. We call on the Commission to facilitate the sharing of solutions arising from digital public procurement events ("hackathons") and via GovTech platforms, where possible, and advantageous to do so.

We also call on the Commission to seek a coordinated approach to innovative technologies such as 3D printing. The additive manufacturing sector could provide immediate solutions for hospitals that are experiencing sudden shortages in equipment or limited access to essential pieces for personal protective equipment.

We stress the importance to ensure that essential goods reach those who need them the most. Therefore, we strongly urge the Member States to follow the Commission's guidelines for border management measures and to apply internal border controls in a justified and proportionate manner, to facilitate the provision of professional services, especially in the healthcare, childcare or elderly care sectors in cross-border regions and assure the unobstructed free circulation of all goods, guaranteeing a functioning supply chain for essential products. We call on Member States to implement the "open lanes" for freight transport for the supply of goods at all EU internal borders.

Last but not least, we call on the Commission to regularly inform the European Parliament, and especially the IMCO committee, of the evolution of the internal market situation, so as to ensure the democratic control over the process.

Consumer protection

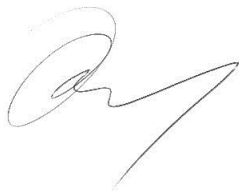
The Commission and national authorities should proactively monitor the market during the crisis to prevent consumer harms arising in connection with the COVID-19 situation. In particular, they should share information about malpractices (misleading claims about the reason for price increases or coronavirus related scams in particularly for products that are currently in high demand); the European Consumer Centre networks can inform and assist consumers on individual cases. A consistent and coordinated approach to tackle the misleading practices of rogue traders is needed, in particular of those selling false medical equipment online.

The Commission and the competent Member States' authorities should encourage all traders to treat consumers fairly and to mitigate, as much as possible, the inconveniences caused. This can be particularly relevant for travellers who have bought tickets or made bookings, or other relevant purchases concerning future events, that are impacted by the coronavirus outbreak.

We also welcome the Commission guidelines on the EU passenger rights regulations in the context of the developing situation with COVID-19, which reassure passengers of their rights; and the reference to the travel package rules, allowing them to cancel their trips without penalty in such "unavoidable and extraordinary circumstances" or by requiring tour operators to provide assistance to those travellers blocked abroad.

Dear Commissioners and Minister, we must show to our citizens that the EU is here when they need it. In this time of uncertainty, more than ever we must preserve the achievements of the internal market and consumer protection and use all available tools to their full extent. The internal market has undoubtedly been the cornerstone of our prosperity and in order to find a solution to this situation and to get out stronger from this crisis, we must use and strengthen the internal market. The trust of our citizens to the European Union depends on it.

Kind regards,



Petra de Sutter, MD, PhD
IMCO Chairwoman

CC: David Sassoli, President of the European Parliament

Goran Štefanić, Deputy permanent representative of the Croatian Presidency
of the Council of the European Union