Basic information

1995/0116(CNS) CNS - Consultation procedure Regulation	Procedure completed
Common commercial policy: access by transfrontier products and services of the Union to the Japanese market **Subject** 6.20 Common commercial policy in general 6.40.11 Relations with industrialised countries **Geographical area** Japan	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
RELA External Economic Relations	PLOOIJ-VAN GORSEL Elly (ELDR)	08/02/1999

Committee for opinion	Rapporteur for opinion	Appointed
BUDG Budgets		

Council of the European Union

Council configuration	Meetings	Date
General Affairs	2161	1999-02-21
Energy	2176	1999-05-11

Key events

Date	Event	Reference	Summary
23/05/1995	Initial legislative proposal published	COM(1995)0188	Summary
11/12/1998	Legislative proposal published	COM(1998)0722	Summary
09/02/1999	Committee referral announced in Parliament		
21/02/1999	Debate in Council		
17/03/1999	Vote in committee		Summary
17/03/1999	Committee report tabled for plenary, 1st reading/single reading	A4-0142/1999	

11/05/1999	Act adopted by Council after consultation of Parliament		
11/05/1999	End of procedure in Parliament		
21/05/1999	Final act published in Official Journal		

Technical information

Procedure reference	1995/0116(CNS)
Procedure type	CNS - Consultation procedure
Procedure subtype	International agreement
Legislative instrument	Regulation
Legal basis	EC Treaty (after Amsterdam) EC 308 EC Treaty (after Amsterdam) EC 133
Stage reached in procedure	Procedure completed
Committee dossier	RELA/4/10759

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee report tabled for plenary, 1st reading/single reading		A4-0142/1999 OJ C 219 30.07.1999, p. 0006	17/03/1999	
Text adopted by Parliament, 1st reading/single reading		T4-0235/1999 OJ C 219 30.07.1999, p. 0021-0049	13/04/1999	Summary

European Commission

Document type	Reference	Date	Summary
Initial legislative proposal	COM(1995)0188	23/05/1995	Summary
Legislative proposal	COM(1998)0722	11/12/1998	Summary
Follow-up document	COM(2000)0638	12/10/2000	Summary

Additional information

Source	Document	Date
European Commission	EUR-Lex	

Final act

Regulation 1999/1035
OJ L 127 21.05.1999, p. 0001

Common commercial policy: access by transfrontier products and services of the Union to the Japanese market

1995/0116(CNS) - 12/10/2000 - Follow-up document

This document presents the Commission report on the evaluation of the programme of specific measures and actions to improve access of European Union goods and cross-border services to Japan. This evaluation report is required by Article 3(1) of Council Regulation 1035/1999/EC. Following the adoption of the Japan regulation in May 1999 and the allocation of commitment credits to the Japan budget line B7-851 in July the same year, the Commission launched the appropriate procedures in order to select two independent external contractors to evaluate the two main programmes covered by the regulation: the "Executive Training Programme in Japan (ETP) and the "EU Gateway to Japan" export promotion campaign (GTJ). Contracts for the evaluation of GTJ and ETP were signed in autumn 1999 and winter 2000 respectively. Against this background, this report concludes that: - the Commission's programme of specific measures and actions to improve market access for EU business in Japan has met its objectives and has been implemented in a cost effective manner and according to principles of sound and efficient management; - the "Executive Training Programme" in Japan, which was first conceived in 1979 and is widely considered a "flagship" Commission programme, continues to enjoy an impressive satisfaction rate from its beneficiaries; - the 'Gateway to Japan" campaign can also boast a high satisfaction rate from its beneficiaries (SMEs, for example). In conclusion, the Commission considers that the positive results of the evaluation of the Japan programmes give every reason to continue them. Even though the market access situation in Japan has improved in recent years, the Commission believes that this programme should be continued at least for some time beyond the expity date in December 2001 of the Japan regulation.

Common commercial policy: access by transfrontier products and services of the Union to the Japanese market

1995/0116(CNS) - 11/05/1999 - Final act

PURPOSE: implementation of a programme to improve access of EU goods and cross-border services to Japan. COMMUNITY MEASURE: Council Regulation 1035/1999/EC on implementation by the Commission of a programme of specific measures and actions to improve access of EU goods and cross-border servics to Japan. CONTENT: In co-operation with the Member States, who are primarily responsible for the design and implementation of programmes and actions to promote the exports of Community goods and cross-border services in third country markets, the Community shall implement a specific, coherent and targeted programme of measures and actions that complement and bring added value to the efforts undertaken by Member States in the Japanese market. The Regulation defines clearly the division of responsibilities between the Commission and the Member States in the drawing up and implementation of measures and actions. The Community programme seeks to complement Member States' efforts in this field. The programme wil consist of the following two principal measures and actions: - a training programme ('Executive Training Programme') to build up a pool of European executives able to communicate and operate in the Japanese business environment, - the recruitment, training, pre-mission preparation and participation of groups of European business executives, in particular from SMEs, to get involved in actions in Japan aimed at improving their commercial presence on the Japanese market (the 'Gateway to Japan' campaign). The objective of this campaign is to enhance trade and investment relations with Japan and to increase the understanding of Japanese trade and investment regulations and business practices. Other types of action may be given support. These include: special actions that facilitate access to the Japanese market of SMEs, measures to identify and eliminate trade barriers in accordance with the Community's market access strategy, collection of information and policy advice on specific regulatory issues in the field of trade, investment & intellectual property rights, conferences and seminars to promote trade and investment relations and initiatives to enhance the EU's visibility in Japan, and high level business missions. The Commission is required to ensure the full compatibility of specific activities with the policies of the Community and the Member States, and to draw up an annual report. By 01.09.2000, the Commission shall present to the EP and the Council an evaluation report including the results of the control and monitoring of operations financed. It would also include the results of a cost-effectiveness analysis. The Commission will be assisted by a committee of an advisory nature composed of Member States' representatives and chaired by a Commission representative. ENTRY INTO FORCE: 22.05.1999. The Regulation expires on 31.12.2001.

Common commercial policy: access by transfrontier products and services of the Union to the Japanese market

1995/0116(CNS) - 23/05/1995 - Initial legislative proposal

PURPOSE: to set up an action programme to promote European exports to Japan (EXPROM Programme). CONTENT: This proposal is in response to a concern, which has been raised on a number of occasions, about the need to strengthen commercial relations between the Community and Japan. It aims in particular to promote European exports to Japan and to provide support for European exporters at all the different steps in building up a European company presence in the Japanese market. In parallel, the objective of the proposal is to provide a legal base for certain export promotion activities that have already been under way for several years (such as the Executive training Programme (ETP) and the Gateway to Japan Programme). The legal base chosen by the Commission is Article 113 given that the purpose and the objectives of this proposal involve influencing the

volume of exports towards the Japanese market, and it clearly falls within the ambit of the common commercial policy. The proposal specifies the types of activities that the Commission would be authorised to implement in the framework of an annual action programme: - seminars, conferences, creation of networks in Europe and Japan; - European Community group participation in fairs and missions in Japan, together with the corresponding recruitment of European exporters; - training programme aimed at creating a new pool of executives able to communicate in Japanese in a business environment; - other activities designed to maximise the ability of European exporters to enter the Japanese market. The Commission will be assisted by an advisory committee in the implementation of this programme. It should be noted that the financial statement annexed to the proposal provides for a budget of 13 million ECUs in 1996.

Common commercial policy: access by transfrontier products and services of the Union to the Japanese market

1995/0116(CNS) - 13/04/1999 - Text adopted by Parliament, 1st reading/single reading

Under consultation procedure without debate, the European Parliament adopted the legislative resolution by Elly Plooij-Van Gorsel (ELDR,NL), which approves the Commission's amended proposal for a Council regulation on implementation by the Commission of a programme of specific measures and actions to improve access of EU goods and cross-border services to Japan, subject to amendments in the following areas: - recalling that on 18/09 /97, the European Parliament adopted a resolution on the communication from the Commission to the Council on Europe and Japan: The next steps; - recalling that the difficulties encountered by Community enterprises in gaining access to the Japanese market also make it necessary for Japan to create de facto free trade conditions in the country; - requiring that financing of the Community programme should be undertaken within the limits established annually by the budgetary authority; - specifying that measurs under the programme are to be cofinanced by the Community; - with regard to comitology, making provision for the advisory committee to meet as a rule in public, to publish agendas two weeks in advance of meetings and to establish a public register of declarations of interest of its members; - requiring that these provisions on comitology shall be adopted in accordance with the European Parliament position on a new act laying down the principles governing European Union committees chaired by the Commission and the implementing powers of the Commission; - requiring the Commission to present to the Council and the European Parliament by 01/09/2000 an evaluative report which will contain the results of the control and monitoring operations financed and a cost-effectiveness analysis and will take account of contractual obligations and principles of sound and efficient management; - providing that, based on the experience acquired in the implementation of the proposed regulation, the Commission shall draw up, by 30/06/2001, a proposal for the programme's extension beyond 2001.

Common commercial policy: access by transfrontier products and services of the Union to the Japanese market

1995/0116(CNS) - 11/12/1998 - Legislative proposal

OBJECTIVE: to amend the Community action programme to improve access of EU goods and cross-border services to the Japanese market. CONTENTS: this modified proposal follows in the spirit of the 1995 proposal to introduce a programme of specific measures to improve the access of Community exporters to the Japanese market (COM(95)0188). Following discussion on several occasions in the Council, an agreement on this proposal had still not been reached by June 1996. In the meantime, the European Court of Justice Judgement C-106/98 made it clear that all budget lines must have a legal basis and that in the absence of one, new budgetary commitments must be suspended. This has meant that the appropriations on the Japan budget line were included as a token entry in the interinstitutional negotiations on the budget for 1999. In order to safeguard the programmes funded on this budget line (notably the "Executive Training Programme" (ETP) and the "Gateway to Japan" campaign), the Commission proposed a new regulation establishing an appropriate legal base to safeguard investments in existing programmes and to provide for their continuation in the future. As far as the substance of the regulation is concerned, the following are the main changes to the Commission's initial proposal in 1995: - primary responsibility of Member States: Member States would be authorized under this programme to implement the activities in question and the Community programme would merely serve to complement and add value to Member States' activities; - substance of the programme: the objective of the 2 programmes in question (ETP and "Gateway to Japan") would be to increase the commercial presence of Community enterprises on the Japanese market through trade, investment and exportation of goods and services covered by intellectual property rights owned by Community firms; - time limit: the regulation would be time-limited until 31 December 2001 in order to safeguard payments for programmes up to the year 2000 (the Commission would need to propose new measures thereafter); - comitology: it has been decided to maintain the advisory committee made in the earlier proposal. As far as the legal basis is concerned, the new regulation adds article 235 to article 113, the initial purpose of which was to justify the 1995 proposal (i.e. exclusive competence of the Community in a domain where Member States are the primary purveyors of actions), in order to cover specific activities such as the promotion of investment and the protection and commercial exploitation of intellectual property rights owned by Community firms which fall outside the scope of article 113. Furthermore, in order to avoid any ambiguity, the Commission stipulates in its proposal that Community activities under this regulation are limited and are intended to complement or supplement activities by Member States. It likewise stipulates that Member States will have primary responsibility for activities intended to promote exports of EU goods and services to Japan. It should be noted that the financial statement of the proposal makes provision for commitment appropriations for this initiative of EUR 11 m per annum up to the end of 2001.