

# Weekly schedule of President Donald Tusk

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## EU monitoring mission evaluates progress on human rights and labour rights in Myanmar

A previous monitoring mission from the European Commission and the European External Action Service [visited Myanmar from 28 to 31 October](#) 2018, following deeply worrying developments highlighted in various United Nations reports, in particular as regards human rights violations in Rakhine, Kachin and Shan States and concerns about labour rights.

This EU mission focused on several issues such as:

- accountability for crimes under international law;
- cooperation with United Nations special procedures and mandates;
- unrestricted humanitarian access to conflict-affected communities;
- situation of Internally Displaced Persons (IDPs) and conditions for safe, voluntary, dignified and sustainable return of refugees;
- discrimination, hate speech, media freedom and labour rights.

The mission held constructive discussions with the government of Myanmar in Nay Pyi Taw, through an inter-ministerial working session led by the Ministry of Foreign Affairs, and several bilateral meetings including with the Minister of International Cooperation and the Minister of Information. The mission visited Rakhine State, and met with the Chief Minister and State Government, and the Speaker of the Rakhine State Assembly. It also visited a Rohingya IDP camp and met with local Rakhine and Hindu communities.

The mission provided an opportunity for discussions with representatives of United Nations agencies including United National High Commissioner for Refugees, United Nations Development Programme and the International Labour Organisation, as well as with humanitarian organisations. Moreover, the EU delegation met with the Myanmar Press Council, civil society, labour rights activists, trade unions and business organisations.

The European Commission and the European External Action Service will now analyse the findings from the mission. The EU will continue to engage with Myanmar and looks forward to seeing sustained and concrete progress in all areas of concern in the near future.

## **Background**

Myanmar benefits significantly from its preferential access to the EU market under the EBA. Its duty free exports increased from €535 million in 2015 to an expected €2.3 billion in 2018. Main exports (2018 estimates) to the EU are textiles (over € 1.7 billion), rice (over €140 million), precious stones (€130 million) and footwear (€120 million).

To continue to benefit from the duty-free, quota-free access to the EU market under the EBA trade preferences scheme, Myanmar must uphold and respect the fundamental principles enshrined in the relevant 15 fundamental United Nations and International Labour Organisation conventions. In case of evidence of serious and systematic violations of human rights, the beneficiary country can have its trade preferences withdrawn temporarily.

The EU has stepped up its engagement with Myanmar (see the EU biennial [GSP report of January 2018](#)) in response to serious concerns about the deterioration of respect for human rights and the rule of law.

The EU has put in place since June 2018 targeted restricted measures against senior officers of Myanmar security forces involved in serious and systematic human rights abuses in Rakhine, Kachin and Shan States.

The latest [Foreign Affairs Council Conclusions](#) adopted in December 2018 reiterated concerns about the situation in the country and invited Myanmar authorities to cooperate with the European Commission in the framework of the Everything But Arms (EBA) scheme.

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# [Ensuring safe flying after Brexit](#)

The EU is taking the steps needed to continue to ensure a high level of aviation safety in its airspace in the event the UK leaves the EU without a negotiated agreement. Member states' representatives meeting in the Council's Permanent Representatives Committee today approved an agreement with the European Parliament on a draft regulation aimed at ensuring the continued validity of certain aviation safety certificates.

The regulation covers aviation safety certificates for certain aeronautical products, parts and appliances issued to natural and legal persons having their principal place of business in the UK, as well as certificates issued by providers of aviation training.

The regulation extends the validity of such certificates for a period of nine months from the date of application of the regulation. If necessary, the Commission will be entitled to prolong this period further. The extension will allow the operators concerned and the European Union Aviation Safety Agency (EASA) sufficient time so that EASA can continue to issue the necessary certificates under article 68 of the regulation on common rules in the field of civil aviation, taking account of the UK's status as a third country.

EASA is responsible for the issuance of type certificates and organisation approvals in the EU. After its withdrawal, the UK will resume these tasks under its obligations as 'State of design' under the Chicago Convention on International Civil Aviation.

The regulation shall apply from the day following that on which the Treaties cease to apply to the United Kingdom pursuant to Article 50(3) of the Treaty on European Union, unless a withdrawal agreement concluded with the UK has entered into force by that date. However, in order to allow for the necessary administrative procedures to be carried out as early as possible, certain provisions will apply as from the regulation's entry into force (the day following that of its publication in the Official Journal of the European Union).

The text will now be formally approved by the European Parliament and the Council.

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## [Online shopping: Commission and](#)

# consumer protection authorities call for clear information on prices and discounts

Today, the European Commission and national consumer protection authorities are publishing the results of an EU-wide screening of 560 e-commerce sites offering a variety of goods, services and digital content, such as clothing or footwear, computer software or entertainment tickets. Around 60% of these websites showed irregularities regarding the respect of EU consumer rules, predominately in relation to how prices and special offers are presented.

**Věra Jourová**, Commissioner for Justice, Consumers and Gender Equality, said: *“Online shopping provides many opportunities for consumers. However, more than half of the websites show irregularities, in particular on how prices and discounts are advertised. This must stop as the consumers are often led to confusion and higher price than intended. I am appalled by the high number of the websites that have these problems – I hope they are unintended. Online traders need to fully respect EU consumer rules. National consumer authorities, with the assistance of the Commission, will now take the necessary steps to stop such unfair business practices”*.

For more than 31% of the websites offering discounts, consumer authorities suspected that the special offers are not authentic or they found the way the discounted price was calculated unclear.

On 211 websites the final price at payment was higher than the initial price offered. 39% of those traders did not include proper information on extra unavoidable fees on delivery, payment methods, booking fees and other similar surcharges. EU consumer law obliges traders to present prices inclusive of all mandatory costs, and where such costs cannot be calculated in advance, their existence at least needs to be clearly presented to the consumer.

Further irregularities in respect to information requirements:

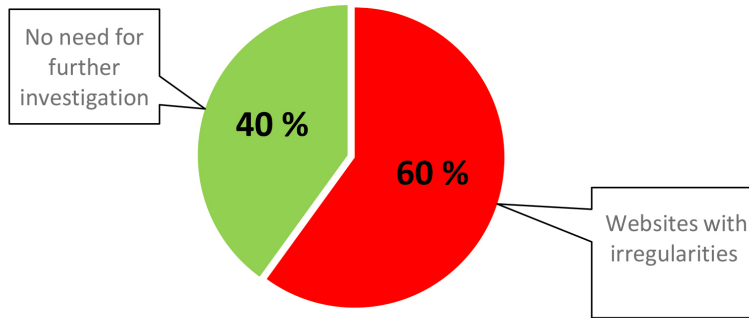
- In 59% of the 560 websites checked, traders failed the obligation to provide an easily accessible link to the [Online Dispute Resolution \(ODR\) platform](#), which is obligatory under EU law. The ODR Platform allows consumers and traders to resolve disputes without going to court.
- In almost 30% of the websites, irregularities were found in relation to how information was presented about consumers' right to withdrawal. According to EU law, consumers must be clearly informed about their right to withdrawal when they buy online.

## **Next steps**

Consumer protection (CPC) authorities will ensure full compliance of the traders concerned by activating their national enforcement procedures where necessary.

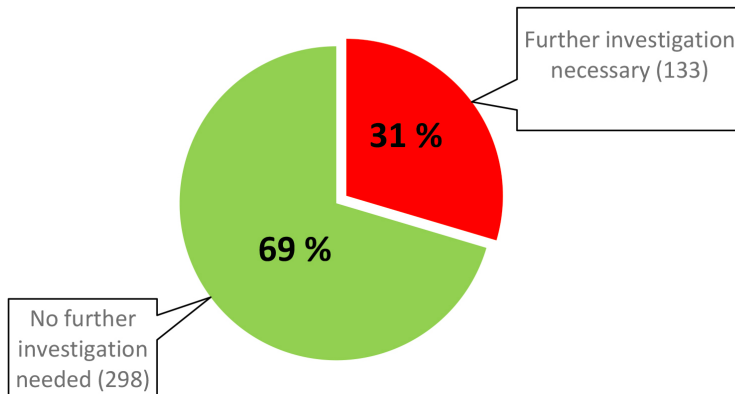
**Websites with irregularities**

Out of 560 websites checked



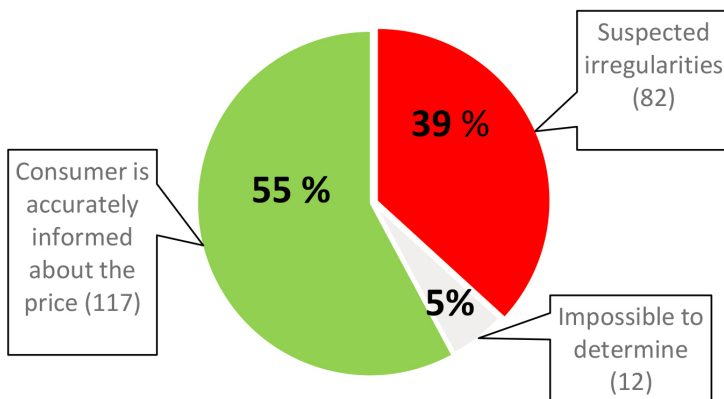
**Websites with irregularities regarding special offers**

Out of 431 websites offering discounts



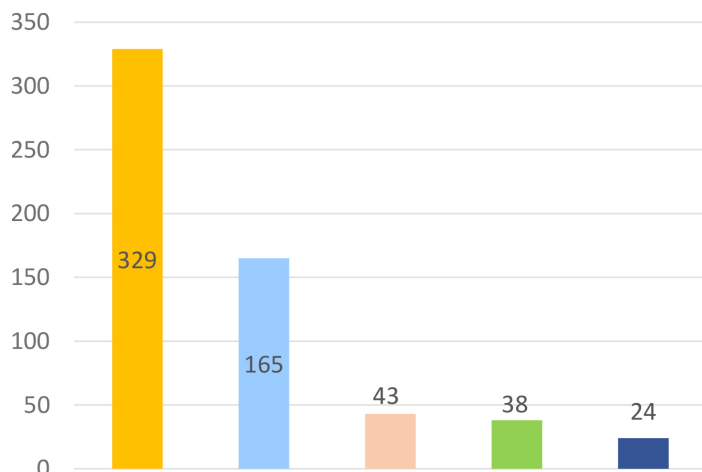
**Websites with suspected irregularities on information about unavoidable extra fees**

Out of 211 websites where the final price was higher than the initial price



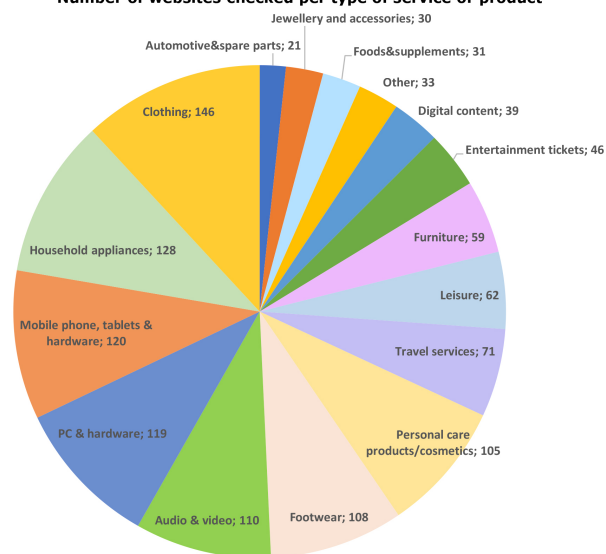
## Other issues found in the sweep

Out of 560 websites checked



- ODR platform is not easily accessible
- Irregularities with information on right of withdrawal
- Contact details (phone, email) are unclear
- Address of the trader's business is unclear
- Identity of the trader is unclear

## Number of websites checked per type of service or product



- Automotive&spare parts
- Jewellery and accessories
- Foods&supplements
- Other
- Digital content
- Entertainment tickets
- Furniture
- Leisure
- Travel services
- Personal care products/cosmetics
- Footwear
- Audio & video
- PC & hardware
- Mobile phone, tablets & hardware
- Household appliances
- Clothing

## Background

Thanks to EU law, every consumer in the EU has the right to receive clear, correct and **comprehensible key information** from a trader about the good or service **before making an online purchase**. This information must include aspects such as the characteristics of the product, the price inclusive of taxes, delivery costs and the existence of a right of withdrawal or cancellation.

Every year the Commission coordinates the screening of websites, with the help of the Consumer Protection Cooperation (CPC) network. This network brings together the national consumer authorities of 30 countries (28 EU countries, Norway and Iceland), which are responsible for enforcing EU consumer protection laws in the EU.

This screening was carried out last November by consumer protection authorities in 24 EU Member States as well as Norway and Iceland.

An EU-wide screening of websites (“Sweep”) is a set of checks that are carried out simultaneously by consumer protection authorities in different countries. These checks show whether traders respect EU consumer protection laws. Where the checks reveal potential breaches of EU consumer law, the consumer protection authorities contact the responsible companies and ask them to make corrections. [Previous “Sweeps”](#) have focused on: airlines (2007), mobile content (2008), electronic goods (2009), online tickets (2010), consumer credit (2011), digital contents (2012), travel services (2013), guarantees on electronic goods (2014), consumer rights directive (2015), comparison tools in the travel sector (2016) and telecommunication- and other digital services (2017).

#### **For More Information**

[EU-wide screening of websites \(Sweeps\)](#)

[Consumer Protection Cooperation](#)

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## **[New state aid rules: Commission increases national support to farmers up to €25,000](#)**

Today the Commission has adopted revised rules on state aid in the agriculture sector (the so-called *de minimis* aid), increasing the maximum amount that national authorities can use to support farmers without the need for prior approval from the Commission. This decision will allow EU countries to increase support for farmers without distorting the market, while reducing the administrative burden for national authorities.

Agriculture and rural development Commissioner Phil **Hogan** said: *“The Commission’s proposal for new state aid rules for the agricultural sector reflects the value of this form of support in times of crisis. By increasing the maximum aid amount to farmers, national authorities will have more flexibility and be able to react more quickly and more effectively to support*

*vulnerable farmers. In some cases, the amount of State aid that can be provided to individual farmers will be increased by 66%. These new rules will continue to accompany the normal rules for notified State aid, which Member States may continue to apply."*

The maximum aid amount that can be distributed per farm over three years will rise from €15,000 to €20,000. In order to avoid any potential distortion of competition, each EU country has a maximum national amount which they cannot exceed. Each national ceiling will be set at 1.25% of the country's annual agricultural output over the same three-year period (up from 1% in the current rules). This is an increase in the national ceiling of 25%.

If a country does not spend more than 50% of its total national aid envelope on one particular agricultural sector, it may increase even further the *de minimis* aid per farm to €25,000, and the national maximum to 1.5% of the annual output. This represents a 66% increase in the ceiling per farmer and a 50% increase in the national ceiling.

For countries that do opt for that highest ceiling, the new rules require the creation of mandatory central registers at national level. This will allow keeping track of the aids granted in order to simplify and improve the delivery and monitoring of the so-called *de minimis* aid. Several Member States already maintain such registers, which will allow them to apply the higher ceilings immediately.

The increased ceilings come into force on 14 March and can apply retroactively to aids fulfilling all the conditions.

## **Background**

In EU state aid rules, EU countries shall notify state aid to the Commission and may not implement the aid measure until it has been authorised by the Commission. However, when the aid amounts are small enough, which is the case for the *de minimis* aid, EU countries do not need to notify or get authorisation from the Commission. Due to their size, the aid does not threaten competition and trade in the internal market.

The *de minimis* aid is typically used by Member States when they need to act quickly without setting up a scheme in accordance with state aid rules, notably in times of crisis. It is also commonly used for very specific purpose, for example to help prevent or eradicate animal diseases as soon as an outbreak occurs, or to compensate farmers for damages caused by animals that are not protected under EU or national law such as wild boars. The damages caused by protected species of animals (wolves, lynx, bears, etc) can be compensated under notified state aid rules.

The Commission consulted Member States and stakeholders to [provide input](#) on the revision of the *de minimis* rules. Those contributions were taken into account when finalising the amendments.

## **For More Information**

[State aid in the agricultural and forestry sectors and in rural areas](#)



[Consultation on the de minimis Regulation](#)