



Actualités

Guidance on Customs issues related to the COVID-19 emergency. As a result of the crisis created by the COVID-19 pandemic, questions have emerged concerning the application of customs provisions relating to the customs decision-making process, customs procedures and customs formalities. For the particular cases a number of existing provisions have been identified that provide valid solutions in these exceptional circumstances:

- E-commerce - Empowerment for customs representation;
- Extension of the time-limit to take decisions on applications already submitted;
- Possibility to take into account economic operators' serious difficulties;
- Exceeding the guarantee limits;
- Use of digital signature for the purpose of undertaking;
- Medical, surgical and laboratory equipment for emergency treatments;
- Submission of proof of preferential origin during the COVID-19 crisis;
- Goods in temporary storage for longer than 90 days;
- Possibility to use simplified declarations without prior authorization;
- Time-limit for submitting the supplementary declaration;
- Presentation of goods at approved places;
- Longer period to amend declarations;
- Placing good under the transit procedure without presenting them to customs and receiving the goods at an authorised place;
- Time-limits to present goods at the customs office of destination;
- Alternative identification measures to sealing;
- Time-limits for the control results;
- CIM consignment note as customs transit declaration for rail transport;
- Possibility to extend the limit for re-exporting the goods under temporary admission;
- Use of Inward processing procedure; Possibility to delay the invalidation of the customs declaration for export or the re-export declaration.

The objective is to offer guidance to the concerned stakeholders on practical solutions given by the current legal framework, in order to ensure a uniform application of the UCC even in this time of crisis. https://ec.europa.eu/taxation_customs/covid-19-taxud-response/guidance-customs-issues-related-covid-19-emergency_en

Antitrust rules and coronavirus. The Commission has issued several sets of guidelines that can help companies assess the compatibility of their business arrangements with EU competition law (Commission's Guidelines on Article 101, the Horizontal and the Vertical Guidelines). However, for specific cooperation initiatives with an EU dimension, that need to be swiftly implemented in order to effectively tackle the coronavirus pandemic, and where there is still uncertainty about whether such initiatives are compatible with EU competition law, DG Competition is ready to guide companies, associations and their legal advisors. For that purpose, we have set up a dedicated mailbox COMP-COVID-ANTITRUST@ec.europa.eu that can be used to seek informal guidance on specific initiatives. In order to facilitate a swift follow-up, companies are asked to provide upfront as much detail as possible on the initiative, including: (i) the firm(s), product(s) or service(s) concerned; (ii) the scope and set-up of the cooperation; (iii) the

aspects that may raise concerns under EU antitrust law; and (iv) the benefits that the cooperation seeks to achieve, and an explanation of why the cooperation is necessary and proportionate to achieve those benefits in the current circumstances. https://ec.europa.eu/competition/ecn/202003_joint-statement_ecn_corona-crisis.pdf

Council gives go-ahead to further use of cohesion resources. The main new element of the proposal, Coronavirus Response Investment Initiative Plus, is that it offers additional flexibility on the use of structural funds so that member states can respond quickly and effectively to the economic and social consequences of the COVID-19 outbreak. Member states will be able to transfer money between different funds to meet their particular requirements. For example, money earmarked for an infrastructure project could be used to buy medical ventilators, support SMEs or invest in short-term employment schemes. The new measures will also temporarily remove the existing conditions on which regions are entitled to receive support. This will allow resources to be redirected to those regions most adversely affected by the crisis. As a temporary and exceptional measure, member states can request up to 100% financing from the EU budget between 1 July 2020 and 30 June 2021 for programmes dealing with the impact of the pandemic. <https://data.consilium.europa.eu/doc/document/ST-7154-2020-INIT/fr/pdf>

Initiative ESCALAR: jusqu'à 1,2 milliard d'euros pour aider les entreprises à haut potentiel à croître et se développer en Europe. La Commission réalise l'une des mesures annoncées dans la nouvelle stratégie en faveur des PME afin d'améliorer l'accès des PME au financement. Cette initiative revêt une importance particulière dans la situation économique difficile que connaissent actuellement les PME en raison de la pandémie de COVID-19. Elle soutiendra les entreprises innovantes pendant et après la crise, pour faire en sorte que l'Europe puisse se développer, rester à la tête des évolutions technologiques mondiales et accélérer sa relance économique. Dans sa phase pilote, l'initiative ESCALAR fournira jusqu'à 300 millions d'euros avec le soutien du Fonds européen pour les investissements stratégiques (FEIS). L'objectif est d'accroître la capacité d'investissement des fonds de capital-risque et des fonds de capital-investissement, ce qui devrait avoir pour effet de mobiliser jusqu'à 1,2 milliard d'euros, soit quatre fois l'investissement initial, pour soutenir des entreprises prometteuses. Les gestionnaires de fonds intéressés peuvent participer à l'initiative en répondant à l'appel ouvert à manifestation d'intérêt publié par le FEI. https://www.eif.org/what_we_do/equity/escalar/index.htm

Commission and European Investment Fund unlock €8 billion in finance for 100,000 small and medium-sized businesses. The European Commission has unlocked €1 billion from the European Fund for Strategic Investments (EFSI) that will serve as a guarantee to the European Investment Fund (EIF), part of the European Investment Bank Group. This will allow the EIF to issue special guarantees to incentivise banks and other lenders to provide liquidity to at least 100,000 European SMEs and small mid-cap companies hit by the economic impact of the coronavirus pandemic, for an estimated available financing of €8 billion. The €1 billion unlocked from the EFSI under the COSME Loan Guarantee Facility and the InnovFin SME Guarantee under Horizon 2020 allows the EIF to provide guarantees worth €2.2 billion to financial intermediaries, unlocking €8 billion in available financing. The guarantees will be offered through the EIF to the market, via a call for expressions of interest issued today to several hundred financial intermediaries, comprising banks and alternative lenders. https://ec.europa.eu/info/sites/info/files/communication-coordinated-economic-response-covid19-march-2020_en.pdf

EIB Group contributes € 5.2 billion to EU response to Covid-19 outside European Union. Accelerated financing and targeted technical assistance for partners in 100 countries as part of Team Europe response package . Short-term support for health and business investment in Africa, Eastern and Southern Neighbourhood Countries, Western Balkans, Asia and Latin America. <https://www.eib.org/en/press/all/2020-096-eib-group-contributes-eur-5-2-billion-to-eu-response-to-covid-19-outside-european-union>

Export-credits enable foreign buyers of goods and/or services to defer payment. Deferred payment implies credit risk for the seller/exporter, against which they insure themselves, typically with the private insurers (so-called export credit insurance). On 23 March 2020, following the indication by some Member States that they expect a global contraction of the private insurance market for exports to all countries due to the coronavirus outbreak, the Commission launched an urgent public consultation. Based on the result of the public consultation and on the relevant economic indicators, the Commission has decided to consider all countries listed in the Annex as temporarily non-marketable and to remove all countries from the list of "marketable" countries until 31 December

2020. Before that date to give legal certainty, the Commission will re-assess the situation and give clarity on “marketable risk countries” beyond 31 December 2020. [https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:52020XC0320\(03\)&from=EN](https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:52020XC0320(03)&from=EN)

New Circular Economy Action Plan. It put forward as part of the EU Industrial Strategy presents measures to:

- **Make sustainable products the norm in the EU.** The Commission will propose legislation on Sustainable Product Policy, to ensure that products placed on the EU market are designed to last longer, are easier to reuse, repair and recycle, and incorporate as much as possible recycled material instead of primary raw material. Single-use will be restricted, premature obsolescence tackled and the destruction of unsold durable goods banned.
- **Empower consumers.** Consumers will have access to reliable information on issues such as the reparability and durability of products to help them make environmentally sustainable choices. Consumers will benefit from a true ‘Right to Repair’.
- **Focus on the sectors that use the most resources and where the potential for circularity is high.** The Commission will launch concrete actions on
- **electronics and ICT** – a ‘Circular Electronics Initiative’ to have longer product lifetimes, and improve the collection and treatment of waste
- **batteries and vehicles** – new regulatory framework for batteries for enhancing the sustainability and boosting the circular potential of batteries
- **packaging** – new mandatory requirements on what is allowed on the EU market, including the reduction of (over)packaging
- **plastics** – new mandatory requirements for recycled content and special attention on microplastics as well as biobased and biodegradable plastics
- **textiles** – a new EU Strategy for Textiles to strengthen competitiveness and innovation in the sector and boost the EU market for textile reuse
- **construction and buildings** – a comprehensive Strategy for a Sustainably Built Environment promoting circularity principles for buildings
- **food** – new legislative initiative on reuse to substitute single-use packaging, tableware and cutlery by reusable products in food services
- **Ensure less waste.** The focus will be on avoiding waste altogether and transforming it into high-quality secondary resources that benefit from a well-functioning market for secondary raw materials. The Commission will explore setting an EU-wide, harmonised model for the separate collection of waste and labelling. The Action Plan also puts forward a series of actions to minimise EU exports of waste and tackle illegal shipments.

https://ec.europa.eu/environment/circular-economy/pdf/new_circular_economy_action_plan.pdf

Refonte du règlement sur le respect des règles du commerce international. L'UE facilite la protection de ses intérêts et droits commerciaux dans un contexte où, pour l'instant, l'Organisation mondiale du commerce (OMC) n'est pas en mesure de rendre des décisions contraignantes pour le règlement de différends si un membre de l'OMC fait appel du rapport d'un groupe spécial. La Commission aura le droit de prendre des contre-mesures lorsqu'un partenaire commercial, dans le cadre d'un accord commercial bilatéral ou régional, impose des mesures commerciales illégales et ensuite bloque le processus de règlement des différends dans le cadre de cet accord. <https://data.consilium.europa.eu/doc/document/ST-15088-2019-INIT/fr/pdf>

COVID-19: Waiving VAT and customs duties on vital medical equipment. The European Commission has published a decision helping Member States affected by the coronavirus pandemic to temporarily suspend customs duties and VAT on protective equipment, testing kits or medical devices such as ventilators. This will make it easier financially to get the medical equipment that doctors, nurses and patients desperately need. The measure will apply for a period of six months, with a possibility for further extension.

https://ec.europa.eu/taxation_customs/sites/taxation/files/03-04-2020-import-duties-vat-exemptions-on-importation-covid-19.pdf

New 2020 lists of harmonised standards for medical devices are available. The European Commission adopted revised harmonized standards which will allow manufacturers to place on the market high performing devices to protect patients, health care professionals and citizens in general. The decision to adopt these harmonised standards for medical devices represents an additional measure taken by the Commission to respond to the coronavirus outbreak. <https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=OJ:L:2020:0901:FULL&from=EN>. In addition, The European Committee for Standardization (CEN) and the European Committee for Electrotechnical Standardization (CENELEC) have agreed to immediately make available a number of European standards for certain medical devices and personal protective equipment (PPE). The standards are available for free download from the websites of CEN national members. <https://www.nbn.be/fr>

EU-Japan High Level Dialogue on Environment. The discussions took place against the background of the COVID-19 pandemic. Both sides stressed the need to strengthen the resilience of people and planet and ensure a green recovery. The partners expressed their continued commitment to advancing the environmental agenda at the national and multilateral levels, in particular in relation to the UN Biodiversity Summit and UNEA5. Both sides reiterated the importance of moving towards an ambitious and realistic post-2020 global biodiversity framework and strengthening the G20 Resource Efficiency Dialogue. https://ec.europa.eu/info/news/eu-japan-high-level-dialogue-on-environment-2020-apr-01_fr

Opportunités

Programme européen de développement industriel dans le domaine de la défense: appels pour 2020. 160 millions d'euros. La Commission vise des propositions de projets portant sur la conception, le prototypage et les essais de contre-mesures médicales dans les domaines chimique, biologique, radiologique et nucléaire (CBNR), comme l'immunothérapie préventive et thérapeutique, qui pourraient contribuer à affronter de futures crises pandémiques. Les appels ont également pour objectif d'augmenter les capacités de l'UE à détecter et à contrer les systèmes aériens sans pilote tels que les drones dans des scénarios de défense, d'accroître les capacités de l'UE en matière de conscience situationnelle de la cybersécurité et de cyberdéfense. Le programme prévoit des mesures afin d'inciter les petites et moyennes entreprises (PME) à participer. une catégorie dotée d'une enveloppe de 10 millions d'euros est entièrement destinée aux PME qui peuvent fournir des solutions de défense innovantes. <https://ec.europa.eu/docsroom/documents/40621>.

Horizon 2020, Report des deadlines des appels ouverts. En réaction à la crise du Covid-19, les deadlines de plusieurs appels ont été reportées pour laisser plus de temps aux candidats pour préparer leurs propositions. Il n'est cependant pas aisé de s'y retrouver parmi tous ces reports ! C'est la raison pour laquelle le NCP a créé un outil simple et pratique pour retrouver en quelques clics l'information utile. <http://www.ncpwallonie.be/fr/>

A lire

The covid-19 emergency and its impact on SMEs: the OECD analysis. The policy responses to this crisis are numerous and include: the adoption of measures to ensure that information on the prevention and containment of the virus reaches SMEs, including through information via SME/enterprise agencies and SME associations. <http://www.oecd.org/cfe/COVID-19-SME-Policy-Responses.pdf>

Evénements

Suite à la pandémie du COVID 19, les événements publics européens sont annulés et/ou reportés.

“Le monde, pour chacun de nous, n'existe que dans la mesure où il confine à notre vie.”
Marguerite Yourcenar