



CEPLIS TELEGRAM

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“The right to know? Should information to patients be restricted” – a “European Voice” Health Debate



Dr. Phil Hammond, moderator of the Debate

The 24th of last February, CEPLIS, represented by Mr. Martial Reyners Policy Officer, has attended a debate organized by the weekly Brussels newspaper dedicated to EU Affairs, ‘European Voice’. The main goal of this meeting was to address a number of issues relating to the European Commission’s Directive proposal on information to patients concerning medicinal products (<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2008:0668:FIN:EN:PDF>)

The panel was composed of **MEP Christofer Fjellner** (PPE – Sweden), Rapporteur of the Directive proposal in question at the EP Committee on Environment and Health; **Mr. Per Manell**, Chief Technology Officer of the association for the

research-based pharmaceutical industry in Sweden (LIF); Dr. **Konstanty Radziwill**, President of the standing committee of European Doctors (CPME) and **Mr Jan Geissler**, Director of the European Cancer Patients Coalition (ECPC). Dr. **Phil Hammond**, Health Specialist for the BBC, was the moderator.

Mr. Geissler insisted on the fact that *'the access to information is a fundamental right for every citizen and therefore for every patient'*, adding that *'the information should be available in as many languages as possible, and not only in English or in German*'. He also underlined that *'whatever EU decides (in relation to the proposed Directive), patients groups will carry on their ethical duties to inform patients'*. Mr. Geissler expressed concerns with respect to the influence exercised by the pharmaceutical industry on the information provided to patients: *'The Internet and Google will always be there, so we need to find how to certify the available information is the good one*'.

MEP Christofer Fjellner informed the audience that *'the proposed Directive is not on advertisement, but aims at allowing the empowered patient to have access to good information'*. In that respect there is according to him a general agreement among politicians to impose quality criteria in the Directive proposal. Questioned by the moderator on the reasons for the rejection of the Directive proposal from the Member-States at the latest Council meeting (09/12/09), Mr. Fjellner seemed rather uncomfortable *'I don't know, maybe the Council hasn't given the best chance to this text'*.



Dr. Radziwill

Dr. Radziwill, from CPME, pinpointed the issue of the source of information. *'The question is complex, he said, we need to check the quality of the source, and when it comes to medical prescriptions, this quality must be the highest and I believe this sort of quality can only be reached within the office of the medical doctor.*'

MEP Fjellner underlined that *'the centre of information should be the dialogue between the patients and the*

health professionals'.

In his concluding remarks, Dr. Phil Hamond insisted on the importance for patients to have at their disposal a plurality of sources of reliable information and not having to rely only on their medical practitioners.

This interesting debate demonstrated once again that the issue of information to patients is a rather complex and broad one, and that, even though the proposed Directive seems now to be in dead water, the exchange of ideas and the discussions on the subject between stakeholders should continue, for the good of the patients.

Meeting of the Competitiveness Council of the European Union 1-2 March 2010.

On the 1st & 2nd of March 2010, the Competitiveness Council of the European Union chaired by the Spanish Minister for Industry, Tourism and Commerce held a meeting in Brussels in which a number of important issues were discussed. Among them, the Internal Market Scoreboard 20; the State of Play on the « Services Directive »; the Enforcement of intellectual property rights in the Internal Market; and the Internal Market Information System (IMI).

- **Internal Market Scoreboard 20** : Published twice a year, the Internal Market Scoreboard monitors where the EU Member States stand in terms of transposing the Internal Market legislation and ranks them according to their progress, the quality of the implementation, and the application of the rules. Commissioner Barnier has presented the latest version of the Scoreboard (http://ec.europa.eu/internal_market/score/index_en.htm).
- **State of Play on the « Services Directive »**: Commissioner Barnier has depicted the actual situation of the implementation of the Directive on Services in the different EU Member States. The Council has then debated the question and pointed out the areas where efforts from the countries were required (http://ec.europa.eu/internal_market/services/services-dir/index_en.htm).
- **Enforcement of intellectual property rights in the Internal Market** : The Ministers have discussed the project of a draft resolution to strengthen the enforcement of intellectual property rights in the Internal Market. This draft proposal will reinforce the joint commitment of Member States and the European Commission in the fight against counterfeiting and piracy. This draft resolution follows the communication of the European Commission of September 2009 (IP/09/1313).
- **Internal Market Information System (IMI)** : The Council has discussed the progress made with the IMI with regards to the Directive on the Recognition of Professional Qualification (2005/36/EC) and the Directive on Services (2006/123/EC). The Ministers have also discussed the possibility to extend the IMI to other policy areas.

CEPLIS will keep you informed via the Telegram of any evolutions about the outcomes of this meeting ones the decision taken are officially published.

Internal Market Scoreboard: Member States post best-ever result but action still needed on practical application of rules

The European Commission has recently published its 20th Internal Market Scoreboard. This tool aims at measuring the transposition deficit of all the EU Member States with regard to EU Internal Market law.

According to the report in question *“Members States have never performed better in writing agreed Internal Market rules into national law on time”*. However the Commission tempers this statement by underlining the fact that there is still a need to improve the way those rules are applied in practice. On average 0.7% of Internal Market Directives for which the implementation deadline has passed are not currently transposed into national law. Member States are thus substantially below the 1.0% goal agreed by Heads of States, which was to be attained by 2009 at the latest. Among the 27 Member States, 20 are either at or below this target and 7 (Austria, the Czech Republic, Italy, Poland, Portugal, Luxembourg and Greece) are still far from reaching the objective.

With respect to the application of EU law, the number of infringement procedures has slightly decreased. However EU countries are still taking on average 18 months to comply with the rulings of the Court of Justice setting aside the legal obligation to take immediate action.

The newly named Commissioner in charge of Internal Market and Services, Michel Barnier declared that *“this is an excellent result that will benefit the whole of the Internal Market. I encourage the seven Member States that have not yet reached the target to redouble their efforts. But the quality of implementation and practical application of the rules on the ground remains a big problem, affecting efficiency and undermining confidence in the Internal Market. Non-compliance with Court ruling is simply unacceptable. I fully intend to use the possibility under the new treaty to enforce these rulings more rapidly”*.

For more information please refer to:
http://ec.europa.eu/internal_market/score/index_en.htm

The European Commission launches infringement procedures against Member States for failing to liberalize the market of services.

The European Commission has recently announced that procedures of infringement will be launched against several EU Member States that have failed to implement on time the Directive on Services in the Internal Market (2006/123/EC) (**Belgium, Cyprus, Latvia, Luxembourg, Poland and Romania**) or that have only partly implemented the Directive in question.

As you remember, the « Services Directive» obliges Member States to abolish any discriminatory requirements placed on enterprises from other EU countries that would want to set up in their territory. The European legislation also requires the

establishment of a website (a point of single contact) where businesses from the other European States could complete all the administrative forms.

The European Commission is planning a two-step infringement procedure. The first one against the countries that have failed to implement the Directive on time, and the second one against the countries that have partly implemented it. Commission officials seems to say that the first wave of proceeding could be launched very soon. The second wave may take a bit more time. The main reason is that the Commission has not yet finished to analyse the state of the implementation of the Directive on Services in the different EU Member States. The Commission says that this analyse will be completed by the end of 2010.

Conferences and events to come

- Conference “Comparison of employment policies between EU Member States” organized by the “Confrontations Europe”
26th of March 2010 from 12.30 – 15.00
Délégation générale de Rhône-Alpes
62, rue du Trône – 1000 Brussels
For more information please refer to
http://www.confrontations.org/spip.php?page=evenement&id_article=742
- Conference « Getting SMEs on the road to recovery – the Small Business Act for European Enterprise Awards 2010 : exchange of good practices » organised by the European Commission
31st of May to 1st of June 2010
Palacio de Congresos de Madrid, Paseo de la Castellana 99,
2846 Madrid, Spain
For more information please refer to :
http://ec.europa.eu/enterprise/policies/sme/best-practices/sba_conference_2010_madrid/index_en.htm