

# IBEC EUROPE AGENDA

FEBRUARY 2013

*Driving Europe's Recovery*

## The first fifty days of green

Ireland has completed the first fifty days of its six-month Presidency of the Council of the EU, with significant activity in areas such as progress towards a new multiannual financial framework, action on youth unemployment, enhanced intellectual property protection, enhanced economic co-ordination and progress towards negotiations on a potential EU-US trade agreement.

This progress is broadly welcome and in line with many of the stated aims of the Irish Presidency. The 18th century Irish playwright, Richard Brinsley Sheridan noted that the "surest way not to fail is to determine to succeed". Given the progress to date there can be no doubt in the Irish Presidency's determination to succeed in promoting a stability, jobs and growth agenda. Naturally as in all progress, more needs to be done before we reach our shared objective.

February also saw IBEC host the third IBEC CEO Conference 'The Business

of Europe', in Dublin. The major international event was addressed by IBEC CEO Danny McCoy, business leaders, Council President Herman Van Rompuy, Commission President José Manuel Barroso and the Irish Prime Minister (An Taoiseach), Enda Kenny. Markus Beyrer, Director General of [BUSINESSEUROPE](#), also addressed the conference and met with An Taoiseach and presented the [BUSINESSEUROPE](#) priorities to the Irish Presidency.

The core business messages of the conference were the need to move beyond austerity towards growth and jobs and the need to embed business and competitiveness in EU decision making. [BUSINESSEUROPE](#) and [IBEC](#) also displayed videos that reflected the strong economic fundamentals of European and Irish business to the 400 participants.

Europe is connected by business and innovation. Europe's future depends on business and the future of business

depends on Europe. With roughly 130 days to go in the Irish Presidency, let's put competitiveness, growth and jobs at the centre of EU policy decision making. Let's get down to business.

**Erik O'Donovan**



Head of IBEC Europe



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# IBEC CEO Conference – The Business of Europe

In Dublin's iconic Convention Centre on 28 February, IBEC CEO Danny McCoy, addressed some 400 business leaders representing a broad cross-section of Irish and European industries. He talked about the future of Europe and the future of Ireland.

As we try to compete with emerging economies, Mr McCoy noted we need to adapt, innovate and compete on a global stage. Europe needs to shift the focus from austerity to growth in Europe. In the US, industry now benefits from gas prices that are one-third of those in the EU. Singapore has implemented successful labour market reforms and enhanced its competitiveness. He warned that the European financial transaction tax (FTT) is short sighted and crucially,

that it would put European firms at a competitive disadvantage globally.

President of the European Commission Mr. Barroso remarked that Europe faces a new reality and must embrace the competitiveness challenge. Confidence is returning and the governance of the euro has been strengthened. Competitiveness is not an end in itself, it is a means to an end: to drive prosperity and growth. Borroso said we must embrace the Europe 2020 strategy, restore investment and provide entrepreneurs with the financing that they need to drive growth. During the Irish Presidency, President Barroso hopes to begin the negotiating process with the US towards a comprehensive EU-US free trade agreement which could bring an increase of 1% EU GDP.

Markus Beyrer, Director General of BUSINESSEUROPE, explained that many of the solutions to the European crisis can

be delivered by the business community. Europe is the largest economy in the world, and access to the Single Market is highly coveted. He noted that we must advance the completion of the Single Market; this will open up new growth and job opportunities in areas such as services, energy, as well as the digital economy. Industry accounts for 80% of Europe's exports and 45 % of Europe's workforce so it is vital that we ensure a business friendly environment that fosters labour productivity.

Leif Johansson, chairman of Ericsson and the European Roundtable of Industrialists, remarked that he is more optimistic for the European business environment now than at any other time over the past 30 years. Other notable business leaders to address the conference included Pierre Pringuet, CEO of Pernod Ricard, Herb Hribar, CEO of Eircom, and Ronan Murphy, Ireland Senior Partner at PwC.



Pictured (l to r):  
① President of the European Commission José Manuel Borroso, Danny McCoy, CEO of IBEC, and An Taoiseach Enda Kenny.

② President of the European Commission José Manuel Borroso, Danny McCoy, CEO of IBEC, Markus Beyrer, Director General of Businesseurope.





## Progress on potential EU-US trade deal



On 13 February in a joint [statement](#), US President Barack Obama, European Council President Herman Van Rompuy and European Commission President Jose Manuel Barroso formally announced the decision to launch negotiations on a transatlantic trade and investment partnership. The statement followed the [recommendations](#) from a EU-US high level working group on jobs and growth. The group identified potential gains for both economies and recommended the elimination of trade barriers, further compatibility of regulations and standards, reduction of non-tariff barriers and enhanced cooperation for the development of rules and principles for the achievement of shared global economic goals.

IBEC supports the launch of negotiations on an EU-US agreement. Enhanced bilateral trade agreements have the potential to significantly boost trade and reduce non-tariff barriers to trade in goods and further drive Europe's economic recovery. Both the EU and the US will now start internal procedures to launch negotiations.

## European Economic and Social Committee Update



At the recent Plenary Session of the European Economic and Social Committee, the Irish Minister for European Affairs, Lucinda Creighton TD, presented the Irish Presidency's Priorities on behalf of the Government.

The focus was on the Presidency's objective to serve the EU and its citizens by driving forward positive change and managing the work of the Union as a 'fair and honest broker'. She

brought the Committee's attention to the biggest challenges to be faced and solutions that they intend to work on: the current economic crisis and high level of unemployment, the emphasis on education and training, making progress on developing trade relationship between EU and the US.

Minister Creighton also took the opportunity of speaking to the European Forum that represents organised civil society to reaffirm Ireland's belief that active engagement between civil society, NGOs and Government is a necessity for a healthy and functioning democracy at local, national and European level.

The Minister's intervention was warmly welcomed by the Committee members as she ably demonstrated both the Government's and her own commitment to the task at hand as well as to engaging with different stakeholders.

## IBEC's Business Roundtable on EU - US Trade and Investment

On 18 April the Irish Presidency will hold an [Informal EU Trade Council](#) and IBEC, in collaboration with BUSINESSEUROPE and the US Chamber of Commerce, will hold an EU-US roundtable meeting.

Both events will take place in Dublin Castle, the official venue of the Irish Presidency.

IBEC and its European and US business partners are recommending that the EU and US move swiftly to full negotiations on an EU-US trade and investment agreement. If these negotiations are to be successful then they must be based on effective dialogue with the private sector.

The private sector understands the issues that need to be covered in the negotiations and close consultation with business will help ensure any final agreement succeeds in generating economic growth and job creation on both sides of the Atlantic. On the EU side, the European Commission will have to agree upon a negotiating mandate in consultation with the European Council and Parliament. The US administration also plans to bring their negotiation mandate before congress with both sides wishing to start negotiations as soon as possible.



## Policy Update

# Council agree EU budget

EU leaders reached [agreement](#) on the Multiannual Financial Framework (MFF), the EU budget for the period 2014-2020, at the European Council held on 7 and 8 February.

The maximum figure for expenditure is €959.98 billion, representing 1% of EU Gross National Income (GNI). The figure for payments is €908.4 billion, representing 0.95% of EU GNI. However, there will be a review in 2016 to determine whether this 'austerity' budget needs to be adjusted in light of economic circumstances.

The original European Commission proposal for cohesion spending was cut from €379 billion to €325 billion. Funding for the common agricultural programme (CAP) was reduced from a proposed €386 billion to €373 billion. Nevertheless, agriculture and natural resources still constitute 40% of overall spending.

Funding for growth and jobs such as research, infrastructure and education increased in certain areas. For example, there has been a 30% increase in the spending for ERASMUS, and €6 billion allocated towards the creation of a youth unemployment initiative. Amounts for Horizon 2020 have not been specified and will result from a discussion with the European Parliament. However, the Council conclusions refer to a real growth compared to the 2013 level. Meanwhile, funding for the competitiveness related areas have regrettably been the most affected from the initial European Commission proposal. The Connecting Europe Facility is the most evident example, with a cut of over €20 billion from

the European Commission's original €50 billion proposal.

While the Heads of State and Government have agreed on this allocation of funds, the overall budget has yet to be approved by the European Parliament. It is still unclear how such negotiations with the European Parliament will work in practice (and how long it has to give its consent) given that it is the first time that these powers will be exercised since the Treaty of Lisbon.

The President of the European Parliament Martin Schultz has expressed concerns about the gap between payment and commitment appropriations, amid remarks this represents a structural deficit. There is the potential to negotiate with the European Parliament by introducing more flexibility at EU level. This would mean that unspent money would be retained at EU level, rather than being transferred back to the Member States. Support for Horizon2020 in such a scenario would be welcome. A case of no agreement would imply a rollover of the 2013 budget each year as long as a new MFF is not agreed. Meanwhile, a late agreement would lead to great uncertainty, delay investment projects and consequently, result in a late start of programmes.



## Action on youth unemployment

On 28 February the European Social Affairs and Employment (EPSCO) Ministers reached agreement on a youth guarantee, an EU wide initiative which aims to ensure that young people, who are not working or studying, receive either an offer of employment, continued education, or further training. The agreement recommends that Member States move progressively to implement youth guarantees, taking into account existing policies, objectives and budgetary circumstances.

Heads of State and Government had already agreed a €6 billion youth employment initiative as part of their agreed position on the EU Budget for the period 2014-2020 when they met on 7 and 8 February. The aim of the funding initiative is to tackle youth unemployment and support the implementation of the proposed youth guarantee. Further work on how this funding will be allocated and its implementation will now be undertaken.





# FTT progresses

The European Commission has made further progress toward implementing a financial transaction tax (FTT) under the enhanced cooperation mechanism. Enhanced cooperation allows for a minimum of nine Member States to proceed with a proposal when all 27 Member States are unable to achieve unanimous agreement. The ECOFIN Council on 22 January authorised enhanced cooperation for 11 Member States including France, Germany and Spain to proceed with a proposed Directive implementing a FTT. The European Commission formally adopted this proposal on 14 February.

The proposal aims to mitigate the relocation of companies to Member States outside the FTT zone by implementing a residence principle, where if one party is established in the FTT zone then the transaction is taxed regardless of where in the world this transaction occurs.

Under its current form, the Commission expects the FTT to generate up to €35 billion per year. Ireland will not be one of the participating Member States but under the Irish Presidency of the European Council, the Irish Government will continue to act as a constructive and impartial broker in these discussions. IBEC believes that Europe's competitiveness

would be better served if the proposals were relinquished.

The European Commission foresees that the FTT will enter into force in the 11 participating Member States on the 1 January 2014 subject to the European Council reaching a final agreement on this proposal and further consultation with the European Parliament, National Parliaments and the European Economic and Social Committee.

## New proposals on EU cyber security

The European Commission and the High Representative of the Union for Foreign Affairs and Security Policy have together put forward their ideas on how to strengthen cyber security in a strategy entitled 'An Open, Safe and Secure [Cyberspace](#)'.

A more secure cyberspace is seen as essential, with estimates that the digital single market could boost European GDP by €500 billion per year.

The Commission and High Representative hope to achieve five main objectives: cyber resilience; reducing cyber crime; developing cyber defence policies and capabilities and establishing a coherent international cyberspace for the EU that promotes core EU values.

The strategy also contains a proposal for a Directive on Network and Information Security (NIS).

If passed, it would require that all Member States, key internet enablers and major infrastructure operators across public service providers, e-commerce and social networks provide a secure and trustworthy digital environment. The idea is that ensuring greater security would contribute to a stronger digital economy.

The strategy will be partially funded by the Connecting Europe Facility as part of the Multiannual Financial Framework, the EU budget for 2014-2020.

If new rules on cyber security are well framed they may contribute to the growth of new technologies to the benefit of business and consumers. However, a balanced approach must be taken to ensure continued innovation and investment in the digital economy.

Enhanced cybersecurity is one of the priorities of the Irish Presidency and the proposal will now be examined by the Council and European Parliament.



## Deal on eurozone economic coordination

The Irish Presidency has brokered an agreement between the European Parliament and the Commission on new rules that strengthen budgetary and economic coordination in the eurozone.

The 'Two-Pack' is a pair of regulations, proposed during the eurozone crisis of 2011 that establishes common budgetary timelines and rules for eurozone members to ensure that they meet the requirements of the Stability and Growth Pact. It also allows for greater Commission surveillance of eurozone states in severe financial difficulty or those currently receiving financial assistance.

Together, the two regulations should result in an enhanced monitoring and surveillance of eurozone economic and budgetary matters.

As part of the 'Two-Pack', there is an agreement between the European Parliament and Commission to look at the possibility of establishing a European redemption fund. The Commission will establish an expert group to analyse the merits of doing so, which will present its conclusions by March 2014.

The new procedures are being proposed under Article 136 of the Treaty on the Functioning of the European Union, introduced by the Lisbon Treaty. The deal must now be approved by the whole European Parliament, which is expected to vote in the second week of March.

## Data protection reforms must be fit for purpose

The European Commission aims to introduce a new general data protection regulation, prompted by advances in technology and the growing concern amongst EU citizens regarding the data privacy using internet technology.

The proposal aims to implement a uniform EU framework on the collection and use of data via the internet and simplify the regulatory environment for data protection. Specific measures include a right for data subjects to demand the erasure of their personal information and restrictions on the manner in which employers can process the personal data of employees.

IBEC agrees that the legal framework is in need of reform and is enthusiastic about many of the new initiatives being advanced. However, the devil is in the detail. An entitlement to erasure of information will have consequences for credit checks, which will impact both consumers and business. Besides, even if the data controller agrees to erase the information, there may be no practical reality in controlling the behaviour of others who have

downloaded the information from a social networking site.

Restrictions on employers' ability to manage the personal data of employees may be of interest to those who would like to further restrict the information they are required to share in the workplace, but it may also have a negative impact on the payment of wages and other entitlements, which is not in the interest of employees.

The new proposals are complex. They require an equally nuanced legislative response. This is not easily achieved by an EU regulation which allows little scope for interpretation at national level. IBEC believes that many of the issues to be addressed would benefit from the more flexible approach that could be achieved through use of a directive, in conjunction with a data protection regulation more limited in the issues it proposes to address. True, one of the key benefits of the initiative - that of consistency across the Member States - may be reduced in scope, but what remains will hopefully be a legislative framework in which consumers and business can have real confidence.

## Update on Patent Protection

An international agreement establishing a Unified Patent Court was signed by 24 Member States in Brussels on 19 February (on the margins of the Competitiveness Council). Bulgaria is expected to sign shortly while Poland and Spain did not sign the agreement. The agreement seeks to ensure the uniform applicability of patent law throughout the territories of the signatory countries. Following the signing of the agreement, the ratification process by

national parliaments can start. At least 13 member states will have to ratify the agreement for it to enter into force.





# Proposals for a new European welfare state

The European Commission wants Member States to prioritise social investment and modernise their welfare states. The Social Investment Package (SIP) presents ideas for policy reforms that could make social protection more efficient and effective. The package includes a Communication on the SIP, entitled 'Towards Social Investment for Growth and Cohesion'. The Communication is accompanied by a recommendation against child poverty, called 'Investing in Children: breaking the cycle of disadvantage'.

The Commission estimates that 24.7% of the population in the EU27 are currently at risk of poverty or social exclusion. Unemployment has reached the record high of 10.7% and youth unemployment

currently stands at 22.7%. These challenges are further compounded by structural problems including an ageing demographic and a shrinking workforce.

Modernising welfare states is essential to reducing inequality and poverty, increasing economic competitiveness and fostering growth.

The SIP is based upon an analysis of data and existing good practices in Member States.

The SIP is based on three main themes: gaining efficiency from existing welfare budgets, promoting labour force participation and preventative measures to safeguard against possible risks and to prevent existing disadvantages from becoming further ingrained.

The progress of individual Member States will be closely monitored to ensure the EU 2020 targets are met. If necessary the Commission will propose Country Specific Recommendations (CSRs). The Package also provides guidance on how EU funds can be best used to support the implementation of these CSRs.

The included Commission recommendation against child poverty highlights the importance of an integrated approach to youth-focused social investment.

The Package will be discussed at the next EPSCO Council of Ministers meeting in Luxembourg in June.

## ETS "back-loading" decision on the horizon

In February, MEPs in the committee on the environment, public health and food safety (ENVI), supported a Commission proposal to "back-load" - or delay - the timing of auctions of allowances in the ETS scheme, but strongly emphasised that the Commission should make no more than one such adaptation.

The EU Emissions Trading Scheme (ETS) was established in order to promote the reduction of greenhouse gas emissions in a cost-efficient manner as well as to drive investment in low carbon technologies. However, the commencement of the second phase of the trading period witnessed a reduction in emissions as a result of the economic downturn. The economic crisis coupled with a number of regulatory provisions relating to the transition to the third trading period (2013-2020), have resulted in a significant surplus of ETS allowances. A European Commission carbon market report published the end of 2012 outlined six potential long-term structural measures, as well as a short term fix. In the short term, the report suggested altering the

auctioning timetable by way of a "mini amendment" of the EU ETS agreement, and to enable the Commission to adopt an amendment to the Auctioning Regulation.

MEPs on ENVI, in voting on draft legislation, believe a freeze in the auction of some pollution allowances should be allowed to help boost green investments. This follows a non-binding European Parliament vote in January by MEPs on the committee on industry, research and energy (ITRE) that advised against allowing this market intervention. An expected vote by ENVI, who are the lead committee, on whether to give the committee the mandate to negotiate an agreement with Member States before

going to a vote in plenary in April has been cancelled.

The conflicting views of the two committees have been echoed through other quarters. Some are convinced that "back-loading" will assert the necessary signal to the carbon market and international observers that the EU is committed to a sustained strategy of driving carbon reduction through the ETS. There are, however, conflicting views that a wider debate is required with a view to engaging all stakeholders on the structural reform of energy and climate policies for 2030, with a view to taking a more integrated approach, rather than meddling with a market based instrument.





## Notes for diary

### Upcoming EU events and meetings:

#### Formal Council meetings:

##### 7-8 March

Justice and Home Affairs Council

##### 11 March

Transport, Telecommunications and Energy Council

##### 11 March

Foreign Affairs Council

##### 11 March

General Affairs Council

##### 14-15 March

European Council

##### 18 March

Agriculture and Fisheries Council

##### 21 March

Environment Council

#### Informal Council meetings:

##### 4-5 March

Ministers for Health, Dublin Castle

##### 22-23 March

Ministers for Foreign Affairs, Dublin Castle

#### IBEC events in Dublin:

##### 18 April

High-level Business Roundtable on EU-US Trade and Investment

##### 13-14 June

BUSINESSEUROPE Council of Presidents meeting.

# IBEC and European Parliament St Patrick's Day Event

## BACKGROUND

For the past two years, the Irish MEPs have hosted a lunch event to celebrate St Patrick's Day in the European Parliament. It has been an occasion to showcase Ireland and Irish products to our European counterparts.

## SEIZING OPPORTUNITIES

IBEC, along with the Irish MEPs, want to use the Irish Presidency to reiterate that Ireland is open for business and is a recovery country driving Europe's recovery. We want to do this by showing our European counterparts the type of products on offer in some of the Irish business community's most important sectors.

Mairéad McGuinness MEP, with the help of IBEC, Food and Drink Industry Ireland (FDII) and the Alcohol Beverage Federation of Ireland (ABFI) is hosting the event and the aim is to market Ireland and its products to potential future customers from across the EU.

## BUILDING ON OUR INTERNATIONAL REPUTATION

We will demonstrate that Ireland is emerging stronger and more robust, in spite of our small size and the economic challenges we face. The Irish Presidency can deliver results and allow Ireland and Irish business to continue working on our international reputation and to showcase our success as a small but strong trading nation.

## THE EVENT

In light of this, we are aiming to have a bigger and more memorable event for St Patrick's Day 2013. It will take place in the evening of 19 March from 18.30 in the European Parliament. Along with Mairéad McGuinness's office, we will invite a cross section of the Brussels-based community of all nationalities working in the many trade associations, consultancies, Irish expatriates working in different spheres, MEPs and their assistants and the other EU institutions, whether they be Irish or those working on Irish related issues.

#### For further information contact:

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# European Parliament updates in February

## AFCO Committee

The Constitutional affairs committee has proposed that a number of Member States including Ireland reduce their representation in the Parliament by one seat. There are currently 754 MEPs but when Croatia joins later this year, it will get 12 seats of that allocation. The European Parliament can submit comments on the composition of the proposal to the European Council. The European Parliament can then approve or reject the decision made by the Council, but it cannot change the content of the proposal. The proposal will be discussed in full plenary on 13 March and voted on by all MEPs the following day.

[Read more.](#)

## INTA Committee

The International Trade Committee hosted Trade Commissioner Karel De Gucht, who presented the Final Report of the US-EU High Level Working Group on Jobs and Growth. The Transatlantic Trade and Investment Partnership will aim to go beyond the classic approach of removing tariffs and opening markets on investment, services and public procurement. It will focus on aligning rules and technical product standards, which currently form the most important barrier to transatlantic trade. When negotiations are completed, this EU-US agreement would be the biggest bilateral trade deal ever negotiated.

[Read more.](#)

## IMCO Committee

The Internal market committee voted in favour of giving more powers to customs officials across the EU to confiscate, store and destroy goods that infringe intellectual property rights. The new rules will allow customs officials to work faster and more effectively. They include a simplified procedure to allow the destruction of goods without a court order, provided that the copyright holder agrees and the importer does not object. In other activity the committee also amended a new draft law on the recognition of professional qualifications including a European skills passport which will aid greater mobility of workers within the single market. The committee members also voted in favour of the committee's opinion on the posting of workers enforcement directive relating to citizens who are posted abroad in another Member State.

[Read more.](#)

## ECON Committee

The Economic and Monetary Affairs Committee has voted in favour of further legislation regarding EU economic governance commonly known as the "two pack". This legislation includes clearer rules for Member states seeking financial assistance and also ensures that further economic growth is encouraged in these states. The "two pack" legislation also provides for better oversight of Commission powers and infrastructure investment within the EU. The Parliament as a whole is due to vote on this legislation in the second week of March.

[Read more.](#)

# Expected Commission Proposals

## 27 February 2013

- A decent life for all – ending poverty and giving the world a sustainable future (Commissioners Piebalgs and Potocnik)
- Proposal to amend the Schengen Borders Code (Commissioner Malmström)
- Regulation to set up Entry/Exit System (Commissioner Malmström)
- Proposal to set up Registered Traveller Programme (Commissioner Malmström)

## 12th March 2013

- Proposal establishing a framework for maritime planning and coastal management (Commissioners Damanki and Potocnik)

## 20th March 2013

- European Neighbourhood Policy Package (Vice-President Ashton and Commissioner Füle)

## 27 March 2013

- Revision of the Community Trade Mark Regulation and of the Directive approximating national trade mark laws (Barnier)
- EU Justice Scoreboard, a tool for effective justice and growth (Reding)



## Recent Council meetings

### Competitiveness Council ministers prepare for March European Council

At the EU Competitiveness Council on 18 and 19 February, ministers for enterprise and innovation prepared for the European Council on 14 and 15 March. At this meeting, the Heads of State and Government will focus on concluding the first phase of the 2013 European Semester and the Annual Growth Survey 2013. This will allow them to make suggestions as to how the EU can drive growth and employment across

the EU through the country-specific recommendations in June.

Ministers also examined the state of play of the Single Market Act package and how to improve the functioning of the single market across the EU. Other items of discussion on the agenda included a policy debate on the "Entrepreneurship 2020 plan and a review of the REACH system (Europe's registration system for chemicals in the EU).

Ministers also signed off on an agreement on a Unified Patent Court ensuring the uniform application of patent law to Member States who sign up to the agreement. Discussions were also held on updating market surveillance and product safety following the release of a new legislative package containing two draft regulations, one on market safety and one on improving consumer product safety.

## Updating business on the EU Presidency

IBEC Europe Agenda is published monthly during the Irish Presidency of the Council of the European Union.

IBEC, its sectors and BUSINESSEUROPE will be engaging with national and EU political stakeholders throughout the Presidency. If you, your company or federation are communicating like-minded business messages, please do not hesitate to get in contact with our IBEC Europe office.

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Please visit [www.ibec.ie/eupresidency](http://www.ibec.ie/eupresidency) for further business perspectives on the Irish EU Presidency

#### BUSINESSEUROPE



The Irish Business and Employer's Confederation is a member of BUSINESSEUROPE, which is the main horizontal business organisation at EU level.

For more information on EU Presidency events or to subscribe to the newsletter visit: [www.ibec.ie/eupresidency](http://www.ibec.ie/eupresidency)

See also the Irish Government's website: [www.eu2013.ie](http://www.eu2013.ie)