

# 05

Ožujak 2010.

# EUROPA info

Bilten informacijskog centra za europsko pravo – „EU-i“

Poštovani čitatelji,

Pred vama je peti broj biltena *EUROPA info* koji u bibliografskom pregledu obuhvaća reference dokumenata, članaka, studija, izvještaja, sudskih presuda i priopćenja objavljenih u razdoblju od 19. prosinca 2009. do 18. ožujka 2010. Također, bibliografija je od sada dopunjena pregledom **novih izdanja knjiga** vezanih uz pravo i politike Europske unije. Nadamo se da ćete pronaći i vama zanimljive nove naslove.

Od događaja u odnosima **Hrvatske i Europske unije** u proteklom razdoblju izdvajamo:

Predsjednik Ivo Josipović posjetio je 4. i 5. ožujka 2010. Brisel gdje se sastao s predsjednikom Europskog parlamenta Jerzym Buzekom, predsjednikom Europske komisije Barrosom (**SPEECH/10/70**) i predsjednikom Europskog vijeća Hermanom van Rompuyem (**PCE 45/10**).

U Briselu je 19. veljače 2010. održana međuvladina konferencija između Hrvatske i Europske unije (**PRES/10/35**) na kojoj su otvorena dva nova poglavlja pregovora – poglavlje 13 - Ribarstvo i poglavlje 27 – Zaštita okoliša. Od početka pregovora 3. listopada 2005. otvoreno je ukupno 30 poglavlja, a 17 ih je privremeno zatvoreno. Europski je parlament na plenarnoj sjednici održanoj 10. veljače 2010. u Strasbourgu usvojio rezoluciju (**B7-0067/2010**) kojom pozitivno ocjenjuje napore Hrvatske na ispunjavanju kriterija za članstvo u EU.

Nizozemska je 12. veljače povukla blokadu poglavlja Pravosuđe i temeljna prava, čime je nakon godinu dana stanke omogućen nastavak pregovora u tom poglavlju. Poglavlje je bilo blokirano zbog nedovoljne suradnje Zagreba s Međunarodnim kaznenim sudom u Haagu.



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## UREDNIŠTVO

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Petričušić, Nikoleta Radionov

# INFO

## EUROPA 2020

Europska je komisija objavila desetgodišnju strategiju za oživljavanje europske ekonomije u kojoj je predstavljena vizija pametnog, održivog i uključivog rasta, te pritom istaknuta nužnost usklađivanja nacionalnih i europskih politika. Studija, objavljena 3. ožujka 2010. pod brojem dokumenta COM (2010) 2020, dostupna je na poslužitelju [EUROPA](#).



## Europska komisija - Barroso II

Europski je parlament 9. veljače 2010. u Strasbourgu s 488 glasova za, 137 protiv i 72 suzdržana glasa potvrdio novu Europsku komisiju koja će svoju dužnost obavljati sljedećih gotovo pet godina, točnije do 31. listopada 2014. Svoj prvi sastanak nova je Komisija održala 17. veljače 2010. u Briselu. Više: [Europarl news, 9.2.2010.](#)

## Sud EU-a: Duhanski proizvodi

Sud Europske unije osudio je minimalne cijene koje su za cigarete i neke duhanske proizvode odredile Francuska, Austrija i Irska. Sud smatra kako je takva praksa u suprotnosti s europskim pravom i predlaže da se zaštita javnog zdravlja omogući drugim sredstvima. Sud navodi kako bi određivanje minimalnih cijena moglo "utjecati na odnose među sudionicima tržišne utakmice", te umjesto toga predlaže povećanje poreznih stopa. Više: [CJE/10/21, 4.3.2010.](#)

## Eurobarometer o socijalnom stanju Unije

Eurobarometer je 2. veljače 2010. objavio studiju o javnom mišljenju o socijalnim prilikama u Europskoj uniji. Rezultati istraživanja pokazuju da su euroljani zadovoljni svojom privatnom situacijom, ali ne i stanjem ekonomije njihovih zemalja. Studija otkriva i značajne razlike u stavovima među građanima pojedinih država članica, pri čemu su stanovnici Švedske, Finske, Danske i Nizozemske općenito zadovoljniji svojom situacijom, dok su stanovnici Bugarske, Mađarske, Grčke i Rumunjske znatno zabrinutiji. Izvještaj je dostupan na poslužitelju [EUROPA](#).



## Eurobarometer : stavovi građana o gospodarskoj situaciji

Eurobarometer je u veljači 2010. objavio rezultate istraživanja o stavovima građana Unije o gospodarskoj krizi. Istraživanje je provedeno u jesen 2009. u 27 država članica Europske unije, te

Hrvatskoj, Makedoniji i Turskoj. Integralna verzija izvještaja kao i izvještaji za pojedine države, **uključujući Hrvatsku**, dostupni su na stranicama **Eurobarometera**.

## Studija o neprijavljenom radu

Europska komisija objavila je opsežnu studiju što su je za nju izradile dvije konzultantske kuće (*GHK* i *Fondazione G. Brodolini*) o opsegu neprijavljenog rada u 27 država članica Europske unije te u Hrvatskoj i Turskoj. Studija je dostupna na poslužitelju **EUROPA**.

## Izvještaji o socijalnoj zaštiti i socijalnoj uključenosti

Komisija je objavila izvještaje o socijalnoj zaštiti i socijalnoj uključenosti u 2010. s popratnim dokumentima koji su dostupni na poslužitelju **EUROPA**.

## Trgovinske povlastice za zapadni Balkan

Europska komisija usvojila je 22. veljače 2010. prijedlog za produženje trgovinskih povlastica zemljama Zapadnog Balkana do 2015. godine. Korisnice tog povlaštenog pristupa tržištu Europske unije su države sudionice Procesu stabilizacije i pridruživanja – Albanija, Bosna i Hercegovina, Hrvatska, Makedonija, Crna Gora, Srbija i Kosovo. Više: **IP/10/173** i **COM (2010) 54 final**.

## WIIW o recesiji u državama istočne, srednje i južne Europe

Prema studiji koju je početkom ožujka 2010. objavio Institut za međunarodne ekonomske studije iz Beča (*Wiener Institut für Internationale Wirtschaftsvergleiche* – **WIIW**), države istočne i južne Europe trebale bi doživjeti ponovni gospodarski rast tijekom 2011. godine. Od novih država članica Europske unije samo će tri Baltičke zemlje tijekom 2010. biti u recesiji. Studiju možete naručiti na stranicama **Instituta za međunarodne ekonomske studije - WIIW**.



## Projekt: Europeizacija statusa građanina u državama bivše Jugoslavije

U okviru projekta "Europeizacija statusa građanina u državama sljednicama bivše Jugoslavije" (*The Europeanisation of Citizenship in the Successor States of the Former Yugoslavia* (CITSEE)) što ga provodi Sveučilište u Edinburghu objavljeni su prvi radovi koji obrađuju spomenutu temu. Radove možete pogledati na stranici projekta **CITSEE**.

## Europska unija i Romi

Na poslužitelju EUROPA odnedavno je dostupna nova stranica posvećena odnosima Europske unije prema Romima. Stranica donosi službene informacije o naporima usmjerenim na borbu protiv diskriminacije Roma u EU. Više na poslužitelju [EUROPA](#).

## Vijesti na poslužitelju EUROPA

Opća uprava Europske komisije za komunikaciju pokrenula je u okviru poslužitelja EUROPA novu stranicu posvećenu vijestima koja preuzima funkciju Biltena Europske unije. Linkovi unutar članaka vode izravno na izvještaje Komisije i Parlamenta ili na relevantne sadržaje unutar poslužitelja, a ne samo na priopćenja za javnost. Više na poslužitelju [EUROPA](#).

## Registri lobista

Novim registrima lobista akreditiranih pri Europskoj komisiji i Europskom parlamentu odnedavno se može pristupiti s poslužitelja Europa. Oba registra omogućuju pretraživanje po više kriterija. Više na poslužitelju [EUROPA](#).

## Ljetni tečajevi za pravnike u njemačkom Trieru

Akademija za europsko pravo (EAR) u Trieru organizira u ljeto 2010. niz intenzivnih tečajeva za pravnike koji žele steći bolji uvid u pojedina područja europskoga prava. Tečajevi će obuhvatiti ustavno pravo EU-a (14. – 18. lipnja), europsko pravo društava (14. – 16. lipnja), europsko porezno pravo (21. – 25. lipnja), europsko privatno pravo (21. – 25. lipnja), pravo tržišnog natjecanja (28. lipnja - 2. srpnja), europsko kazneno pravo (28. lipnja - 2. srpnja), europsko radno pravo (5. – 9. srpnja) i europsko pravo intelektualnog vlasništva (5. – 9. srpnja). Više o tečajevima pogledajte na stranici [Akademije ERA](#).

## EU Bibliografija

Bibliografija obuhvaća odabrane službene dokumente institucija Europske unije, uključujući zakonodavstvo objavljeno u Službenom listu EU-a, priopćenja i vijesti, zakonodavne prijedloge, izvještaje i studije, stručne i znanstvene članke i radove domaćih i stranih autora, te od ovog broja i pregled novih izdanja knjiga u području prava i politika Europske unije. Reference službenih izvora razvrstane su kronološkim redom, dok su članci, radovi i knjige razvrstani prema imenu autora. Kod službenih dokumenata i vijesti te kod onih radova i članaka koji su slobodno dostupni priložen je i link na cjelovit tekst. Obuhvaćeno je razdoblje od 19. prosinca 2009. do 18. ožujka 2010.

Za pristup tekstovima svih ostalih ovdje spomenutih naslova, ukoliko su nam dostupni, možete nam se obratiti osobno (Informacijski centar za europsko pravo, Pravni fakultet Zagreb, Trg maršala Tita 3, Zagreb), telefonski (**01/4597 596**) ili elektroničkom poštom ([eu-info@pravo.hr](mailto:eu-info@pravo.hr)). Na istu adresu budite slobodni uputiti i svaku Vašu sugestiju, opasku ili prijedlog vezan uz sadržaj biltena.

# 01 | EU - Hrvatska

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**Proposal** for a Regulation of the European Parliament and of the Council on amending Council Regulation (EC) No 1215/2009 **introducing exceptional trade measures for countries and territories participating in or linked to the European Union's Stabilisation and Association process.**  
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2. *Europska komisija*  
**Report on indirect measurement methods for undeclared work in the EU and Croatia and Turkey** / GHK and Fondazione G. Brodolini ; European Commission. - [Brussels] : EU, 2009. – 107 str.  
 [izvještaj je dostupan na poslužitelju [EUROPA](#)]
3. *Europski parlament*  
**Fisheries in Croatia** / European Parliament : DG Internal Policies. – Brussels : EU, 2009. – 76 str.  
 Europski parlament: PE 408.959, 20.1.2010.
4. *Europska komisija*  
**EU CANDIDATE and Pre-Accession Countries Economies Quarterly – CCEQ** / European Commission. – Brussels : EUR-OP, 2010. – 45 str. [Current update 6 January 2010]
5. *Europska komisija*  
**Proposal** for a Council Decision on the **signature** of an **Agreement** between the Republic of Croatia and the European Union on **the participation of the Republic of Croatia in the work of the European Monitoring Centre for Drugs and Drug Addiction.**  
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**Proposal** for a Council Decision on the **conclusion** of an **Agreement** between the Republic of Croatia and the European Union on the **participation of the Republic of Croatia in the work of the European Monitoring Centre for Drugs and Drug Addiction.**  
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**Report** from the Commission - **Sapard Annual Report** - Year 2008 ([SEC\(2009\)1715](#)).  
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**Report** from the Commission - 2008 **annual Report on Phare, Turkey pre-accession**

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**Statement** to the press by **Herman van Rompuy**, President of the European Council, after his **meeting with Ivo Josipović, President of Croatia**, Brussels, 5 March 2010.  
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## 03 | Pravosuđe i unutarnji poslovi

(ljudska prava, azil, imigracija, terorizam, rasizam i ksenofobija  
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## 05 | Jedinstveno tržište – Tržišno natjecanje

(državne potpore, carine, slobodno kretanje roba, usluga, kapitala, sloboda kretanja ljudi, intelektualno vlasništvo, normizacija, javne usluge, javne nabavke, pravo društava, financijske usluge)

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## 11 | Energetika

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**Report** from the Commission on sustainability **requirements for the use of solid and gaseous biomass sources in electricity, heating and cooling** {[SEC\(2010\) 65 final](#)} {[SEC\(2010\) 66 final](#)}.  
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(sigurnost proizvoda i usluga, opasni proizvodi, oglašavanje, označavanje, financijska zaštita)

## Zakonodavstvo EU

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545. Predmet **C-511/08**. Mišljenje nezavisnog odvjetnika (Paolo Mengozzi) od 28.1.2010.  
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546. Predmet **C-304/08**. Presuda Suda EU-a od 14.1.2010.  
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## 13 | Poljoprivreda – Ribarstvo – Šumarstvo

(Zajednička poljoprivredna politika, zdravlje životinja i biljaka, vinarstvo)

Zakonodavstvo EU

564. *Europska komisija*  
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## Sudska praksa Suda EU-a

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*Monsanto Technology LLC v Cefetra BV and Others*.  
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**Common agricultural policy – Single payment scheme** – Regulation (EC) No 1782/2003 – Transfer of payment entitlements.  
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577. Predmet **C-365/08**. Mišljenje nezavisnog odvjetnika (Trstenjak) od 21.1.2010.  
*Agrana Zucker GmbH v Bundesminister für Land- und Forstwirtschaft, Umwelt und Wasserwirtschaft*.  
**Common agricultural policy – Common organisation of the markets in the sugar sector** – Regulation (EC) No 318/2006 – Article 16 – Production charge – Article 19 – **Withdrawal of sugar from the market** – Regulation (EC) No 290/2007 – Regionally differentiated determination of the withdrawal percentage – Principle of proportionality – **Principle of non-discrimination**.  
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*Kornelis van Dijk v Gemeente Kampen*.  
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# 14 | Prometna politika

(Javni prijevoz, željeznica, cestovni promet, zračni promet, riječni promet, luke, brodovi, turizam)

## Zakonodavstvo EU

585. *Europska komisija*  
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Commission **Recommendation 2010/19/EU** of 13 January 2010 on the **secure exchange of electronic data between Member States to check the uniqueness of driver cards** that they issue.  
Službeni list EU, L 9/10, 14.1.2010.

594. *Europski parlament, Vijeće EU*  
**Regulation (EC) No 1222/2009** of the European Parliament and of the Council of 25 November 2009 on the **labelling of tyres with respect to fuel efficiency and other essential parameters**.  
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Brussels, 10 March 2010.  
PRES/10/57, 10.3.2010.
603. *Europska komisija*  
**Air safety: New EU rules to strengthen air accident investigations.**  
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*Axel Walz v Clickair S.A.*  
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# 15 | Obrazovanje – Kultura – Mladi

(visoko obrazovanje, stručna izobrazba, cjeloživotno učenje, programi  
za mlade, jezici, sport, rekreacija)

Pripremni dokumenti, izvještaji, studije

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## 16 | Informacijsko društvo - Audiovizualna politika i mediji

### Pripremni dokumenti, izvještaji, studije

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### Sudska praksa Suda EU-a

621. Predmet **C-522/08**. Presuda Suda EU-a od 11.3.2010.  
*Telekomunikacja Polska SA w Warszawie v Prezes Urzędu Komunikacji Elektronicznej.*  
**Electronic communications – Telecommunications services** – Directive 2002/21/EC – Directive 2002/22/EC – Making the conclusion of a contract for the provision of services contingent on the conclusion of a contract for the supply of other services – Prohibition – **Broadband Internet**.  
 CURIA: Judgement of the Court of Justice in Case C-522/08, 11.3.2010.
622. Predmet **C-569/08**. Mišljenje nezavisnog odvjetnika (Trstenjak) od 10.2.2010.  
*Internetportal und Marketing GmbH v Richard Schlicht.*  
**Internet – .eu Top Level Domain** – Regulation (EC) No **874/2004** – Article 21 – **Registration of a domain by the proprietor of a national trade mark acquired for the sole purpose of enabling that registration to take place during the first phase of phased registration** – Notion of 'right' – Notion of 'legitimate interest' – Notion of 'bad faith' – Article 11 – Rules for the transcription of special characters – National trade mark registered in bad faith.  
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 Telecoms: **mobile phone customers entitled to protection from data-roaming "bill shock"** as from 1 st March 2010.  
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## 17 | Znanost i istraživanje

(Europski istraživački prostor, okvirni programi za istraživanje)

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## 18 | Vanjski odnosi - Proširenje – ZVSP

(EU i međunarodne organizacije, ljudska prava izvan EU-a, vanjska pomoć, sigurnost i obrana, terorizam, vanjska trgovina, politika dobrosusjedstva, srednja i istočna Europa, Balkan, proširenje)

### Zakonodavstvo EU

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