



FEDERATION OF EUROPEAN SECURITIES EXCHANGES (FESE)

Rue du Lombard, 41
B-1000 Bruxelles
P668

T (0032 2) 551.01.80
F 512.49.05
www.fese.org

Brussels, 30th April 2004

**FESE Comments to the
First Interim Report by the review Panel to CESR (03-414b)**

The Federation and its Members have noted with interest the important work of CESR's Review Panel. CESR's task of ensuring more consistent and timely implementation of Community legislation in Member States, as cited in the Review Panel's terms of reference, is crucial for the creation of a truly integrated European financial market. CESR's efforts in close co-operation with its Members are laudable and must be seen as a key support for the work by the European Commission in the field of implementation surveillance.

We refer in this context with emphasis to our proposal for an ombudsman for cross-border financial services providers in Europe. As we had the opportunity to discuss on several occasions with CESR, we believe that such an ombudsman system would provide a speedy and cost-effective mechanism of dealing with problems caused by the uneven enforcement of EU rules and regulations by national regulators. In the medium-term an ombudsman would help create a level playing field for all financial services firms.

We further note with satisfaction that CESR has made every effort to include the regulators of the new EU Member States into this work and appreciate in this context that it was possible to secure the co-operation also of the Polish and Lithuanian authorities.

Finally, we would like to emphasise that transparency of the review process and its results should continue at a high level.

- Firstly, CESR's immense efforts should for no reason go unnoticed.
- Secondly, the results of the review processes are highly interesting for all those that are interested in any form of cross-border business in the Union as well as for all that approach the EU area from the outside. This, in turn will increase in the reputation and standing of CESR.
- Thirdly, we think that any peer review gains weight and influence vis-à-vis the reviewed entities when results are being published. We welcome the self-dynamics created by this procedure.

We are looking forward with interest to the further work of the Review Panel.

Yours sincerely,

Gregor Pozniak
Deputy Secretary General