

**FOLLOW-UP PROVIDED BY THE COMMISSION TO THE
OPINIONS OF THE**

EUROPEAN COMMITTEE OF THE REGIONS

PLENARY SESSION OF JULY 2018¹

82nd REPORT

¹ Including the follow-up to one opinion adopted during the March 2018 plenary session and one opinion adopted during the May 2018 plenary session.

N°	TITLE	REFERENCES
DG NEAR		
1.	Eastern Partnership deliverables for 2020: The contribution of local and regional authorities Rapporteur: Mr Sören HERBST (DE/EPP)	COR-2017-05903-00-00-PAC-TRA CIVEX-VI/030 Own-initiative opinion
DG HOME		
2.	Action Plan to support the protection of public spaces Rapporteur: Jean-François BARNIER (FR/ALDE)	COM(2017) 612 final COR-2017-05902-00-00-PAC-TRA CIVEX-VI/031 Own-initiative opinion
DG REGIO		
3.	Implementation Assessment of the Urban Agenda for the EU Rapporteur: Kieran MCCARTHY (IE/EA)	COM(2017) 657 final COR-2018-06120-00-00-PAC-TRA COTER-VI/037 Own-initiative opinion
4.	Boosting Growth and Cohesion in EU Border Regions Rapporteur: János Ádám KARÁCSONY (HU/EPP)	COM(2017) 534 final SWD(2017) 307 final COR-2017-06119-00-00-PAC-TRA COTER-VI/036 Own-initiative opinion
DG AGRI		
5.	Proposal for a Directive on unfair trading practices in business-to-business relationships in the food supply chain Rapporteur General: Jacques BLANC (FR/EPP)	COM(2018) 173 final COR-2018-02906-00-02-PAC-TRA NAT-VI/030 Own-initiative opinion

6.	Local and regional incentives to promote healthy and sustainable diets Rapporteur: Nikolaos CHIOTAKIS (EL/EPP)	COR-2018-00435-00-02-PAC-TRA NAT-VI/026 Own-initiative opinion
7.	Mid-term review of the EU Forest Strategy Rapporteur: Ossi MARTIKAINEN (FI/ALDE)	COR-2017-05782-00-01-PAC-TRA NAT-VI/027 Own-initiative opinion Opinion adopted during the May 2018 plenary session
DG ECFIN		
8.	Reform proposals for the economic and monetary union Rapporteur: Christophe ROUILLON (FR/PES)	COM(2017) 821 final COM(2017) 827 final COM(2017) 823 final COM(2017) 824 final COR-2018-01039-00-01-PAC-TRA ECON-VI/032 Own-initiative opinion
DG EMPL		
9.	Transparent and predictable working conditions in the European Union Rapporteur: Isolde RIES (DE/PES)	COM(2017) 797 final SWD(2017) 479 final SWD(2017) 478 final COR-2018-01129-00-00-PAC-TRA SEDEC-VI/036

DG GROW		
10.	<p>The Public procurement package</p> <p>Rapporteur: Adrian Ovidiu TEBAN (RO/EPP)</p>	<p>C(2017) 6654 final COM(2017) 573 final COM(2017) 572 final COR-2017-05425-00-00-PAC-TRA ECON-VI/030 Own-initiative opinion</p>
11.	<p>Proposal for a European Defence Fund</p> <p>Rapporteur: Dainis TURLAIS (LV/ALDE)</p>	<p>COM(2017) 294 final COM(2017) 295 final COR-2017-04309-00-00-PAC-TRA ECON-VI/028 Own-initiative opinion</p> <p>Opinion adopted during the March 2018 plenary session</p>
DG MOVE		
12.	<p>Delivering on low-emission mobility</p> <p>Rapporteur: Michiel SCHEFFER (NL/ALDE)</p>	<p>COM(2017) 652 final COM(2017) 648 final COM(2017) 647 final COM(2017) 653 final COM(2017) 675 final COM(2017) 652 final/2 COM(2017) 648 final/2 COR-2017-06151-00-00-PAC-TRA COTER-VI/039</p>

DG CLIMA

13.	Climate governance after 2020, a European and global perspective – a contribution to the UNFCCC COP24 Rapporteur: Andrew VARAH COOPER (UK/EA)	COR-2018-00923-00-00-PAC-TRA ENVE-VI/030 Own-initiative opinion
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<p>N°1 Eastern Partnership Deliverables for 2020: The contribution of local and regional authorities (own-initiative opinion) COR 2017/5903 - CIVEX-VI/030 130th Plenary Session – July 2018 Rapporteur – Mr Sören HERBST (DE/EPP) DG NEAR - Commissioner HAHN</p>	
<p>Points of the European Committee of the Regions opinion considered essential</p>	<p>European Commission position</p>
<p>4. The European Committee of the Regions points out that local and regional authorities have a decisive role to play in the successful implementation of the 20 deliverables for 2020.</p>	<p>The Commission welcomes the Committee’s opinion on the Eastern Partnership 20 deliverables for 2020 and fully agrees that local and regional authorities have a decisive role to play in their successful implementation. For example, the Commission has identified pilot regions in partner countries on which particular emphasis is put within the framework of overall cooperation, also to best demonstrate concrete results to citizens.</p>
<p>41. The European Committee of the Regions considers it particularly important to promote exchanges between European Union local and regional authorities and those in the Eastern Partnership countries in the form of urban and regional partnerships, as well as between individual authorities within the Eastern Partnership countries themselves.</p>	<p>The Commission concurs that exchanges between European Union and Partner Countries’ local and regional authorities, as well as among Partner Countries themselves, are particularly important. These exchanges allow for finding common solutions to common problems, learning from each other and creating new opportunities to the benefit of citizens.</p> <p>In this context, the Commission has been engaging with local and regional authorities notably through the Eastern Partnership regional initiatives - such as ‘Mayors for Economic Growth’ with a focus on job creation, and ‘Covenant of Mayors’ with a focus on energy efficiency – and by identifying pilot regions in</p>

	<p>Partner Countries, to carry out specific projects. In addition to this, Cross-Border Cooperation programmes also promote interaction and cooperation amongst local and regional administrations from Member States and Eastern Partner Countries.</p> <p>The Commission is eager to discuss with the Committee how to foster and create new opportunities for exchanges among European Union and the Eastern Partnership local and regional authorities, e.g. in the field of local democracy.</p>
<p>35. The European Committee of the Regions calls for a job-shadowing programme for administrative staff to be set up at local and regional authority level, in order to improve the dissemination of European standards in administrative practice.</p>	<p>The Commission takes note of this request by the Committee and will look into possibilities of creating job shadowing programmes for the Eastern Partnership. The Commission has received a similar request from several Member States as well as some Partner Countries and will examine possibilities for synergies in this context.</p>
<p>29. The European Committee of the Regions reiterates that social entrepreneurship should be promoted, as it improves economic development at local and regional level and creates new jobs.</p>	<p>The Commission agrees that social entrepreneurship should be promoted as it improves economic development at local and regional level and creates new jobs, and looks forward to enhancing synergies between initiatives of the Committee as well as the Conference of Regional and Local Authorities for the Eastern Partnership and Commission initiatives, such as 'Mayors for Economic Growth'.</p>

<p>N°2 Action Plan to support the protection of public spaces (own-initiative opinion) COM(2017) 612 final COR 2017-5902 - CIVEX-VI/031 130th Plenary Session – July 2018 Rapporteur: Mr Jean-François BARNIER (FR-ALDE) DG HOME – Commissioner KING</p>	
<p>Points of the European Committee of the Regions opinion considered essential</p>	<p>European Commission position</p>
<p>13. The European Committee of the Regions calls on the Commission to simplify and increase access to European Union funds for non-state actors, open them up to local authorities of all sizes, and ensure that they are used efficiently and that relevant links are established with national, regional and local security funding.</p>	<p>Local and regional authorities are eligible to apply for funding under the Internal Security Fund Police, as in previous calls for proposals. The Commission announces the publication of calls in various ways (online, meetings, email). The efficient use of funds is one criterion in the selection process of projects.</p>
<p>14. The European Committee of the Regions supports the aim of the plan, which is to promote, raise awareness about, facilitate and contribute to effective protection of public spaces by means of planning, design, construction, refurbishment and renovation, whatever their function, layout or use. This includes any appropriate method for filtering or blocking people, objects or vehicles, containing or evacuating victims or facilitating rescue operations and subsequent investigations.</p>	<p>The Commission welcomes the generally positive and welcoming opinion and will take suggestions into account.</p>
<p>16. The European Committee of the Regions calls on the Commission to continue this funding, paying particular attention to projects promoted by local and regional authorities and giving preference to innovative projects designed with a view</p>	<p>The topic of protection of public spaces will continue to be a priority. The next call for proposals will be published most likely under the 2018 budget of the Internal Security Fund Police and should include protection of public</p>

<p>to disseminating them further.</p>	<p>spaces as one of the priorities. Local and regional authorities will be eligible to apply.</p> <p>Moreover, the Urban Innovative Actions call will focus exclusively on local and regional authorities as applicants and innovativeness of projects is one of the main criteria in the selection procedure.</p>
<p>19. The European Committee of the Regions welcomes the new financing under the European Regional Development Fund's Urban Innovative Actions initiative, amounting to EUR 100 million in total, which will be launched by the Commission in October 2018.</p>	<p>The Commission appreciates that the Committee welcomes the funding.</p>

<p>N°3 Implementation assessment of the Urban Agenda for the European Union COM(2018) 657 final COR 2017/6120 – COTER-VI/037 130th Plenary Session – July 2018 Rapporteur: Mr Kieran McCARTHY (IE/EA) DG REGIO– Commissioner CREȚU</p>	
<p>Points of the European Committee of the Regions opinion considered essential</p>	<p>European Commission position</p>
<p>22. The European Committee of the Regions calls for consideration to be given to the possibility of setting up a specific financial mechanism for smaller cities with a view to supporting cooperation initiatives under the Urban Agenda. The aim here would be to provide an incentive for stepping up the exchange of experience. Enhancing the educational role of cooperation (when experienced entities – mainly medium-sized and large urban centres – pass on information to small cities and towns) plays a particularly important role in achieving economies of scale and increasing the rate of socio-economic growth.</p>	<p>The Urban Agenda is directed towards all cities (smaller and bigger cities) which is also reflected in the membership of the Partnerships.</p> <p>The Commission's post-2020 legislative package for a modernised Cohesion Policy proposes to create a European Urban Initiative which includes possible support of the Urban Agenda for the European Union in the coming future. It is directed to all cities and includes city-to-city cooperation, innovation and capacity-building across all the thematic priorities of the Urban Agenda for the European Union. The European Urban Initiative is a means to bring a new coherent and integrated approach to all cities, bringing the benefits of transnational activity while optimising the transfer of experience, knowledge and innovation between Europe's practitioners, decisions makers and local stakeholders, beyond national borders. Already under current financial perspective all cities (including those missing a scale if act individually) can make use of a dedicated advisory initiative for urban authorities (URBIS: http://eiah.eib.org/about/initiative-urbis.htm). Its aim is to improve cities' access to the technical and financial</p>

	advice needed to develop urban investment projects, including assistance on innovative financing approaches and establishing investment platforms.
24. The European Committee of the Regions welcomes the support provided by the technical secretariat to assist the Partnerships, and at the same time calls for more emphasis to be placed on expertise and outcome-orientated approaches, so that the technical support is not just of an administrative nature. In this connection, there is also a need for greater transparency, and greater ownership of the Partnerships, if they are to benefit appropriately from the technical input, inter alia from consultation of experts.	The Commission organised the support of the Partnerships through a technical secretariat (by means of a Framework Contract). The secretariat is not only supporting the Partnerships in an administrative way, but also through expertise and an outcome-orientated approach. Part of the budget of the technical secretariat is used to hire the external expertise needed to set up or implement actions.
25. The European Committee of the Regions insists that to deliver credible and well-planned outcomes via the Partnerships, there is an obvious need for the Urban Agenda process to be able to rely on a stable multi-annual budgeting provision.	The Urban Agenda is a multilevel governance initiative. The Commission, together with the European Parliament, has invested budget to support the Partnerships and the Urban Agenda as a whole until 2020. The Commission's post-2020 legislative package for a modernised Cohesion Policy proposes to create a European Urban Initiative which includes the support of the Urban Agenda for the European Union in the coming future.
26. The European Committee of the Regions praises the initiative to create the "Futurium" interactive website, which has been set up to gather all Partnership outputs in one place and to provide the wider stakeholder community with updates, as well as opportunities to discuss and provide input to	The Commission shares the Committee's concern to facilitate access to information to cities. The Commission's 'Futurium' interactive website ² is a place to gather all Partnership outputs and make them visible to the outside world. To facilitate

² <https://ec.europa.eu/futurium/en/urban-agenda>

<p>proceedings; but cautions that an online "one-stop shop" should not, in itself, be seen as a panacea for delivering the objectives of the Urban Agenda, especially as this tool is not known sufficiently widely by its potential target audience.</p>	<p>access to all the information, the Commission has created a 'one-stop-shop' on the Commission's Europa website³. It aims to provide an entry point on urban matters to facilitate navigation across the Europa website. Availability of information for citizens in their own language, particularly the most visible pages of the Europa website, is important for this search. The Commission therefore plans to translate the cities pages on the Europa website into all European Union official languages shortly.</p>
<p>32. The European Committee of the Regions believes that urban-proofing should become a core element of the design of European Union policy; it underlines that a more systematic assessment could be pursued of the impact of planned European Union action on cities (at various scales) in order to ensure that the local perspective is appropriately reflected in an ultimate policy or legislation;</p> <p>33. The European Committee of the Regions welcomes the Commission's recognition of the importance of implementing Territorial Impact Assessments when discussing new legislative proposals and would encourage the Commission to apply them more widely across all policy fields.</p>	<p>The Commission has invested in developing several methodologies and tools to analyse potential territorial impacts - including the urban dimension - of European Union legislation (see Better Regulation Package tool box 33 on Territorial Impacts⁴). This includes an annual Territorial Impact Assessment Work Plan to create more awareness and synergies across the Commission. In-house developed analytical tools (e.g. Rhomolo and LUISA models) contribute to the Territorial Impact Assessment and allow depicting the impact of investments, reforms and measures at high thematic and geographic granularities. The active involvement of cities, city associations, local and regional authorities, the European Economic and Social Committee and the European Committee of the Regions in the toolbox is welcome.</p> <p>The European Union Knowledge</p>

³ https://ec.europa.eu/info/eu-regional-and-urban-development/topics/cities-and-urban-development_en

⁴ https://ec.europa.eu/info/files/better-regulation-toolbox-33_en

	<p>Centre on territorial policies further supports the involvement of stakeholders by sharing data, knowledge and good practices.</p> <p>Cities, city associations, local and regional authorities, the European Economic and Social Committee and the European Committee of the Regions also have the opportunity to flag territorial or urban-related potential implications of European Union legislation during the public consultation phase of all legislative proposals, evaluations and via the Commission's regulatory fitness and performance (REFIT) Platform⁵.</p> <p>The partnerships established in the framework of the Urban Agenda for the European Union also informally contribute to the design and revision of both future and existing European Union legislation.</p> <p>The European Committee of the Regions can use the opportunity offered by the open consultation on the stocktaking of the Commission's 'Better Regulation' approach⁶ that aims to assess how well the various Better Regulation tools used by the Commission work in practice and contribute to achieving the objectives of the policy. The focus of this exercise is on the changes introduced or updated by the Better Regulation package of May 2015: evaluation, impact assessment, stakeholders' consultation, the Regulatory Scrutiny Board, the</p>
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⁵https://ec.europa.eu/info/law/law-making-process/evaluating-and-improving-existing-laws/refit-making-eu-law-simpler-and-less-costly/refit-platform_en

⁶https://ec.europa.eu/info/consultations/public-consultation-stocktaking-commissions-better-regulation-approach_en

	<p>Commission's regulatory fitness and performance (REFIT) Platform and the Commission's regulatory fitness and performance (REFIT) Programme. The objective of this exercise is to highlight the strengths and weaknesses of the current system and identify areas for improvement. The consultation period lasted from 17 July 2018 until 23 October 2018.</p>
<p>43. The European Committee of the Regions calls for the objectives and delivery mechanisms of the next generation of all non-Cohesion European Union programmes with an urban component such as the Ninth Framework Programme for Research and Innovation, as well as policy initiatives such as the Covenant of Mayors for Climate and Energy, to be thoroughly integrated into the Urban Agenda.</p>	<p>Most European Union programmes have an urban dimension, and the policy initiatives such as the Covenant of Mayors for Climate and Energy are already part of the Urban Agenda for the European Union. The new financial framework is an opportunity to improve the cooperation between the different policy fields.</p>
<p>44. The European Committee of the Regions emphasises that the Urban Agenda should feature prominently in future Commission Annual Work programmes, and asks that the rotating Presidencies of the Council renew high-level political commitment to the process, empower Member States to contribute and also formally report on the development of the Partnerships.</p>	<p>All stakeholders of the Urban Agenda share a responsibility in the implementation of the Pact of Amsterdam. Based on the results of the Urban Agenda for the European Union action plans, the Commission intends to consider how it can implement relevant actions.</p>
<p>48. The European Committee of the Regions expects the assessment exercise of the Commission in 2019 to outline how the Partnerships have contributed to the Better Regulation agenda, to improved access to funding and to better exchange of knowledge and best practices.</p>	<p>The Report from the Commission to the Council on the Urban Agenda for the European Union⁷ states that 'by the end of 2019, the Commission plans to carry out an evaluation on the Urban Agenda for the European Union'. In this respect, the Commission will carry out an assessment which will seek to provide evidence in how far the</p>

⁷ COM(2017) 657 final.

	<p>objectives on Better Regulation, better funding and better knowledge have been attained. A part of the actions will not be implemented yet. Results of the assessment are expected by early 2020.</p>
<p>53. The European Committee of the Regions calls on European Union Institutions to reaffirm their commitment to the Urban Agenda for the European Union and to formalise the process; it states that the Urban Agenda offers too much by way of potential to improve the future functioning of our cities to be restricted to a mere networking exercise and must instead be recognised as a binding political commitment on the development and implementation of legislation and European and national funding programmes.</p>	<p>The commitment to the Urban Agenda for the European Union is a joint ambition not limited to the European Union Institutions. The assessment of the Urban Agenda for the European Union planned for the end of 2019 and the release of the 12 first action plans expected in 2019 are opportunities to recognise the work done by all stakeholders.</p>
<p>56. The European Committee of the Regions recognises the importance of cities in the delivery of the Sustainable Development Goals 2030; it calls for very strong synergies between the United Nations 2030 Agenda for Sustainable Development and post-2020 European Union policy priority-setting.</p>	<p>The role of cities is very important in the delivery of the Sustainable Development Goals. Therefore, the Urban Agenda for the European Union, launched in May 2016, is pivotal. In line with the United Nations New Urban Agenda, this initiative is a joint effort of the Commission, Member States and European cities, to strengthen the urban dimension of European and national policies. Twelve partnerships each covering key thematic areas were established (jobs and skills in the local economy, urban poverty, housing, the inclusion of migrants and refugees, amongst others), foreseeing that the complexity of urban challenges requires the integration of a range of cross-cutting issues across different policies in order to tackle complex challenges and avoid contradictory consequences. Europe's cities and towns can indeed provide solutions to many of these</p>

	<p>challenges, as they are meeting points and hubs where people, businesses and resources can cooperate and innovate.</p> <p>The revised 2014–2020 Cohesion Policy framework is promoting sustainable, integrated and inclusive urban development policies that simultaneously address social, economic and environmental goals and encourage joined-up thinking across sectors. The urban dimension is at the very heart of Cohesion Policy. Indeed, more than EUR 100 billion are invested in city projects and EUR 15 billion are supporting circa 850 sustainable urban strategies to support urban mobility, energy efficiency, as well as urban renewal, and regeneration of deprived communities. STRAT-Board is an interactive mapping tool that provides a visual overview for all Sustainable Urban Development and Integrated Territorial Investment strategies⁸. This policy thus establishes a clear link to Sustainable Development Goal 11 but also to the urban dimension of the other Sustainable Development Goals, and is at the centre of the European Union’s response towards sustainable urban development.</p>
<p>57. The European Committee of the Regions believes that a proper integration of the Sustainable Development Goals into European Union policies will stimulate a more integrated vision throughout the Union on the future of our cities and regions; it considers the urban dimension of the</p>	<p>In November 2016, the Commission presented a Communication on Sustainable Development Goals: Next Steps for a Sustainable European Future⁹, which was accompanied by a Staff Working Document, Key European Action supporting the 2030</p>

⁸ <http://urban.jrc.ec.europa.eu/strat-board/#/where>

⁹ COM(2016) 739 final.

<p>Sustainable Development Goals requiring a comprehensive, integrated and effective approach, and thus asks for close cooperation with partners and other stakeholders as well as local and regional authorities to catalyse multi-stakeholder action.</p>	<p>Agenda and the Sustainable Development Goals¹⁰. It gave an overview of key existing European initiatives related to the achievement of the 2030 Agenda for Sustainable Development, summarising for each of the 17 Sustainable Development Goals the main actions undertaken by the European Union, both domestically and externally. The Commission is following a two-step approach towards the implementation of the Sustainable Development Goals: the first work stream is to mainstream the Sustainable Development Goals in the European policy framework and Commission priorities, using the Better Regulation tools for this purpose. The second work stream is a reflection on further developing a longer term vision and the focus of sectoral policies after 2020. For this, a Reflection Paper 'Towards a Sustainable Europe by 2030' will be published in early 2019 to show how the European Union is following up on the Sustainable Development Goals, including on the Paris Agreement on Climate Change.</p> <p>The Commission has also established a multi-stakeholder platform on the implementation of the Sustainable Development Goals in the European Union in order to assist in these considerations, with representatives from various parts of civil society, academia and the private sector, together with observers from multilateral organisations, including the United Nations.</p>
<p>58. The European Committee of the Regions</p>	<p>The Commission already launched</p>

¹⁰ SWD(2016) 390 final.

asks that the European and national statistical authorities develop and improve data, indicators, tools and methodology to quantify and monitor contribution of European Union policies to the urban-related targets of the 2030 Agenda, increasing the provision of indicators detailed by the Nomenclature of Territorial Units for Statistics – level 2 (NUTS2), the Nomenclature of Territorial Units for Statistics – level 3 (NUTS3) and the level of Functional Urban Areas (FUA).

several initiatives to collect all kinds of data and evidence to monitor and analyse the outcome of European Union policies in urban areas including for purposes of monitoring progress towards the Agenda 2030. This is for instance the case with the Commission's Urban Data Portal and Territorial Dashboard, or ESPON studies on urban structures and polycentric development patterns in the European Union. The Commission signed grant agreements with several National Statistical Institutes to improve the methodology and increase the availability of high quality sub-national statistics, including data on cities and functional urban areas. The first results will be published by Eurostat by the end of 2018. The Commission integrated the most important territorial typologies, including the definition of urban area, functional urban area, city and predominantly urban region into the Nomenclature of Territorial Units for Statistics (NUTS) Regulation¹¹. Thereby, the Commission ensures a harmonised application and allows for referencing from other legislation which could increase the data availability in the future. For the next census in 2021, the Commission suggests the use of a one square kilometre population grid in the corresponding draft Commission Regulation¹² and aims to disseminate 13 harmonised key figures on this

¹¹ Regulation (EC) No 1059/2003 of the European Parliament and of the Council of 26 May 2003, on the establishment of a common classification of territorial units for statistics (NUTS), OJ L 154, 21.6.2003.

¹² Draft Commission Implementing Regulation on the establishment of a temporary direct statistical action for the dissemination of selected topics of the 2021 population and housing census geocoded to a 1 km² grid, https://ec.europa.eu/info/law/better-regulation/initiatives/ares-2018-3255714_en

	common grid.
<p>59. The European Committee of the Regions underlines that the United Nation's New Urban Agenda will guide the efforts relating to sustainable urban development of a wide range of actors for the next 20 years; it calls for all levels of European Union governance to work together to use the New Urban Agenda as a tool to achieve inclusive and sustainable urban development.</p>	<p>Since the adoption of the New Urban Agenda in 2016, the Commission has constantly renewed its support for the implementation of sustainable urban development internally and externally in order to underline its commitment to the 2030 Agenda and to the New Urban Agenda. A multi-stakeholder Platform on Sustainable Development Goals was set up in view of consulting all relevant actors to establish a dialogue on this topic, and prepare the launching of the Reflection Paper ‘Towards a Sustainable Europe by 2030’. In addition, a subgroup dedicated to ‘Sustainable Development Goals at Local and Regional Level’ has been created. It works to ensure continued cooperation amongst different levels of governance towards the successful implementation of the 2030 Agenda and the New Urban Agenda in all European Union territories. The Commission supported the United Nations programmes in the reporting process on the implementation of the New Urban Agenda¹³.</p> <p>The European Union gave the Voluntary Commitment for the Urban Agenda that the European Union be a key delivery mechanism of the New Urban Agenda, as part of the Quito Implementation Plan¹⁴.</p>

¹³ A/73/83 - E/2018/62.

¹⁴ <http://nuaimplementation.org/>

<p>N°4 Boosting growth and cohesion in European Union border regions COM(2018) 534 final COR 2017/6119 – COTER-VI/036 130th Plenary Session – July 2018 Rapporteur - Mr János Ádám KARÁCSONY (HU/EPP) DG REGIO – Commissioner CREȚU</p>	
<p>Points of the European Committee of the Regions opinion considered essential</p>	<p>European Commission position</p>
<p>15. The European Committee of the Regions recognises that complete harmonisation and convergence of rules and legislation is neither realistic nor desirable. It is therefore even more important to understand the impact of European and national laws and rules in European Union border regions. The European Committee of the Regions has argued for a long time that the Commission should carry out Territorial Impact Assessments on all major European Union legislation that might have territorial impact. The European Committee of the Regions therefore welcomes the Commission's ambition to introduce "cross-border proofing" of European Union legislation to identify the potential cross-border impact of that legislation at an early stage of the legislative process and support Member States in applying Territorial Impact Assessment methodologies nationally.</p>	<p>The Commission agrees with the Committee on the importance of Territorial Impact Assessment. The Commission is currently taking stock of its Better Regulation tools and will report its findings in 2019. As part of that exercise, the Commission will look at how it can highlight the importance of identifying and assessing territorial impacts including those arising in cross-border regions.</p> <p>These methodological elements will be made available to Member States to facilitate the incorporation of Territorial Impact Assessment in national legislative procedures.</p>
<p>21. The European Committee of the Regions believes that a Single Digital</p>	<p>The Regulation on the Single Digital Gateway¹⁶ was adopted by the European</p>

¹⁶ Regulation of the European Parliament and of the Council on establishing a single digital gateway to provide information, procedures, assistance and problem solving services and amending Regulation (EU) No 1024/2012, not yet formally adopted.; see: <https://www.consilium.europa.eu/en/press/press-releases/2018/09/27/single-digital-gateway-regulation-adopted-by-council-better-online-access-to-information-and-procedures-across-the-eu/>

<p>Gateway has the potential to improve cross-border cooperation significantly. The European Committee of the Regions suggests that the Commission actively promote the new gateway and the SOLVIT¹⁵ tool within border regions by organising targeted public training sessions.</p>	<p>Parliament and Council on 2 October 2018. It requires the Commission and Member States to promote the Gateway among citizens and businesses. It will take a further two years of technical and organisational preparations before the Gateway can be launched. The Commission will reflect on how to promote the Gateway among cross-border stakeholders after its launch in 2020. Meanwhile, awareness-raising already started among service providers that will be part of the Gateway. A targeted brain-storming session took place in the Pamina border region (Baden-Alsace-Palatinate); a second one is scheduled to be held in Maastricht.</p>
<p>25. The European Committee of the Regions considers that the current arrangements are not good enough. In particular, mutual recognition of certificates, diploma and vocational training must be strengthened. The Commission should be more daring in making practical proposals in this area.</p>	<p>The Commission agrees with the Committee on the need to improve mutual recognition of qualifications between Member States. In fact, on 22 May 2018, the Commission adopted various proposals towards the implementation of a European Education Area¹⁷.</p> <p>This included a Council Recommendation on promoting automatic mutual recognition of higher education and upper secondary education diplomas and the outcomes of learning periods abroad¹⁸. The Recommendation covers recognition of qualifications for the purpose of accessing further learning; it also applies to vocational education and training. It invites Member States to make a political commitment to take the necessary steps to achieve automatic</p>

¹⁵ http://ec.europa.eu/solvit/index_en.htm

¹⁷ https://ec.europa.eu/commission/news/towards-european-education-area-2025-2018-may-22_en

¹⁸ Proposal for a Council Recommendation on promoting automatic mutual recognition of higher education and upper secondary education diplomas and the outcomes of learning periods abroad; COM(2018) 270 final, 22.5.2018.

	<p>recognition by 2025. The Council adopted the Recommendation on 26th November 2018. Its implementation is likely to significantly boost student mobility, particularly in border regions, thus contributing to job creation and economic growth.</p>
<p>27. The European Committee of the Regions underlines the fact that language barriers are still an important obstacle to cross-border cooperation, especially in border areas without a longstanding tradition of cooperation. Despite education policy being a national competence, the European Union can have a significant impact through its European Territorial Cooperation programmes. It is therefore particularly important to leave enough flexibility to design cross-border programmes to fund educational, cultural and other activities that bring together citizens in border regions. The European Committee of the Regions regrets that, given thematic concentration objectives and a focus on economic growth and innovation, this is unfortunately not always the case; the European Committee of the Regions insists that European Territorial Cooperation programme implementation authorities must be given the freedom to decide on their investment priorities in accordance with their own regional development strategies, without being restricted by thematic concentration arrangements that might not fit the particular cross-border context.</p> <p>28. The European Committee of the Regions points out the important role of people-to-people and small-scale projects in cross-border cooperation programmes.</p>	<p>The Commission shares the Committee's views regarding the need to address border-specific issues and potential with European Territorial Cooperation (ETC) programmes. The proposals tabled by the Commission concerning ETC programmes for the future period 2021-2027 go in this direction. They strike a balance between the need to concentrate resources, to maximise impact and to address border-specific topics such as multilingualism or cross-border accessibility. The draft proposals also recognise and formalise support for small-scale and people-to-people projects.</p>

<p>In its opinion on this topic, the European Committee of the Regions calls for "people-to-people projects and small-scale projects to be anchored in the regulations governing European Union support for cross-border cooperation as a legitimate instrument in cross-border cooperation programmes". For the projects to be close to citizens, it is essential that they are locally accessible and as simple as possible.</p> <p>30. The European Committee of the Regions calls on the Commission to follow up on the study on missing transport links and provide additional financing for identified missing links.</p>	
<p>34. The European Committee of the Regions highlights the usefulness of the European Grouping of Territorial Cooperation tool in carrying out crucial cross-border projects. The European Committee of the Regions requests the Commission to ensure that all Member States adopt the required national provisions as defined in the European Grouping of Territorial Cooperation Regulation¹⁹ and launch infringement procedures where necessary. In some cases, European Grouping of Territorial Cooperation national provisions still differ from one Member State to another due to Member States' lack of interest in adopting the updated provisions or because previously adopted provisions are thought to be sufficient. This leads to difficulties in the European Grouping of Territorial Cooperation's day-to-day work and in establishing new ones.</p>	<p>The Commission takes note of the Committee's high regard for the European Grouping of Territorial Cooperation tool. The Commission will follow up on the national provisions required under the European Grouping of Territorial Cooperation Regulation in order to allow for its correct implementation, and take the necessary steps where required. The Commission will analyse amended national provisions and also whether, in some Member States, the existing national provisions are sufficient to address the amendments of the European Grouping of Territorial Cooperation Regulation. The most recent assessment of European Grouping of Territorial Cooperation implementation has been published in August 2018²⁰.</p>

¹⁹ Regulation (EC) No 1082/2006 of the European Parliament and of the Council of 5 July 2006 on a European grouping of territorial cooperation (EGTC) (OJ L 210, 31.7.2006, p. 19).

²⁰ http://ec.europa.eu/regional_policy/sources/docgener/studies/pdf/assess_egtc_applic_en.pdf

35. The European Committee of the Regions urges the Commission to ensure that European Groupings of Territorial Cooperation are eligible entities for all European Union funded projects, as this is one of the main purposes of this tool. As a tangible measure, the Commission should communicate the potential uses of European Grouping of Territorial Cooperation more actively, and clearly mention European Groupings of Territorial Cooperation as legal entities eligible for all European Union-funded projects in upcoming legislative proposals. The European Committee of the Regions insists furthermore that national approval authorities cooperate in order to facilitate the smooth application of the European Grouping of Territorial Cooperation.

With regard to the eligibility of European Groupings of Territorial Cooperation under any programme supported by the general Union budget, the Commission underlines that conditions are different according to the management method of each programme. Centrally managed programmes are governed by the European Union Financial Regulation²¹, where Article 187(2) allows for treatment of several entities as a "sole beneficiary"²². This could also cover a European Grouping of Territorial Cooperation. However, the European Grouping of Territorial Cooperation applicant has to fulfil the criteria for participation in the relevant programme or action (e.g. if requiring partners or participants from three Member States, bilateral European Groupings of Territorial Cooperation would not be eligible).

With regard to ETC programmes, European Groupings of Territorial Cooperation are allowed to be the sole beneficiary in accordance with Article 12(3) of Regulation (EU) No 1299/2013²³. The Commission will continue actions of awareness-raising in this respect, in order to encourage European Groupings of Territorial Cooperation and programme authorities to make use of that simplification

²¹ Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council of 18 July 2018 on the financial rules applicable to the general budget of the Union, amending Regulations (EU) No 1296/2013, (EU) No 1301/2013, (EU) No 1303/2013, (EU) No 1304/2013, (EU) No 1309/2013, (EU) No 1316/2013, (EU) No 223/2014, (EU) No 283/2014, and Decision No 541/2014/EU and repealing Regulation (EU, Euratom) No 966/2012, OJ L 193, 30.7.2018.

²² "2. Where several entities satisfy the criteria for being awarded a grant and together form one entity, that entity may be treated as the sole beneficiary, including where the entity is specifically established for the purpose of implementing the action to be financed by the grant."

²³ Regulation (EU) No 1299/2013 of the European Parliament and of the Council of 17 December 2013 on specific provisions for the support from the European Regional Development Fund to the European territorial cooperation goal (OJ L 347, 20.12.2013, p. 259).

	<p>measure.</p> <p>With regard to better cooperation among national approval authorities, the Commission refers to the second paragraph of the first Joint Statement linked to Regulation (EU) No 1302/2013²⁴ and addressed mainly to Member States²⁵. The Commission will attend the meeting of European Grouping of Territorial Cooperation National and Regional Authorising Authorities, organised by the European Committee of the Regions for the purpose of better cooperation.</p>
<p>36. The European Committee of the Regions requests that the Commission table a legislative proposal for a "European Cross-Border Convention", which is as a bottom-up legal tool that is complementary to European Groupings of Territorial Cooperation and which would effectively support cross-border cooperation projects by allowing local and regional authorities to apply the rules and regulations of one Member State on the territory of another along its borders – on a pre-defined territory, project and for a determined time frame. The European Cross-Border Convention would result in considerably more efficient cross-border cooperation, especially in cross-border investments, at the same time reducing the administrative and financial burden.</p>	<p>The Commission takes note of the Committee's request. The Commission notes that a proposal covering this request was tabled on 29 May 2018 as part of the cohesion policy proposals: the proposal for a Regulation of the European Parliament and of the Council on a mechanism to resolve legal and administrative obstacles in a cross-border context²⁶.</p>

²⁴ Regulation (EU) No 1302/2013 of the European Parliament and of the Council of 17 December 2013 amending Regulation (EC) No 1082/2006 on a European grouping of territorial cooperation (EGTC) as regards the clarification, simplification and improvement of the establishment and functioning of such groupings, OJ L 347, 20.12.2013.

²⁵ "In this context, the European Parliament, the Council and the Commission invite Member States in particular to undertake appropriate actions of coordination and communication among national authorities and between authorities of different Member States in order to ensure clear, efficient and transparent procedures of authorisation of new EGTCs within the time limits fixed".

²⁶ Proposal for a Regulation of European Parliament and of the Council on a mechanism to resolve legal and administrative obstacles in a cross-border context; COM(2018) 373 final, 29.5.2018.

<p>38. European Territorial Cooperation programmes should be exempt from State aid provisions because, thanks to the cross-border character of their projects, and because European Territorial Cooperation projects are of general interest for the Union, they help build the Single Market rather than negatively distort it. The European Committee of the Regions understands that the Commission believes that a full exemption is not possible because it would require changing the Treaties. However, the European Committee of the Regions insists that immediate simplifications are necessary and urges the Commission to rethink its future approach towards State aid.</p>	<p>The Commission takes note of the European Committee of the Region's call for an exemption for ETC programmes from State aid rules. A total exemption from State aid rules would not be in line with the Treaty and can therefore not be pursued. In recent years, the Commission has already significantly simplified State aid rules applicable to ETC programmes within the current available framework (e.g. a generous interpretation of the de-minimis rules applicable to ETC projects, specific provisions on ETC in the General Block Exemption Regulation²⁷). Moreover, the Commission is exploring ways to further simplify State aid rules applicable to ETC projects, in line with the Treaty and the jurisprudence of the Court.</p>
<p>40. The European Committee of the Regions requests that that the territorial specificities of European Territorial Cooperation programmes be better taken into account in the next programming period. The European Committee of the Regions therefore calls on the Commission to include a number of specific proposals in the legislative proposals for the new programming period.</p>	<p>The Commission takes note of the Committee's call for simplification of the ETC instrument. The Commission tabled several proposals for simplification in the Cohesion Package of 29 May 2018, namely in the proposals for the Common Provisions Regulation²⁸ and for the ETC Regulation²⁹.</p>

²⁷ Commission Regulation (EU) 2017/1084 of 14 June 2017 amending Regulation (EU) No 651/2014 as regards aid for port and airport infrastructure, notification thresholds for aid for culture and heritage conservation and for aid for sport and multifunctional recreational infrastructures, and regional operating aid schemes for outermost regions and amending Regulation (EU) No 702/2014 as regards the calculation of eligible costs, OJ L 156, 20.6.2017.

²⁸ Proposal for a Regulation of European Parliament and of the Council laying down common provisions on the European Regional Development Fund, the European Social Fund Plus, the Cohesion Fund, and the European Maritime and Fisheries Fund and financial rules for those and for the Asylum and Migration Fund, the Internal Security Fund and the Border Management and Visa Instrument, COM(2018) 375 final, 29.5.2018.

²⁹ Proposal for a Regulation of European Parliament and of the Council on specific provisions for the European territorial cooperation goal (Interreg) supported by the European Regional Development Fund and external financing instruments, COM(2018) 374 final, 29.5.2018.

<p>N°5 Unfair trading practices in the food supply chain COM(2018) 173 final COR 2018/2906 – NAT-VI/030 130th Plenary Session - July 2018 Rapporteur – Mr Jacques BLANC (FR/EPP) DG AGRI – Commissioner HOGAN</p>	
<p>Points of the European Committee of the Regions opinion considered essential</p>	<p>European Commission position</p>
<p>4. The European Committee of the Regions believes that this proposal provides a good foundation but that it is necessary to go further to protect farmers more effectively.</p>	<p>The proposal follows a ‘minimum standards’ approach with a common framework, not a detailed harmonisation. The aim is to achieve effective results in combating the most damaging unfair trading practices while accepting that other actors do not seek to legislate in this area. The proposal consequently only covers a limited number of unfair trading practices. However, under the proposed Directive, Member States would be free to go beyond the required minimum protection and expand the scope of their unfair trading practices rules to cover practices other than those mentioned in Article 3 of the proposal. A review clause is included to ensure that effect and impact will be measured in due course.</p>
<p>5. The European Committee of the Regions considers it necessary to include in this proposal for a Directive a prohibition in principle of unfair trading practices.</p>	<p>Protection against unfair trading practices differs across Member States, and Member States have different rules regarding enforcement, as shown in the Commission’s impact assessment. A general catch-all prohibition might achieve a greater degree of harmonisation, but it could also create confusion over definition issues – i.e. when does it become ‘unfair’, risk negative unintended consequences when interfering in the contractual relationships, and create tensions in relation to existing national regimes, which are diverging. In the</p>

	<p>Commission's impact assessment, the list of unfair trading practices was judged to be the more efficient option.</p>
<p>The European Committee of the Regions considers it necessary to broaden the scope of the proposal to cover all products and all operators.</p>	<p>The proposal already covers not only agricultural products but also food products. The Commission's impact assessment has shown that unfair trading practices occur in relations where bargaining powers is asymmetric; parties with similar bargaining powers, e.g. big manufacturers dealing with big retailers, are more likely to be able to meet eye-to-eye and to agree on acceptable trading practices. The Commission therefore deemed a targeted protection of small and medium-sized enterprises justified because they are the ones that cannot defend themselves against unfair trading practices due to their lack of bargaining power. Another consideration was the risk of negative unintended consequences when interfering in the contractual relationships between larger operators. The Commission acknowledges that different stakeholders, as well as the Parliament and a number of Member States, have also asked for a modification of the scope of the proposal.</p>
<p>13. The European Committee of the Regions believes that this Directive will not be enough to improve the situation of farmers unless the overall framework in which they operate is changed.</p>	<p>The unfair trading practices proposal also covers small and medium-sized enterprise suppliers (farmers) from third countries and protects them from unfair trading practices by non-small and medium-sized enterprise buyers, for reasons of fairness and to avoid unintended distorting effects.</p> <p>The current proposal is only one element of the bigger initiative to improve the functioning of the food supply chain. Important other policy elements, apart from unfair trading practices governance, are producer cooperation and market transparency. The standing of fragmented</p>

	<p>farmers can be enhanced through the formation of producer organisations. The Omnibus Regulation³⁰ has already introduced changes in this area. Regarding market transparency, farmers often have less or difficult access to production-relevant data and while the Commission has taken steps to provide such data – for instance through market observatories – it is currently looking into ways to increase this transparency to the benefit of farmers.</p>
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³⁰ COM(2016) 605 final.

<p>N°6 Local and regional incentives to promote healthy and sustainable diets (own-initiative opinion) COR 2018/0435 – NAT-VI/026 130th Plenary Session – July 2018 Rapporteur – Mr Nikolaos CHIOTAKIS (EL/EPP) DG AGRI – Commissioner HOGAN</p>	
<p>Points of the European Committee of the Regions opinion considered essential</p>	<p>European Commission position</p>
<p>2. The European Committee of the Regions recognises, in line with Articles 168 and 169 of the Treaty on the Functioning of the European Union, the key role of the European Union in health and consumer protection, by supporting Member States' policies and coordinating them in promoting healthy and sustainable food choices and tackling unfair commercial practices such as providing untruthful information to consumers, as enshrined in Goal 2 of the 2030 Agenda.</p>	<p>In line with the 2017 Work Programme and the Communication on ‘The Future for Food and Farming’³¹, the Common Agricultural Policy has been going through a modernisation and simplification process with a view to maximise its contribution to the achievement of the European Union's international commitments, in particular the Sustainable Development Goals, including those related to health and nutrition (please see point below).</p>
<p>6. The European Committee of the Regions points out that the objective of sustainable production and consumption is an integral and indivisible part of the Agenda 2030 process, which balances human health and wellbeing for all and the three dimensions of sustainable development: economic, social and environmental.</p>	<p>The legislative proposals for the Common Agricultural Policy post-2020, adopted by the Commission on 1 June 2018³², aim at the sustainable development of farming, food and rural areas and include an objective on health and nutrition (<i>“improve the response of European Union agriculture to societal demands on food and health, including safe, nutritious and sustainable food, food waste, as well as animal welfare”</i>).</p> <p>To achieve these objectives, Member States would set out interventions as part of their Common Agricultural Policy strategic plans, taking into account their</p>

³¹ COM (2017) 713 final.

³² COM (2017) 392 final.

	specific needs.
9. The European Committee of the Regions notes that the Council has repeatedly called on the Commission to take action in the field of health, physical activity and nutrition.	Please see reply to point 6 (specific objective on food and health).
10. The European Committee of the Regions calls on the Commission, in keeping with Goal 2 of the 2030 Agenda, to propose standards that have been applied by regions in order to reduce food waste, recognising that a large proportion of food produced in Europe is not used, and highlighting the importance of research programmes that set out to assess food policy in studies published on the subject.	The proposal on the new Common Agricultural Policy includes nine objectives among which one is to “ <i>improve the response of European Union agriculture to societal demands on food and health, including safe, nutritious and sustainable food, food waste, as well as animal welfare</i> ”. The proposal on the new Common Agricultural Policy stresses the need to enhance ambition in terms of environmental and climate delivery and underlines the commitment to the achievements of the 2030 Sustainable Development Goals. It highlights that the Common Agricultural Policy can help to reduce food waste and food losses by stimulating better production and processing practices and by supporting initiatives that transform traditional produce-use-discard consumption patterns into a circular bio-economy.
22. The European Committee of the Regions believes that it is important to carry out regular public information campaigns– in order to reach Goal 12.8 of the 2030 Agenda – on the positive health impact of fresh fruit and vegetables produced with sustainable methods and of reducing the consumption of foods rich in saturated and trans fats, salt and sugar, especially processed products that are high in these ingredients. Such campaigns promote a healthy diet, prevent disease	The Common Agricultural Policy contributes to the promotion of healthy lifestyles, in particular: <ul style="list-style-type: none"> - by co-financing promotion campaigns to stimulate the consumption of fruit and vegetables. Within the total budget for promoting European Union products, fruit and vegetables have the biggest share; - promotion and information campaigns are financed also through

<p>and contribute to better public health; in addition, calls in this regard on the Commission to propose legislation for the introduction of a compulsory traffic light rating or other colour labelling system on fat, saturated fats, sugar and salt, and for local and regional authorities to then provide information to the public in order to make it clear how consumers are to use the food label.</p>	<p>the operational programmes of the Producer Organisations in the fruit and vegetables sector;</p> <ul style="list-style-type: none"> - the legal proposals for the future Common Agricultural Policy include a new objective for the operational programmes of producer organisations, which aims at increasing the consumption of fruit and vegetables, with a higher co-financing rate.
<p>37. The European Committee of the Regions recognises the importance of ensuring healthy and fertile soil as a key factor for ensuring food security, and therefore advocates organic farming practices and the use of organic fertilisers and soil improvers to boost organic soil content, enhancing its structure and water infiltration capacity.</p>	<p>Foster sustainable development and efficient management of natural resources (such as water, soil and air) is a specific objective of the legislative proposals for the Common Agricultural Policy post-2020.</p> <p>To achieve this objective, Member States would set out interventions as part of their Common Agricultural Policy strategic plans, taking into account their specific needs.</p>
<p>39. The European Committee of the Regions calls for measures to promote the acquisition of technical and managerial skills and know-how, and the extension of innovation into a range of business sectors, in order to improve the sustainable management of production and subsequent processing, with the aim of providing authentic products with traceable production chains.</p>	<p>Specifically to improve authenticity of products and traceability of production chains, several research and innovation projects, e.g., OLEUM³³ as well as coordination and support action AUTHENT-NET³⁴, have been founded under Horizon 2020.</p> <p>More generally, the Commission has a strategic approach to European Union research and innovation in agriculture³⁵. The strategy aims to harness substantial European Union investments in the Framework Programme for Research and Innovation to ensure food and nutrition</p>

³³ https://cordis.europa.eu/project/rcn/204671_en.html

³⁴ https://cordis.europa.eu/project/rcn/200196_en.html

³⁵ <https://ec.europa.eu/programmes/horizon2020/en/news/final-paper-strategic-approach-eu-agricultural-research-and-innovation>

security in the long-term, to address the environmental sustainability and resilience of land-based primary production and related food and non-food systems, and to boost the sustainable growth of rural areas.

The strategy is implemented through a synergistic approach, mobilising both Horizon 2020 (covering the full spectrum of research and innovation from basic research to innovation) and the Common Agricultural Policy under the umbrella of the European Innovation Partnership ‘Agricultural Productivity and Sustainability’ (EIP-AGRI).

The European Innovation Partnership ‘Agricultural Productivity and Sustainability’ EIP-AGRI develops a comprehensive research and innovation ecosystem covering all aspects of knowledge creation, exchange and use by all concerned actors in agriculture, food and non-food value chains. Besides, to increase and accelerate the innovation impact of Horizon 2020, the so-called ‘multi-actor approach’, through which end-users, such as farmers and advisers, are involved in research and innovation from design to implementation of solutions, is used.

For more details, please see the factsheet ‘European Union agricultural research and innovation in a nutshell’³⁶ that outlines the main features of strategy implementation through the already selected 150 Horizon 2020 projects of interest to agriculture, forestry and rural areas (calls 2014-2017) and the still expected projects under current and

³⁶ http://ec.europa.eu/newsroom/horizon2020/document.cfm?doc_id=51891

	<p>future calls (2018-2020).</p> <p>Looking beyond 2020, the Commission has proposed an increased budget of EUR 10 billion in the Multi-Annual Financial Framework 2021-2027 to support research and innovation activities in food, agriculture, rural development and bio-economy under Horizon Europe. Moreover, knowledge transfer and innovation will play an even more important role in the future Common Agricultural Policy in addressing the challenges faced by the farming sector and rural communities.</p> <p>Member States are also invited to allocate the European Structural and Investment Funds to support activities mentioned in this point in the current programming period. These might also be included in the programmes for the 2021-2027 period, based on identified needs.</p>
<p>40. The European Committee of the Regions recommends that support be provided through the relevant European Union policies to stimulate the development and promotion of healthy food production.</p>	<p>Please see replies to points 6 and 42.</p>
<p>41. The European Committee of the Regions calls for consultancy services to be fostered, with the aim of enhancing business competitiveness through sustainable and quality-oriented management.</p>	<p>Member States have to include in their Common Agricultural Policy Strategic Plans a system for providing advisory services. These services concern the entire scope of the Common Agricultural Policy Strategic Plans (the Regulation refers to certain specific elements within this scope).</p>
<p>42. The European Committee of the Regions calls for cooperation between local authorities, training centres and national universities to boost research into</p>	<p>Please see reply to point 39.</p> <p>The Commission provides considerable funding opportunities for this purpose in research and innovation activities with</p>

<p>sustainable food choices at every stage of production, leading to products that are recognisable in terms of quality geared to healthy eating: in particular, protocols should be used that indicate the use of fewer chemical fertilisers, antibiotics and pesticides.</p>	<p>‘multi-actor approach’, for instance under the topic SFS-16-2018 ‘Towards Healthier and Sustainable Food’³⁷.</p>
<p>43. The European Committee of the Regions underlines the need to stimulate and sustain the development of a food production system that respects the environment, reduces packaging and food waste to achieve elimination, limits Carbon Dioxide emissions and supports sustainable production practices.</p>	<p>The factsheet ‘Ecological approaches and organic farming’³⁸ provides an overview of current and planned research and innovation activities funded under Horizon 2020 to support sustainable production practices.</p>
<p>45. The European Committee of the Regions highlights the need to invest in innovation using eco-friendly and product-oriented technologies.</p>	<p>Please see replies to points 39, 42 and 43.</p>
<p>47. The European Committee of the Regions urges farms to diversify by developing tourism and social activities, helping them to widen the supply of local products, strengthen the territorial presence of short-chain production, and extend the consumption of authentic, locally-linked products.</p>	<p>Please see reply to point 39.</p> <p>The factsheets ‘Understanding Dynamics and Modernising Policies’³⁹ and ‘Sustainable, Circular and Innovative Value Chains’⁴⁰ provide examples of current and planned research and innovation activities funded under Horizon 2020 to support sustainable growth of rural areas and development of short food supply chains.</p>
<p>48. The European Committee of the Regions calls on the food industry to invest in redeveloping existing foods that are rich in saturated fat, sugar and salt, as</p>	<p>Please see reply to point 42.</p>

³⁷ <http://ec.europa.eu/research/participants/portal/desktop/en/opportunities/h2020/topics/sfs-16-2018.html>

³⁸ http://ec.europa.eu/information_society/newsroom/image/document/2018-18/agri_factsheets_07_ecological-approaches_ok_1545C778-C5D7-AA24-163D1DD06A4CDF2F_51894.pdf

³⁹ http://ec.europa.eu/information_society/newsroom/image/document/2018-18/agri_factsheets_08_modernising-policies_ok_1545C818-F783-8C45-7734CC9A88F78030_51895.pdf

⁴⁰ http://ec.europa.eu/information_society/newsroom/image/document/2018-18/agri_factsheets_10_value-chains_ok_1545CA43-91EF-2C1C-F18BDD2F658F9DB8_51897.pdf

<p>well as in research and development of innovative, healthy and tasty food and speciality products (such as gluten-free and lactose-free products, among others), produced with modern technologies, at affordable prices, encouraging health and sustainable choices.</p>	
<p>53. The European Committee of the Regions suggests marking mountain products with a specific graphic symbol to highlight their particular features, such as soil, air or water quality and production volume.</p>	<p>The term ‘mountain product’, established in Article 31 of Regulation (EU) No 1151/2012 of the European Parliament and of the Council of 21 November 2012 on quality schemes for agricultural products and foodstuffs⁴¹, is an optional quality term. The same Article lays down the conditions for its use, notably with regard to the origin of raw materials and feedstuffs for farm animals, and place of processing.</p> <p>The legislator did not provide for a graphic symbol that could be used for the term "mountain product" nor did it empower the Commission to create one.</p>
<p>56. The European Committee of the Regions welcomes the efforts of local authorities to support alternative food networks such as organic farmers' markets that offer healthy and sustainable food choices.</p> <p>57. The European Committee of the Regions welcomes the efforts of local and regional authorities helping to establish study groups in which producers and processors exchange practical experiences concerning organic farming. The work of such study groups can complement traditional agriculture programmes offered by training centres, schools and universities.</p>	<p>The Commission welcomes the Committee’s call to actively support local producers, short supply chains, cooperation in the supply chain, and innovation towards healthy and sustainable food products.</p> <p>Indeed, all these policy and local development objectives can be supported through European Structural and Investment Funds programmes in the current programming period (2014-2020). Such support could also be included in the next programming cycle, following the draft legal proposal for post-2020.</p> <p>It should be noted that in the setting up of</p>

⁴¹ OJ L 343, 14.12.2012.

<p>58. The European Committee of the Regions calls for measures to support the introduction of basic local services and networks to consolidate the market for local products, agri-tourism and the protection and revitalisation of rural areas to foster exchange of healthy, traditional foods.</p> <p>59. The European Committee of the Regions welcomes private initiatives by local non-governmental organisations that guide consumers towards making healthy lifestyle choices, complementing government policies and legislative initiatives at European and national level.</p> <p>60. The European Committee of the Regions calls on local media (television, radio, internet, the press and social media) to take part in food education campaigns and to comply with the regulatory restrictions on the advertising of unhealthy food and beverages, in line with the call issued by the World Health Organisation.</p> <p>61. The European Committee of the Regions advocates the development of food networks, including farmers' markets, where local producers offer healthy, high-quality food directly to consumers at reasonable prices. In addition, they preserve the food culture of the local community and help protect biodiversity.</p> <p>62. The European Committee of the Regions draws attention to the fact that strategic planning and cooperation at all levels of governance, with the involvement of relevant players, are crucial to promoting healthy and sustainable choices.</p> <p>63. The European Committee of the Regions supports the shared conviction</p>	<p>European Structural and Investment Funds programmes, Member States are obliged to engage in a partnership with the competent local and regional authorities as well as with economic and social partners in order to take into account the needs of all stakeholders.</p> <p>Following the identified needs and consultation with partners based on the partnership principle, Member States are invited to allocate the European Structural and Investment Funds to support activities highlighted in this opinion.</p>
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that if sustainable solutions are to be found, robust partnerships with local authorities are a prerequisite.	
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<p>N°7 Mid-term review of the European Union Forest Strategy (exploratory opinion) COR 2017/5782 – NAT-VI/027 129th Plenary Session – May 2018 Rapporteur: Mr Ossi MARTIKAINEN (FI/ALDE) DG AGRI - Commissioner HOGAN</p>	
<p>Points of the European Committee of the Regions opinion considered essential</p>	<p>European Commission position</p>
<p>The Commission wishes to clarify that the ongoing “review” is meant to assess progress up to 2018 in implementing the European Union Forest Strategy since its adoption. The decision whether a revision will take place or not will be taken at a later stage and based on the results of the review. In this regard, the Commission welcomes the Committee’s views, on the areas where the Committee sees the need for particular consideration.</p>	
<p>The Forest Strategy is an effective tool for harmonising various policy areas and for reconciling the different perspectives of the Member States. Its role is also to highlight new objectives and measures which should be examined at European Union level.</p>	<p>The Commission welcomes the Committee’s view of the European Union Forest Strategy as being an effective tool for coordinated and coherent forest-related policies.</p> <p>The role of the strategy is to ensure the forest-based sector’s contribution to and integration into the European Union’s objectives and measures, rather than highlighting them.</p>
<p>For local and the various regional authorities, forests are an important element of economically, environmentally and socially sustainable development, so they should be consulted when the European Union Forest Strategy is updated. Local and regional authorities are not only important stakeholders in forestry-related matters, but also genuine interested parties in the same way that forest owners are.</p>	<p>The Commission recognises the important role of local and regional stakeholders (see below) for forest-related matters, and the need to consult them using the existing European Union governance frameworks and the Better Regulation principles.</p> <p>The Commission has not taken a decision yet on whether and, if so, when the current European Union Forest Strategy will be updated. The ongoing review will assess progress in</p>

	implementing the Strategy, before considering possible next steps.
The Forest Strategy should emphasise economic growth, employment and European investments and identify the new opportunities that they offer.	<p>The review of the European Union Forest Strategy will assess the implementation of the strategic orientations contained in the Strategy including those in support of the objective to foster the forest-based sector as a contributor to the economy, growth and jobs creation in rural areas.</p> <p>At the same time, the Commission highlights the strong links between socio-economic and environmental objectives, which require protecting forest biodiversity and keeping forest ecosystems healthy and resilient. Economic, social and environmental objectives need to be addressed in a balanced manner in order to ensure the long-term sustainable development of the forestry sector and secure the wider benefits that healthy forests provide to local communities.</p>
From the point of view of employment and the economy at local and regional level, efforts should be made to pursue an even higher level of domestic consumption, while taking account of the sustainability of forest resources and the uses of timber.	The European Union Forest Strategy includes strategic orientations aiming at promoting an increase of sustainable wood mobilisation and use, and market growth and access to third markets, through the efforts of both the Commission and the Member States. The ongoing review will provide information on whether the strategic orientations with this aim are delivering effectively.
The review of the Forest Strategy must be aligned with the updating of the bioeconomy strategy. Consistency must be ensured across the European Union's various policies when developing the forest	The revision of the Bioeconomy Strategy has been taking place during 2018 and was announced on 11 th October. The mid-term review of the Forest Strategy should also be completed by the end of 2018 and the

<p>bioeconomy and fostering innovation.</p>	<p>two operations are cross-referenced.</p>
<p>In the reform of the Common Agricultural Policy, it is important to include tools that support the forest sector in rural areas, such as those for the prevention of deforestation, the renewal and management of forests, as well as the promotion of entrepreneurship and training in the sector.</p>	<p>The proposal for the new Common Agricultural Policy post-2020, adopted on 1 June 2018⁴², defines a new model for the delivery of a series of European Union objectives through enhanced subsidiarity, where broad types of interventions are defined as the constituents of European Union Rural Development Policy. Member States will develop the interventions and tools best fitted for their specific regional and local conditions. The needs of the forest-based sector are well captured in the new Common Agricultural Policy framework, offering a comprehensive toolbox of interventions.</p>
<p>The mid-term review of the Forest Strategy should make clear the multi-dimensional importance of forests in climate policy, in the implementation of the Paris Agreement objectives and in efforts to meet the United Nations Sustainable Development Goals.</p> <p>Local and regional authorities can act more effectively to meet common objectives, including in the forest sector, if the mid-term review contains concrete, specific and tried-and-tested proposals for action as well as examples.</p>	<p>The Forest Strategy already has its section 3.3.3 entirely devoted to ‘forests in a changing climate’ and, in preparation of its mid-term review, an ongoing study is assessing progress towards Forest Strategy objectives. Subsequently, taking into account the evolved policy context (including the Paris Agreement and the United Nations Sustainable Development Goals) it will be one of the Commission’s considerations in revising the European Union Forest Strategy.</p>
<p>It is important that research into European forests and their development receives the necessary resources and that reliable data on forests is available to the authorities and civil society from public sources, with a view to facilitating dialogue.</p>	<p>The Communication from the Commission ‘A modern budget for a Union that protects, empowers and defends’⁴³, proposes, for 2021-2027, an amount of EUR 10 billion to support Research and Innovation on agriculture, rural development and the</p>

⁴² https://ec.europa.eu/info/food-farming-fisheries/key-policies/common-agricultural-policy/future-cap_en

⁴³ COM(2018) 321 final.

	bioeconomy.
Local and regional authorities are helping to implement initiatives that have been developed to support the diversity of forests in the European Union (Natura 2000 network, the Birds and Habitats Directives, support for green infrastructure and the 2020 biodiversity strategy), and they should be given more scope to contribute to the content of measures.	The positive role of local and regional authorities is recognised in the Action Plan for nature, people and the economy that aims at improving the implementation of the Birds ⁴⁴ and Habitats Directives ⁴⁵ ; as well as in the forthcoming review of progress in implementing the European Union Green Infrastructure Strategy ⁴⁶ , and in the Commission guidance on a strategic framework to further support European Union-level green and blue infrastructure projects.
In matters concerning the use and protection of forests, local and regional authorities and those living in regions must be consulted.	The Civil Dialogue Group on Forestry and Cork, the main multi-stakeholder platform identified in the European Union Forest Strategy for discussing forestry and sustainable forest management, is composed of several organisations that represent the interests of regional and local authorities and other parties having interests in forests. The review of the European Union Forest Strategy will allow evaluating whether the governance structure is fit for the purposes of the strategy.
Alongside diversity, one of the main objectives of environmentally sustainable forest policy is to halt deforestation globally and in areas of Europe that pose challenges.	The European Union Forest Strategy aims at ensuring consistency of European Union and Member State forest-related policies aiming at promoting sustainable forest management across Europe and globally, and fighting deforestation and

⁴⁴ Directive 2009/147/EC of the European Parliament and of the Council of 30 November 2009 on the conservation of wild birds, OJ L 20, 26.1.2010.

⁴⁵ Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora, OJ L 206, 22.7.1992.

⁴⁶ COM(2013) 249 final.

	<p>forest degradation. The European Union has several policy instruments in place (the Forest Law Enforcement, Governance and Trade Action Plan⁴⁷, including the European Union Timber Regulation⁴⁸, REDD+⁴⁹).</p>
<p>The European Union Forest Strategy should shape European Union trade and development policies at global level: the environmentally sustainable use of forests in developing countries, biodiversity and the social sustainability of forest policy (land ownership, the rights to use forests, rights of local residents) must be placed high on the European Union's global agenda.</p>	<p>The European Union Forest Strategy acknowledges that the European Union does not rely on its own production and it promotes sustainable forest management worldwide, and addresses deforestation through REDD+, the Forest Law Enforcement, Governance and Trade Action Plan and the European Union Timber Regulation.</p>

⁴⁷ COM(2003) 251 final.

⁴⁸ Regulation (EU) No 995/2010 of the European Parliament and of the Council of 20 October 2010 laying down the obligations of operators who place timber and timber products on the market Text with EEA relevance, OJ L 295, 12.11.2010.

⁴⁹ REDD+ = Reducing emissions from deforestation and forest degradation.

<p>N°8 Proposals for reform of the Economic and Monetary Union COM(2017) 821 final, COM(2017) 823 final, COM(2017) 824 final, COM(2017) 827 final COR 2018/1039 – ECON-VI/032 130th Plenary Session – July 2018 Rapporteur: Mr Christophe ROUILLON (PES/FR) DG ECFIN – Commissioner MOSCOVICI</p>	
<p>Points of the European Committee of the Regions opinion considered essential</p>	<p>European Commission position</p>
<p>2. The European Committee of the Regions supports the principle of introducing a budgetary capacity aimed at increasing the euro area's resilience, and paving the way for convergence with future euro area members. This capacity must however be financed from own resources that are separate from those provided for financing the budget of the European Union to avoid any encroachment by this capacity on European Union programmes that are accessible to the EU-27. Furthermore, this capacity should be accounted for outside the ceiling for European Union budget resources.</p>	<p>The proposal for the Reform Support Programme⁵⁰ ('the Programme') is one of the concrete elements of the Commission's agenda to deepen the Economic and Monetary Union.</p> <p>The Programme is designed to help and motivate Member States to implement structural reforms, in order to increase the resilience and boost social and economic cohesion. To achieve that, the Commission would offer both financial and technical support to carry out key reforms aimed at addressing challenges identified in the context of the European Semester of economic policy coordination and would make use of monetary transfers fully financed from the Union budget to the national treasuries.</p> <p>This Programme will work as a complementary tool to all other European Union Funds, such as European Structural and Investment Funds (now – the Union Funds) or the new InvestEU Programme.</p> <p>The Union Funds can provide support for the investment components of some structural challenges relevant to cohesion</p>

⁵⁰ COM(2018) 391 final.

	<p>policy, but they are not intended to promote the design and implementation of national reforms.</p>
<p>3. The European Committee of the Regions regrets, however, that the Commission proposal presented on 31 May 2018 allocates this capacity to structural reform measures that are not necessarily linked to euro area convergence, and to a European Investment Stabilisation Function in the form of loans up to the relatively modest amount of EUR 30 billion, and earmarks only EUR 2.16 billion for the actual Convergence Facility.</p>	<p>The Commission’s intention behind the proposal to create a budgetary capacity to support structural reforms is to increase resilience of all Member States’ economies, including those on their way to joining the euro area. The good functioning of the Economic and Monetary Union as a whole (not only the monetary union) is beneficial to all Member States. For that reason, the Commission deems it important to provide support to all Member States, and therefore not to limit the scope of the instrument only to measures that directly address convergence towards the euro area participation.</p> <p>Convergence is a multi-dimensional concept. Real convergence is of course the main long-term target, but it is the outcome of a long convergence process involving both nominal and cyclical convergence. The economic and financial crisis has been one major cause for economic divergence across euro area Member States as those hit by large negative economic shocks have seen their economies diverging compared to those of other Member States. That is why it is crucial to improve the ability of all Member States to withstand and adjust to adverse phases of the economic cycle by undertaking structural reforms to increase economic resilience and by mobilising resources aimed at smoothing large negative shocks.</p> <p>On the stabilisation function, the Commission has put forward a carefully balanced proposal. The proposal</p>

	<p>acknowledges the need for a central solidarity instrument while at the same time respecting the limitations in terms of available resources as well as the need to set incentives for sound policies. The Commission proposal also states that the stabilisation function can be complemented over time by additional financing resources outside the Union budget, such as a possible role for the European Stability Mechanism or the future European Monetary Fund, and a possible voluntary insurance mechanism to be set up by the Member States.</p> <p>The earmarking of EUR 2.16 billion for Convergence Facility Support is not an upper limit to the support that Member States committing to joining the euro area can receive. The convergence facility is complementary to the support under the reform delivery tool. This means that Member States that commit to joining the euro area will be able to benefit from additional support to implement structural reforms to prepare their successful participation in the monetary union.</p>
<p>6. The European Committee of the Regions reiterates its call for better coordination of economic policies, but also social policies, under the European Semester, and calls for local and regional authorities to be more closely involved by means of a "code of conduct"⁵¹.</p>	<p>The Commission has constantly improved the European Semester in recent years to achieve a better coordination of economic policies at Union- and euro area-levels, to increase national ownership of the process and to increase reform implementation. More attention is paid to the social dimension of the European Semester, for example as part of the analysis on macroeconomic imbalances and via a closer involvement</p>

⁵¹ European Committee of the Regions opinion: *Improving the governance of the European Semester: a Code of Conduct for the involvement of local and regional authorities*. Rapporteur: Rob Jonkman (NL/ECR) Adopted on 11 May 2017. OJ C 306, 15.9.2017, p.24

	<p>of social partners at both European and national levels. The Commission has also encouraged Member States on various occasions to involve a wide range of stakeholders – including at different levels of government – in the European Semester process at national level, for example when it comes to the preparation of the National Reform Programmes.</p>
<p>7. The European Committee of the Regions stresses that the current European rules and procedures for monitoring national budgets in the European Union are not able to effectively prevent imbalances and weaknesses and lack democratic legitimacy.</p>	<p>The current European rules for fiscal surveillance (i.e. the Stability and Growth Pact) are meant to ensure that Member States run prudent fiscal policies and correct gross policy mistakes. There is currently only one Member State, Spain, that is under the excessive deficit procedure, while other Member States have successfully managed to exit the procedure and to bring their budget deficit below 3% of Gross Domestic Product.</p> <p>The current European rules and procedures for monitoring national budgets reflect the 2011 reform of the Stability and Growth Pact and the additional Regulation on monitoring draft budgetary plans of euro area countries introduced in 2013⁵². Those European Union laws have been adopted using the ordinary legislative procedure and so they suffer from no lack of democratic legitimacy.</p>
<p>8. The European Committee of the Regions takes note of the Commission’s proposal on sovereign bond-backed securities, which is aimed at increasing integration and diversification within</p>	<p>The Commission wishes to point out that, to the extent that sovereign bond-backed securities help reduce the sovereign risk borne by banks (including by reallocating it to non-regulated players, for example if</p>

⁵² Regulation (EU) No 473/2013 of the European Parliament and of the Council of 21 May 2013 on common provisions for monitoring and assessing draft budgetary plans and ensuring the correction of excessive deficit of the Member States in the euro area, OJ L 140, 27.5.2013.

<p>Europe's financial sector. The European Committee of the Regions recognises that, in principle, the sovereign bond-backed securities would not involve the mutualisation of risks and losses among euro area Member States and that such bonds would make it possible to weaken the link between banks and sovereign borrowers and to de-privilege sovereign bonds. However, the European Committee of the Regions reiterates its concerns about how the "repackaging" of sovereign bonds into securitised products would reduce the risk rather than redistribute it to unregulated financial players.</p>	<p>banks replace existing holdings mainly with senior sovereign bond-backed securities tranches), it would help weaken the 'bank-sovereign' nexus – a key source of potential financial instability, as shown by the euro area debt crisis.</p> <p>To the extent that sovereign bond-backed securities do help weaken such nexus, then sovereign bond-backed securities would indeed not just redistribute existing aggregate risk but actually reduce it.</p>
<p>10. The European Committee of the Regions questions, however, the appropriateness, from a legal, political and democratic point of view, of relying on a proposal for a Directive (based on Article 126(14) of the Treaty on the Functioning of the European Union) which only provides for consultation of the European Parliament and hence does not guarantee transparent and democratic decision-making, which would be necessary given the interests at stake.</p>	<p>To strengthen fiscal discipline by means which differ from - but are complementary to - the Stability and Growth Pact, the Treaty on Stability, Coordination and Governance in the Economic and Monetary Union sought to enhance the domestic ownership of the fiscal framework. The Commission is of the view that a Directive based on the second subparagraph of Article 126(14) of the Treaty on the Functioning of the European Union provides the most appropriate legal vehicle for incorporating that core objective into Union law.</p>
<p>11. The European Committee of the Regions stresses, however, that the Treaty on Stability, Coordination and Governance in the Economic and Monetary Union envisages this incorporation being carried out "on the basis of an assessment of the experience with its implementation", which does not appear to have been carried out in a comprehensive way and published by the Commission. Such an assessment should have highlighted the</p>	<p>The Commission recalls that it is under no legal obligation to conduct an assessment of the experience with the implementation of the Fiscal Compact. Nevertheless, the proposed Directive builds on the Commission's in-depth knowledge of the architecture of the Fiscal Compact (including in particular its interactions with the European Union fiscal framework) and of how it has been enshrined by Member States into their</p>

worrying public investment situation in the European Union. [...]	domestic legal orders.
12. The European Committee of the Regions is therefore concerned about the lack of mention of public investment in the Commission proposal, especially since the necessary flexibility regarding investments has been previously recognised, including in the Commission communication of January 2015 on this issue ⁵³ , and since some public investments have long-term positive and verifiable effects on growth, and therefore on the viability of public finances.	The text of the proposal takes into account the need for consistency with the preventive arm of the Stability and Growth Pact. As explained in the Commission communication of January 2015 on flexibility within the Stability and Growth Pact, under the preventive arm of the Pact, some investments deemed equivalent to major structural reforms may, under certain conditions, justify a temporary deviation from the medium term objective or from the adjustment path towards it.
13. The European Committee of the Regions further points out that the Committee had questioned the legal certainty provided by an interpretative communication from the Commission and concluded that it would be necessary to take into account the degree of underinvestment at national or regional level in order to produce a real impact on local and regional authorities' ability to invest ⁵⁴ ; it considers this analysis borne out by the Communication of 23 May 2018 on the review of the flexibility under the Stability and Growth Pact ⁵⁵ , [...]. Therefore, it would seem that the scope of the Communication needs to be widened in order to have an effect on the level of investments.	Member States decide on their fiscal policy mix, and more specifically on the level of public investment. This being said, in its recommendations to the Council for country-specific recommendations, the Commission stresses the need to design fiscal policy in a growth-friendly manner, for example by safeguarding productive investment and by minimising its growth-distorting impact.
14. The European Committee of the	Member States with fiscal space could

⁵³ European Commission communication: *Making the best use of the flexibility within the existing rules of the Stability and Growth Pact*. 13 January 2015. Ref.: COM(2015) 12 final: <http://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:52015DC0012&from=EN>.

⁵⁴ European Committee of the Regions opinion: *Making the best use of the flexibility within the existing rules of the Stability and Growth Pact*. Adopted on 9 July 2015. Rapporteur: Olga Zrihen (BE/PES) OJ C 313, 22.9.2015, p. 22.

⁵⁵ COM(2018) 335 final.

<p>Regions reiterates its call for public spending by Member States and local and regional authorities linked to co-financing of the Structural and Investment Funds, the trans-European networks and the Connecting Europe Facility not to be included among national or equivalent structural expenditure as defined in the Stability and Growth Pact, without other conditions, given that this investment is by definition of high quality and "European" in nature.</p>	<p>increase investment expenditure. At the same time, the introduction of a golden rule (whereby some public spending is systematically removed from the budget balance for the purposes of fiscal surveillance) could hamper the long-term sustainability of public finances and resource allocation, even if related to particularly productive expenditure items, like those linked to the co-financing of European projects. Furthermore, it might generate a spate of calls for exemptions.</p>
<p>16. The European Committee of the Regions calls once again on the Commission to publish a White Paper setting out a European Union-level typology for the quality of public investment in public expenditure accounts, on the basis of its long-term effects⁵⁶.</p>	<p>The accounting of public expenditure is based on the European System of Accounts (ESA 2010) Regulation⁵⁷, a comprehensive framework which entered into force relatively recently after extensive discussions. Basing fiscal surveillance on evaluation of the quality of public investment would raise major implementation difficulties. The long-term effects of public investment vary considerably across projects, even for the same typology of investment. They are non-observable variables, which inevitably lead to measurement issues.</p>
<p>17. The European Committee of the Regions believes that the Directive on establishing a framework of fiscal rules at national level should take into account any exceptional circumstances affecting one or more Member States without however causing a recession across the euro area or the European Union.</p>	<p>The proposal takes into account exceptional circumstances affecting the Member State concerned. Notably, it defines ‘exceptional circumstances’ as “an unusual event outside the control of the Member State concerned and which has a major impact on the financial position of the general government” (in addition to a severe economic downturn for the euro</p>

⁵⁶ European Committee of the Regions opinion: *Promoting quality of public spending in matters subject to EU action* Adopted on 3 December 2014. Rapporteur: Catuscia Marini (IT/PES), OJ C 19, 21.1.2015, p. 4.

⁵⁷ Regulation (EU) No 549/2013 of the European Parliament and of the Council of 21 May 2013 on the European system of national and regional accounts in the European Union Text with EEA relevance, OJ L 174, 26.6.2013.

	area or the Union as a whole).
<p>18. The European Committee of the Regions reiterates its concerns regarding Eurostat's accounting framework, the European System of Accounts (ESA 2010), implemented as of September 2014, which makes no distinction between expenditure and investment. In certain Member States, these standards are being transposed into national law in a way that results in local and regional authorities being obliged to apply maximum investment ceilings per year and per inhabitant. These ceilings hinder in particular local and regional authorities from providing the co-financing needed for European Structural and Investment Funds projects. These ceilings also hamper those local and regional authorities which have financial means in reserve from launching significant investment projects not related to European Structural and Investment Funds; it therefore calls on the Commission to present a report on the implementation of the European System of Accounts (ESA 2010).</p>	<p>The Commission draws the attention of the Committee to the importance of using correct terminology. Investment is one type of expenditure according to every accounting standard, including public and private accounting standards. The distinction between investment and other forms of expenditure is very clear in the European System of Accounts (ESA 2010). Nevertheless, Regulation (EU) No 549/2013 ('the ESA 2010 Regulation') contains definitions and accounting rules to be used for compiling comparable accounts and tables for the European Union's purposes but does not oblige national authorities to budget or apply national/regional budgetary controls using the European System of Accounts (ESA 2010) definitions. It is the Member States' choice if and exactly how they introduce the European System of Accounts (ESA 2010) terminology into their budgetary laws at national level.</p> <p>On 29 June 2018, the Commission provided the European Parliament and the Council with its report on the application of the ESA 2010 Regulation and on the application of the granted derogations⁵⁸.</p>
<p>19. The European Committee of the Regions notes that one sound way of managing the Growth and Stability Pact rules without allowing "creative accounting" to creep in by the back door is to change the depreciation rules for public investment and not to count the total cost of investment as a cost in the first year, but – just as private companies do – to write it off over the expected</p>	<p>The Commission understands that constraints on the public budget may indeed affect individual entities, especially in relation to large investment costs. However, a comprehensive statistical recording of government expenditure, including investment, is crucial to present a correct picture of the state of public finances. Recording investment costs over the expected</p>

⁵⁸ COM(2018) 506 final.

lifespan of the investment.

investment lifespan would in fact conceal the real fiscal space and financing needs of a country at the time the investment is contracted. This is because the expenditure that is incurred when the works are conducted would not appear on the fiscal balance. However, the costs would still need to be financed, possibly increasing debt. Crucially, as the fiscal space would appear larger than it really is, the practice proposed could actually induce higher spending with each political cycle, thereby affecting public finance sustainability in the long run. In addition, the recording of investment over a long-time span might incur valuation challenges and would require very detailed public sector accounting regulations to avoid 'creative accounting'. The current approach provides a more accurate picture of the state of public finances and of the budgetary impact of policy choices.

The decision to use the statistical concept of net lending/borrowing as an anchor for European Union budgetary surveillance under the Stability and Growth Pact is enshrined in Protocol No. 12 to the Treaties. That choice reflects the consideration that all expenditure must be adequately financed. Debt financing of public expenditure, including for investment, burdens future generations, while not all public investment implies future returns. If the statistical impact of investment projects were to be spread in time, past projects would also burden current public balances and therefore it is not certain that it would provide fiscal space for Member States. Moreover, special rules for investment could crowd out other future-oriented expenditure, such

	<p>as in the area of education, which are equally important. This being said, the Pact does not prevent Member States from prioritising investment over current spending. Lastly, in order to cater for the volatility of public investment, fluctuations in investment are smoothed to calculate the expenditure benchmark, the main indicator to assess compliance with the preventive arm of the Pact.</p>
<p>20. The European Committee of the Regions considers that the practice of inter-parliamentary meetings, as provided for in Article 13 of the TSCG, contributes to strengthening democratic accountability within the EU's economic governance framework and should therefore be reaffirmed in the present proposal for a directive, but calls for the European Committee of the Regions' involvement in these meetings to be formalised, in order to recognise the need to involve local and regional authorities in economic governance.</p>	<p>The Commission agrees with the importance of holding such inter-parliamentary dialogue. Article 13 of the Treaty on Stability, Coordination and Governance in the Economic and Monetary Union is an institutional provision, which cannot be incorporated into the law of the Union through an instrument of secondary law, such as the proposed Directive. Nevertheless, that Article will continue to be applicable once the proposal is adopted.</p>
<p>25. The European Committee of the Regions suggests, however, changing the name of the fund, to make it more comprehensible and transparent for citizens; under Article 127 of the Treaty on the Functioning of the European Union, monetary policy is set and implemented by the European Central Bank and the national central banks within the European System of Central Banks; as the fund envisaged by the Regulation in question would not be involved in this in any way, its name should not include the term 'monetary'; the Committee of the Regions believes that the title 'European Assistance Fund' or 'European Stabilisation Fund'</p>	<p>The Commission takes note of the reservations expressed in relation to the use of the name 'European Monetary Fund' in the context of its proposal and, during the legislative procedure, stands ready to consider the different views expressed.</p>

would be more suitable.	
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<p>N°9 Transparent and Predictable Working Conditions COM(2017) 797 final COR 2018/1129 – SEDEC-VI/036 130th Plenary Session – July 2018 Rapporteur - Ms Isolde RIES (DE/PES) DG EMPL – Commissioner THYSSEN</p>	
<p>Points of the European Committee of the Regions opinion considered essential</p>	<p>European Commission position</p>
<p>Recommendations for amendments</p> <p>Amendment 1</p> <p>The purpose of this Directive is to improve working conditions by promoting more secure and predictable employment while ensuring labour market adaptability.</p> <p>Amendment 2 (Article 1 (4))</p> <p>Paragraph 3 shall not apply to an employment relationship where no guaranteed amount of paid work is predetermined before the employment starts.</p> <p>Amendment 3 (Article 1 (5))</p> <p>Member States may determine which persons are responsible for the execution of</p>	<p>Amendment 1: The proposal is based on Article 153(2)(b) TFEU, which provides for the adoption of directives setting minimum requirements with respect to, inter alia, "working conditions" as set out in Article 153(1)(b) TFEU, while avoiding imposing administrative, financial and legal constraints in a way which would hold back the creation and development of small and medium-sized undertakings. The Commission considers that ensuring labour market adaptability is covered by the latter.</p> <p>Amendment 2: The Commission considers that it is for the Member States to decide the forms of employment relationships permitted in their labour market.</p> <p>Due to the unpredictability of on-demand work, the derogation of eight hours per month should not be used for employment relationships in which no guaranteed amount of paid work is determined before the start of the employment.</p> <p>The Commission takes note of this Amendment.</p>

the obligations for employers laid down by this Directive as long as all those obligations are fulfilled. They may also decide that all or part of these obligations shall be assigned to a natural or legal person who is not party to the employment relationship. **However, employers shall continue to be responsible for ensuring that the obligations laid down are met correctly and in full.** This paragraph is without prejudice to Directive 2008/104/EC.

Amendment 4 (Article 1 and 6)6

~~**Member States may decide not to apply the obligations set out in Articles 10 and 11 and Article 14(a) to natural persons belonging to a household where work is performed for that household.**~~

Amendment 5 (Article 2)

The definitions of workers, employers and employment relationships shall be regulated in or governed by applicable legislation in a Member State.

Amendment 6 (Article 3(2)(i))

Amendment 4: The Commission considers that Member States should be able to establish specific rules to exclude individuals acting as employers for work performed in the household from some of the obligations provided for in this Directive.

Amendment 5: The Commission considers that the personal scope of this proposal is central to the achievement of its purpose. By using a definition of worker codifying the existing case law of the Court, the Commission's proposal ensures that in all Member States the same, broad categories of workers will be covered. On the contrary, leaving the notion of worker to be defined by national law could exclude workers whom the Commission's proposal is designed to protect; i.e. the most vulnerable workers, who may be denied worker status at all.

Amendment 6: The proposal is based on Article 153(2)(b) of the Treaty on

as well as the formal requirements for the notice of termination and the deadline for bringing an action contesting dismissal;

as well as the formal requirements for the notice of termination and the deadline for bringing an action contesting dismissal;

Amendment 7 (Article 3(2) (m))

Any collective agreements governing the worker's conditions of work **as well as the time limits laid down in the collective agreements for claims arising from those agreements**; in the case of collective agreements concluded outside the business by special joint bodies or institutions, the name of the competent body or joint institution within which the agreements were concluded;

Amendment 8 (Article 4 (1))

The information referred to in Article 3(2) shall be provided individually to the worker in the form of a document at the latest on the first day of the employment relationship. That document **shall be handed over to the worker in paper form**

the Functioning of the European Union (TFEU), which provides for the adoption of directives setting minimum requirements with respect to, inter alia, 'working conditions' while avoiding imposing administrative, financial and legal constraints in a way which would hold back the creation and development of small and medium-sized undertakings. The Commission considers that its proposal strikes the correct balance between covering the essential elements of the employment relationship and avoiding administrative constraints. In accordance with Article 153(2)(b) on the Treaty on the Functioning of the European Union (TFEU) the proposal sets minimum standards. Member States are free to establish more protective provisions.

See comment to Amendment 6

The Commission takes note of the first part of Amendment 8. As for the second part, see comment to Amendment 6.

<p>or be provided and transmitted electronically as long as it is easily accessible by the worker, and can be stored and printed and an acknowledgement of receipt is issued.</p> <p>Amendment 9 (Article 5)</p> <p>Member States shall ensure that any change in the aspects of the employment relationship referred to in Article 3(2) and to the additional information for workers posted or sent abroad in Article 6 shall be communicated in the form of a document by the employer to the worker at the earliest opportunity and at the latest on the day it takes effect.</p> <p>Amendment 10 (Article 6 (2))</p> <p>Member States shall ensure that, if the worker sent abroad is a posted worker covered by Directive 96/71/EC, he or she shall in addition to the information laid down in paragraph 1 and Article 3(2) be notified of the following by being handed a document in paper or electronic form:</p> <p>Amendment 11 (Article 6(2)b)</p> <p>Information that is relevant to posted workers in his or her own language or if quality of translation cannot be guaranteed, the link to the official national website(s) developed by the host Member State(s) pursuant to Article 5(2) of Directive 2014/67/EU.</p> <p>Amendment 12 (Article 6(3))</p> <p>The information referred to in paragraph 1(b) and 2(a) may, where appropriate, be given in the form of a reference to the laws, regulations and administrative or statutory provisions or collective agreements governing those particular points. shall be made available in a language that the</p>	<p>The Commission takes note of Amendment 9.</p> <p>The Commission takes note of Amendment 10.</p> <p>Amendment 11: See comment to Amendment 6.</p> <p>Amendment 12: see comment to Amendment 6.</p> <p>Amendment 13: see comment to A.6</p>
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posted workers are able to understand.

Amendment 13 (Article 6(4))

Unless Member States provide otherwise, paragraphs 1 and 2 shall not apply if the duration of each work period outside the Member State in which the worker habitually works **is two weeks or less.**

Amendment 14 (Article 7 (2))

Member States may provide for longer probationary periods in cases where this is justified by the nature of the employment or is in the interest of the worker **or where the worker is temporarily unfit for work for an extended period.**

Amendment 15 (Article 8 (2))

~~Employers may however lay down conditions of incompatibility where such restrictions are justified by legitimate reasons such as the protection of business secrets or the avoidance of conflicts of interests.~~

Amendment 16 (Article 10(1))

Member States shall ensure that workers with at least six months' seniority with the same employer may **apply for** a form of employment with more predictable and secure working conditions where available, **on an equal footing with other applicants.**

The Commission takes note of Amendment 14.

Amendment 15: The Commission shares the opinion of the Committee in the comments to its amendment that it is Member State legislators and courts that are responsible for balancing the conflicting interests of the parties to the employment contract. The Commission takes note of the proposed amendment that Article 8(2) should be addressed to Member States instead of employers.

Amendment 16: The Commission considers it important to maintain the wording of its proposal: right to request more predictable and working conditions. The Commission cannot accept the wording on equal footing with job applicants, given that the right foreseen in this provision is conditional on having a six-month period of seniority with the employer, and so being in a fundamentally different position from a new applicant.

Amendment 17 (Article 10 (2))

The employer shall provide a written reply within one month of the request. ~~With respect to natural persons acting as employers and micro, small, or medium enterprises, Member States may provide for that deadline to be extended to no more than three months and allow for an oral reply to a subsequent similar request submitted by the same worker if the justification for the reply as regards the situation of the worker remains unchanged.~~**application. If the application is rejected, the correctness of the grounds must be amenable to review.**

Amendment 18 (Article 12)

Member States **shall** allow social partners to **maintain and** conclude collective agreements, in conformity with the national law or practice, which, while respecting the overall protection of workers **and provided that the minimum standards set out in this Directive are not undercut**, establish arrangements concerning the working conditions of workers which differ from those referred to in Articles 7 to 11.

Amendment 19 (Article 13)

Compliance

~~Member States shall take all necessary measures to ensure that provisions contrary to this Directive in individual or collective agreements, internal rules of undertakings, or any other arrangements shall be declared null and void or are~~

Amendment 17: The Commission cannot support this amendment. The flexibility for small and medium-sized enterprises is provided in line with Article 153(1)(b) of the Treaty on the Functioning of the European Union (TFEU). Furthermore, the Commission considers that it is appropriate to let Member States decide, in accordance with their national laws and practices, on the application of any legal review of the answer provided by the employer.

The Commission does not share Amendment 18 obliging Member States to permit social partners to negotiate modifications to the material rights in Chapter III. The Commission considers that it is for each Member State to decide whether such a provision is appropriate, given the specificities of their labour market systems.

The Commission takes note of Amendment 19.

~~amended in order to bring them into line with the provisions of this Directive.~~

Amendment 20 (Article 14)

Member States shall ensure that, where a worker has not received in due time all or part of the documents referred to in Article 4(1), Article 5, or Article 6, and the employer has failed to rectify that omission within 15 days of its notification, the following **two** systems shall apply:

Amendment 21 (Article 14 (1)(a))

the worker shall benefit from favourable presumptions **which** the Member State is **obliged to define**. Where the information provided did not include the information referred to in points (e), (f), (k) or (l) of Article 3(2), **the working conditions reported by the worker shall apply as agreed**. Employers shall have the possibility to rebut the presumptions; **and**

Amendment 22 (Article 14 (1)(b))

Additionally...

The Commission considers that its own proposal is more proportionate and less prescriptive than Amendment 20. If the text were to indicate that at least one of the two systems is to apply, Member States that wish so, would be free to apply both systems.

The Commission takes note of the revised wording in the first sentence of Amendment 21. Given that this provision aims to address situations where the information on the working conditions is missing and that there might be no agreement yet between the employer and the worker, the Commission considers it important to maintain its proposal in the second sentence and namely to the obligation that: **the favourable presumptions shall include a presumption that the worker has an open-ended employment relationship, that there is no probationary period or that the worker has a full-time position, respectively.**

Amendment 22 corresponds to Amendment 20 and the Commission cannot support it for the same reasons given for Amendment 20

Amendment 23 (Article 17(1))

Member States shall take the necessary measures to prohibit, **and declare as legally ineffective**, the dismissal or its equivalent and all preparations for dismissal of workers, on the grounds that they exercised the rights provided for in this Directive.

Amendment 24 (Article 17(2))

Workers who consider that they have been dismissed, or have been subject to measures with equivalent effect, on the grounds that they have exercised the rights provided for in this Directive may request the employer to provide duly substantiated grounds for the dismissal or its equivalent. The employer shall provide those grounds in writing. **Member States shall also take the necessary steps to ensure that the deadline for bringing an action contesting dismissal is suspended as long as the worker has not received written justification from their employer.**

Amendment 25 (Article 17 (3))

Member States shall take the necessary measures to ensure that, when workers referred to in paragraph 2 ~~establish~~ **present**, before a court or other competent authority, ~~facts~~—**evidence** from which it may be presumed that there has been such dismissal or its equivalent, it shall be for the respondent to prove that the dismissal was based on grounds other than those referred to in paragraph 1.

Amendment 26 (Article 18)

Member States shall lay down the rules on penalties applicable to infringements of the national provisions adopted pursuant to this Directive or the relevant provisions already

Amendment 23: The Commission does not support the amendments as it considers it appropriate to leave Member States to decide on the form of such action, in accordance with their national laws and practices.

Amendment 24: The Commission does not support the amendment as it considers it appropriate to leave Member States to decide on the form of such action, in accordance with their national laws and practices.

The Commission takes note of Amendment 25.

Amendment 26: The Commission does not support the amendment since it considers it appropriate to leave Member States to decide on the form of such action, in accordance with their national laws and practices.

<p>in force concerning the rights which are within the scope of this Directive. Member States shall take all measures necessary to ensure that those penalties are applied. Penalties shall be effective, proportionate and dissuasive. They may take the form of a fine. They may must also comprise appropriate payment of compensation.</p> <p>Amendment 27 (Article 19 (1))</p> <p>This Directive shall not constitute valid grounds for reducing the general level of protection already afforded to workers within Member States. In addition, implementation of this Directive must not be grounds for any regression in relation to the situation which already prevails in each Member State regarding the general level of worker protection and in the areas to which it applies.</p> <p>Amendment 28 (Article 21)</p> <p>The rights and obligations set out in this Directive shall apply to existing employment relationships as from [entry into force date + 2 years]. However, employers shall provide or complement the documents referred to in Article 4(1), Article 5 and Article 6 only upon request of a worker. The absence of such request shall not have the effect of excluding workers from the minimum rights established under this Directive.</p>	<p>The Commission does not support the amendment as it considers Amendment 27 redundant.</p> <p>The Commission cannot support Amendment 28. The flexibility for small and medium-sized enterprises is provided in line with Article 153(1)(b) of the Treaty on the Functioning of the European Union (TFEU).</p>
<p>35. The European Committee of the Regions is not in favour of establishing in this Directive definitions of the notion of worker and employer as well as employment relationship, since these still require in-depth discussion. National law as regards the definition of these terms must remain unaffected.</p>	<p>The Commission considers that the personal scope of this proposal is central to the achievement of its purpose. By using a definition of worker codifying the existing case law of the Court, the Commission's proposal ensures that in all Member States the same, broad categories of workers will be covered. On the</p>

	<p>contrary, leaving the notion of worker to be defined by national law could exclude workers whom the Commission's proposal is designed to protect; i.e. the most vulnerable workers, who may be denied worker status at all.</p>
<p>37.,38. The European Committee of the Regions calls for the debate to pay special attention to non-standard forms of employment and to the 4-6 million workers in the European Union with on-demand and intermittent employment contracts.</p>	<p>The Commission agrees that special attention should be given to non-standard forms of employment and to the on-demand and intermittent employment contracts. The Commission proposal aims in particular to protect these categories of workers which are among the most vulnerable ones.</p>
<p>42. The European Committee of the Regions urges the Commission to ensure that the current revision of the Directive also takes account of self-employed workers and freelancers and the expected guarantee of equal pay for equal work for all those in non-standard employment.</p>	<p>Genuinely self-employed people cannot be covered by this Directive as its focus is on workers (i.e. those in an employment relationship), in accordance with Article 153 of the Treaty on the Functioning of the European Union (TFEU). However, bogus self-employed people are to be considered as workers and therefore covered by the proposed Directive. The principle of equal pay is already established in the three Union Directives on non-standard forms of employment (Council Directive 97/81/EC on part-time work⁵⁹ and Council Directive 99/70/EC on fixed-term work⁶⁰, and Directive</p>

⁵⁹ Council Directive 97/81/EC of 15 December 1997 concerning the Framework Agreement on part-time work concluded by UNICE, CEEP and the ETUC - Annex : Framework agreement on part-time work, OJ L 14, 20.1.1998.

⁶⁰ Council Directive 1999/70/EC of 28 June 1999 concerning the framework agreement on fixed-term work concluded by ETUC, UNICE and CEEP, OJ L 175, 10.7.1999.

	2008/104/EC on temporary agency work ⁶¹).
39, 41. The European Committee of the Regions highlights the need for guidance for employers to meet new provisions for non-standard work and recommends that the new substantive rights be expanded to include a ban on zero-hours contracts and the right to guaranteed working hours and more rights in connection with dismissal, since otherwise the scope of the substantive rights will fall short.	<p>In order to help employers to provide timely information, the Commission has proposed that Member States should ensure the availability of templates at national level including relevant and sufficiently comprehensive information on the legal framework applicable. These templates may be further developed at sectoral or local level, by national authorities and social partners.</p> <p>The Commission does not consider it appropriate at this stage to seek to ban specific forms of work. The proposal focuses on providing rights that protect workers in precarious situations, whatever the form of work – including forms that may be invented in the future. The rights relating to dismissal could create an excessive burden if introduced together with other information and material rights.</p> <p>In exercising these considerations, the Commission addresses the need to balance essential protection for workers with the scope for job creation and labour market innovation.</p>
47. The European Committee of the Regions calls on the Commission, as a follow-up to the adoption of the European Pillar of Social Rights, to propose a Directive introducing an integrated architecture for worker participation in European businesses.	The Commission takes note of this call.
48. The European Committee of the Regions believes that the scope of European	The Commission takes note of the

⁶¹ Directive 2008/104/EC of the European Parliament and of the Council of 19 November 2008 on temporary agency work, OJ L 327, 5.12.2008.

<p>Works Councils should be broadened to cover digitalisation, with a view to strengthening and protecting existing worker representation rights.</p>	<p>Committee's position</p>
<p>49. The European Committee of the Regions considers that it must be possible to continue to regulate issues concerning minimum rights through collective agreements.</p>	<p>The Commission proposal foresees that Member States should be able to allow social partners to conclude collective agreements modifying the minimum rights as long as the overall level of protection of workers is not lowered.</p>

<p>N°10 Public Procurement package COM(2017)572 final, COM(2017)573 final, C(2017)6654 final COR-2017-05425 - CoR ECON-VI/030 130th Plenary Session – July 2018 Rapporteur - Mr Adrian Ovidiu TEBAN (RO/EPP) DG GROW – Commissioner BIENKOWSKA</p>	
<p>Points of the European Committee of the Regions opinion considered essential</p>	<p>European Commission position</p>
<p>2. The European Committee of the Regions calls on the Commission to carry out a thorough assessment, within three years of transposition in all Member States, of how European Union rules on public procurement have been transposed into national legislation and how they are being implemented, recommending a multilevel approach</p>	<p>The Commission confirms that now that almost all Member States have complied with their transposition obligations, it will thoroughly assess the conformity of the national measures implementing the 2014 public procurement directives. A report will be produced in 2019 largely relying on the information resulting from the monitoring reports of the Member States required by Article 83 of Directive 2014/24/EU⁶², Article 99 of Directive 2014/25/EU⁶³ and Article 45 of Directive 2014/23/EU⁶⁴.</p> <p>In addition, the Commission intends to carry out an evaluation according to Article 92 of Directive 2014/24/EU. Due to the delay in transposition and the need to have a sufficient period of experience of the application of the Directives, this evaluation will be performed later.</p>
<p>3. The European Committee of the Regions stresses that any new Commission initiative in the field of</p>	<p>The Commission has repeatedly confirmed its commitment to Better Regulation principles. The initiatives set</p>

⁶² Directive 2014/24/EU of the European Parliament and of the Council of 26 February 2014 on public procurement and repealing Directive 2004/18/EC (Text with EEA relevance), OJ L 094 28.3.2014.

⁶³ Directive 2014/25/EU of the European Parliament and of the Council of 26 February 2014 on procurement by entities operating in the water, energy, transport and postal services sectors and repealing Directive 2004/17/EC Text with EEA relevance, OJ L 94, 28.3.2014.

⁶⁴ Directive 2014/23/EU of the European Parliament and of the Council of 26 February 2014 on the award of concession contracts Text with EEA relevance, OJ L 94, 28.3.2014.

<p>public procurement must be assessed carefully with a view to taking into account local circumstances and to avoiding any increase in the administrative burden on the awarding authorities;</p>	<p>out in the Public Procurement package are entirely voluntary.</p>
<p>4. The European Committee of the Regions regrets that State aid rules, European Union accounting rules such as the European System of Accounts 2010 rule and Commission practice in effect exert pressure to use public procurement as an "easier" way of complying with European Union competition rules and avoiding challenges of "over-compensation". As a result, the discretion of Member States to organise their public services, particularly in the social field is limited and runs counter to the provisions of Article 14 Treaty on the Functioning of the European Union.</p>	<p>The Commission recalls that nothing in the procurement directives obliges Member States to contract out the provision of services that they wish to provide themselves (Rec. 5 to Directive 2014/24/EU). Member States are free to organise the provision of social services as services of general economic interest or as non –economic services of general interest or as a mixture thereof (Rec. 6 to Directive 2014/24/EU). The Commission does not have evidence showing that in practice European Union accounting rules and Commission practice exert pressure to provide such services through public procurement. When contracting authorities choose to procure such services, the Commission notice on the notion of State aid (2016/C 262/01), paragraph 93 indicates that compliance with the procedures provided for in the Public Procurement directives can be considered sufficient to meet the Market Economy Operator test, provided that all the conditions for the use of the respective procedure are fulfilled, but this does not apply in specific circumstances that make it impossible to establish a market price, such as the use of the negotiated procedure without publication of a contract notice or if there is only one bidder.</p>
<p>5. The European Committee of the Regions expresses its concern with regard to the fact that the Commission's Quality</p>	<p>The document referred to states that <i>“many Member States are now exploiting their purchasing power to pursue wider</i></p>

<p>of public administration: a toolbox for practitioners. 2017 edition , suggests that it is almost an obligation for public administrations to engage in strategic procurement to deliver better societal outcomes, including with regard to sustainability and innovation.</p> <p>6. The European Committee of the Regions would point out, in this regard, that the consideration of green, social and innovative criteria under the 2014 reform must be left to the discretion of the public authority in question, in line with the principle of local autonomy in organising public services and taking into account, inter alia, criteria regarding opportunity, along with a balanced impact assessment of the costs and outcome of the investment</p>	<p><i>socio-economic goals, encouraged and enabled by EU initiatives and now the 2014 procurement directives</i>". Public authorities are therefore not under the obligation to engage in strategic procurement and retain a large degree of freedom to define within the limits of the legal framework the procedure that is best fit for the envisaged procurement.</p> <p>However, the Commission is of the opinion that the integration of such criteria could in general lead to better procurement outcomes.</p>
<p>9. The European Committee of the Regions calls on the Commission to swiftly finalise the draft on public procurement of innovation and the guide on socially responsible public procurement in order to facilitate the implementation of the relevant legal provisions in the Member States, in particular using "most economically advantageous tender" as the primary award criterion; in this regard, invites the Commission to clarify that this does not mean the lowest prices;</p>	<p>The guidance on Innovation Procurement has been adopted on 15 May 2018⁶⁵.</p> <p>Concerning the publication of a guide on socially responsible public procurement, the Commission's services are working with the objective of promptly publishing a useful guidance instrument for contracting authorities. The Commission has been and intends to continue to be vocal about the advantages brought by awarding public contracts based on quality criteria. Furthermore, it intends to continue to promote the use of sustainability criteria.</p>
<p>13. The increasing number of claims brought under the Remedies Directive by bidders shows that the Commission and Member States have to take decisive initiatives to prevent bidders from</p>	<p>In its 2017 evaluation report the Commission concluded that the remedies Directives balance the interest of economic operators in protecting their individual rights and the interest of</p>

⁶⁵ http://ec.europa.eu/growth/content/commission-advises-public-buyers-how-capitalise-innovation_en

<p>misusing the rights they have under the Remedies Directive;</p>	<p>contracting authorities/entities in limiting frivolous litigation. The Commission is aware that some Member States face difficulties with unjustified and abusive complaints and therefore is encouraging the dialogue and exchange of good practices and possible solutions among Member States in the framework of the Network of First Instance Review Bodies.</p>
<p>On the Communication on Making public procurement work in and for Europe</p>	
<p>18. The European Committee of the Regions notes that public procurement is of a major importance to small and medium-sized enterprises and their interests should be placed at the heart of the public procurement policy and its implementation;</p> <p>20. The European Committee of the Regions notes that, even with a European legal framework, Member States have a degree of flexibility and discretion in the way they transpose this legislation in their national systems and this might, for instance, restrict small and medium-sized enterprises' access to public contracts or impede cross-border procurement</p>	<p>Member States remain responsible for the transposition of the Public Procurement directives.</p> <p>The Commission is aware that small and medium-sized enterprises still face barriers to participate in public procurement. Therefore, the Commission has engaged in a series of activities in this area to support the participation of small and medium-sized enterprises in public procurement, especially across borders. In this project, the Commission is supporting business intermediaries (chambers of commerce, promotion agencies, etc.) to develop services helping small and medium-sized enterprises to participate more in public procurement, especially across-borders.</p> <p>In particular, the Commission started the innovation procurement broker pilot in September 2018. The brokers are one of the initiatives suggested in the Start-up and Scale-up Initiative by Directorate-General for Internal Market, Industry Entrepreneurship and Small and Medium-sized Enterprises. The brokers are intended to address a gap in the relationship between those public buyers interested in buying innovative solutions and innovative small</p>

	<p>and medium-sized enterprises, especially start-ups. The brokers will proactively facilitate and create such links. The pilot focuses on the strategic area of sustainability and energy efficiency.</p> <p>The innovation broker project will run as a pilot for testing out the business model for facilitation of public procurement of innovation. The broker will need to link up with existing national initiatives that operate in the same sphere. Scaling up of funding is possible.</p>
<p>21. The European Committee of Regions considers that the Commission needs to help authorities, not only through practical examples/best practices, but especially through the adoption of documents, forms and standardised specifications, as has already been done with the European Single Procurement Document, which may help to comply with transparency requirements without facilitating collusion by disseminating information which exceeds legal requirements (also mentioned in point 12)</p>	<p>International standards may provide useful tools and indications for contracting authorities, as long as they are used in compliance with the principles established by the European Union public procurement legal framework, notably the link to the subject matter of the contract and the principles of equal treatment and non-discrimination. However, public authorities also require a degree of flexibility to adapt the procedures to specific circumstances.</p>
<p>23. The European Committee of Regions regards the Commission's proposal – as part of the efforts to build a broad collaborative partnership – to organise voluntary structured dialogues on public procurement which, where relevant, would be fully aligned with the European Semester process, as a step in the right direction, albeit under certain conditions.</p> <p>24. The European Committee of Regions emphasises that it is not clear, however, whether local and regional authorities will be involved, as they should, in the proposed structured</p>	<p>As mentioned in section 3 of the Communication, voluntary structured dialogue dialogues “<i>would be implemented in a collaborative manner between the Commission and Member States. This also allows a differentiated approach, focusing on delivering structural reforms and compliance where necessary and more advanced support for others. Similar processes can also be set-up at national level, involving relevant stakeholders in a genuine collaborative process</i>”.</p> <p>It is also indicated that the partnership proposed by the Commission includes</p>

<p>dialogues or whether the European Parliament and the Council will be the Commission's only partners in this exercise</p>	<p>regional and local authorities.</p>
<p>On the Commission's Recommendation on the professionalisation of public procurement</p>	
<p>25. The European Committee of Regions welcomes the Commission's recommendation as public administrations are expected to make public procurement more efficient and accessible and to leverage it to boost innovation and digitalisation.</p>	<p>The Commission welcomes the Committee's support for increasing the professionalism of public buyers.</p>
<p>26. The European Committee of Regions considers that regulation, the Commission's initiatives in this field and the resulting administrative burden upon public authorities have to be proportionate (...).</p>	<p>Professionalisation indeed may initially require additional effort but ultimately to massive overall gain: some studies attribute up to 80% of waste in procurement to lack of the appropriate competence or incentives while more professionalised procurement could save around EUR 50-80 billion of public expenditure in the European Union.</p>
<p>27. The European Committee of Regions opposes any kind of binding guidelines for the training and education of administrative staff since such rules could violate the sovereignty of the Member States, the regions and the local authorities with regard to the organisation of their respective administrations.</p>	<p>Developing an active professionalisation policy is not something the Commission can impose on the Member States. In the absence of a legal basis for obligatory measures regarding professionalisation efforts, the Commission considered that a Recommendation would be the appropriate instrument in order to raise awareness about the need to professionalise, and provide a common framework for developing professionalisation policies in the Member States. To ensure buy-in and take up in the Member States at all levels, it was prepared through workshops with the participation of all Member States.</p>

<p>30. The European Committee of Regions regrets that scant reference is made to the fact that professionalisation should take place within the overall political strategy and within policies to promote social and green procurement and more broadly to ensure that public money is well spent.</p>	<p>The Recommendation does not impose a ‘one-size-fit-all’ model. It encourages Member States to develop holistic strategies at national level and to encourage similar initiatives at local and regional level, with a view to a more strategic use of public money, in particular with the aim to stimulate the wider use of innovation, social and green procurement criteria.</p>
<p>33. The European Committee of Regions notes that more guidance is needed on e-forms and e-procurement procedures so as to avoid national approaches clashing with the EU's approach and local and regional authorities being left uncertain as to when and how to use different forms and procedures.</p>	<p>Concerning e-procurement, the Commission would like to refer to the important work by the multi-stakeholder expert group EXEP⁶⁶, including several guidelines. Concerning the standard forms, the Commission plans to update the existing guidance⁶⁷ to reflect the revised e-forms, which are currently under consultation and preparation⁶⁸.</p>
<p>34. The European Committee of Regions supports Housing Europe's view that one key driver of professionalisation and innovation in public procurement would be the preparation of a European catalogue of solutions, set out in standardised documents, which range from technical solutions to climate and energy requirements, to innovative solutions to social challenges. This pan-European catalogue, led by the Commission Directorate-General for Internal Market, Industry, Entrepreneurship and Small and Medium-sized Enterprises, should build on the expertise and practices assembled by European federations, would make it</p>	<p>Several projects aim to support the exchange of good practices and networking in various areas of procurement (professionalisation and administrative capacity building, remedies, joint procurement, innovation, etc.). Furthermore, the Commission will organize a series of events in the Member States to promote access to procurement for the social objectives.</p>

⁶⁶ http://ec.europa.eu/growth/single-market/public-procurement/e-procurement/transition_en

<p>possible to standardise procedures, and would reduce the number of claims⁶⁹.</p>	
<p>On the Communication on Helping investment through a voluntary ex-ante assessment of the procurement aspects for large infrastructure projects,</p>	
<p>35. The European Committee of Regions is pleased that the ex-ante mechanism is voluntary and believes that the mechanism will be especially important for concessions, which for the first time are subject to a harmonised European Union regime;</p> <p>36. The European Committee of Regions is also confident that the ex-ante mechanism will play a key role in reducing the risk of delays and cost overruns which arises from difficulties in public procurement processes for large-scale cross-border projects;</p> <p>37. The European Committee of Regions calls on the Commission to ensure that, while publishing information on the website of the ex-ante mechanism and disclosing information through the notification mechanism and the information exchange mechanism, trade secrets are protected and the confidentiality of information that could be used by interested suppliers to distort competition is upheld;</p> <p>38. The European Committee of Regions would have expected greater clarity with regard to the Commission's response to any request made through the helpdesk, which should be aware of the consequences of these responses, and the</p>	<p>The Commission welcomes the Committee's support to the new mechanism. As pointed out in the Communication, the setting up of this mechanism is timely as it can help projects implemented through concessions under the new legal framework.</p> <p>The system put in place for the ex-ante mechanism is based on a simple form requiring only the most important information on the projects. The electronic procedure put in place allows for appropriate treatment of confidential and commercially sensitive information, in line with the Regulation 1049/2001/EC⁷⁰.</p> <p>Regarding the Commission services' replies under the helpdesk and the views for the issue notified, the services are fully aware of the implications these answers may have. Therefore, the issues brought at the attention of the Commission services will be treated with utmost care.</p> <p>Regarding the impact of the mechanism on the number of claims brought forward to the remedies bodies, the Commission forecasts that the number of such claims stemming from incorrect application of the Directives will decrease, as the mechanism would help address these issues in advance.</p>

⁶⁹ Published here.

⁷⁰ Regulation (EC) No 1049/2001 of the European Parliament and of the Council on public access to EU institution documents.

<p>notification mechanism on a potential subsequent procurement-related legal case; calls on the Commission to clarify how the ex-ante mechanism could address some of the problems caused by the increasing number of claims brought under the Remedies Directive.</p>	
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<p>N°11 Proposal for a European Defence Fund COM(2017) 294 final; COM(2017) 295 final CoR 2017/04309 – ECON-VI/028 128th Plenary Session – March 2018 Rapporteur – Mr Dainis TURLAIS (LV/ALDE) DG GROW – Commissioner BIENKOWSKA</p>	
<p>Points of the European Committee of the Regions opinion considered essential</p>	<p>European Commission position</p>
<p>The European Committee of the Regions supports the launch of the European Defence Fund.</p>	<p>The Commission welcomes the Committee’s support for the European Defence Fund.</p>
<p>The European Committee of the Regions requests the Commission to focus on a territorial and/or place-based approach and in so doing keep small and medium-sized enterprises, regional clusters and regions in all the Member States informed about the possibilities of benefiting from the programme and about further funding opportunities for defence plans, particularly with a view to supporting regional strategies for intelligent specialisation.</p>	<p>The Commission fully shares the Committee’s call for focus to be given to small and medium-sized enterprises and their cross border participation. For this specific reason the Commission Communication on the launching of the Fund⁷¹ specifically points out that small and medium-sized enterprises, at the heart of innovation in Europe and critical for the supply chains, should benefit in particular both in the research and capability window. The Commission agrees that small and medium-sized enterprises, regional clusters and regions in all the Member States should be informed about the possibilities of benefiting from the European Defence Fund. The Commission is already raising awareness about the European Defence Fund and other European Union funding sources available to the defence sector to these stakeholders through the activities and events organised in the framework of the</p>

⁷¹ COM(2017) 295 final.

	<p>European Network of Defence-related Regions. The European Network of Defence-related Regions also offers regional organisations and clusters a platform to exchange best practices on regional strategies for smart specialisation, with a particular focus on the benefits for small and medium-sized enterprises. The Commission will also disseminate promotional materials on the European Defence Fund to small and medium-sized enterprises via the Enterprise Europe Network in the second half of 2018. The Commission is also playing an active part by delivering presentations at a large number of information events organised in Member States. To further strengthen this approach, the Commission has set up an informal network with the European Union Representations in the Member States which can play a facilitating role.</p>
<p>The European Committee of the Regions calls for the objectives of the Programme to include the build-up of defence and security capacities in Member States with external borders.</p>	<p>The European Defence Industrial Development Programme⁷² will support the development of defence technologies and products, thus contributing to capability priorities identified by the Member States at the Union level. The Programme aims in particular at enhancing cooperation between undertakings and Member States across Europe. In order to achieve this, it sets out conditions for eligible action to be undertaken by a cooperation of at least three entities based in at least three different Member States. This will ensure that support will target collaborative projects and that entities can benefit</p>

⁷² COM(2017) 294 final & COM(2017) 295.

	irrespective of size and location in the European Union.
<p>The European Committee of the Regions requests main contractors and sub-contractors to be Union-based and undertakings be at least half-owned by Member States or natural or legal persons, and be effectively controlled by European capital. The management and actual control of these companies must be locatable in the European Union.</p>	<p>By launching the European Defence Fund the Commission aims at enhancing the competitiveness of the European Union industry and thus also to allow it to deliver on the defence capabilities that Europe needs for its security.</p> <p>Under the research window (Preparatory Action on Defence Research), beneficiaries must be established in the European Union and must use assets, resources and infrastructures located in the Union. Under the capability window, and in particular under the European Defence Industrial Development Programme, the Commission has proposed⁷³ in addition to the establishment and location requirements that the beneficiaries shall be undertakings, in which Member States and/or nationals of Member States own more than 50% of the undertaking and effectively control it.</p> <p>During the negotiations with the European Parliament and the Council, the approach has been refined by the co-legislators in particular by introducing strict criteria regarding eligible companies and the protection of sensitive information. In this context, in the adopted by the European Parliament and the Council on 18 July 2018 Regulation (EU) 2018/1092 establishing a European Defence Industrial Development Programme, the eligibility for funding of companies</p>

⁷³ COM(2017) 294 final.

	<p>established in the European Union and controlled by third countries or third country entities is not totally excluded but is subject to strict conditions. Cooperation with companies established in third countries is also not excluded and subject to strict conditions, but the costs related to those cooperation activities are not eligible for funding.</p>
<p>The European Committee of the Regions strongly urges that additional points be given when examining project applications from consortia to which a large number of small and medium-sized enterprises belong.</p>	<p>The Commission fully shares the view that importance should be given to small and medium-sized enterprises and their cross-border participation. To this effect, the Commission proposal for a European Defence Industrial Development Programme envisaged for the work programme to ensure that a credible proportion of the overall budget will benefit actions enabling the cross-border participation of small and medium-sized enterprises. The adopted Regulation (EU) 2018/1092 includes an award criterion taking account of the level of participation, and in particular cross-border participation, of small and medium-sized enterprises in the evaluation process. Increased funding rates (bonuses) for participation of small and medium-sized enterprises and mid-caps are also included.</p>
<p>The European Committee of the Regions calls for the work programme to ensure that at least 20% of the overall budget will benefit actions enabling the cross-border participation of small and medium-sized enterprises.</p>	<p>As mentioned above, the Commission fully shares the Committee's call for special attention to be given to small and medium-sized enterprises and their cross-border participation. For this reason the Commission Communication specifically points out that small and medium-sized enterprises, at the heart of innovation in</p>

	<p>Europe and critical for the supply chains, should benefit in particular both in the research and capability window. In the text of the adopted Regulation (EU) 2018/1092 the co-legislators agreed to specify that the work programme shall ensure that at least 10% of the overall budget benefits the cross-border participation of small and medium-sized enterprises.</p>
<p>The European Committee of the Regions considers that the adoption of a European Defence Fund must not be used as a pretext for reducing or affecting in any way allocations for cohesion policy, which must remain the European Union's main public investment tool with a view to improving European integration through social, economic and territorial cohesion.</p>	<p>The Commission fully shares this view. The various budgets repartitions should be clearly defined in accordance with the European Union policies and should not be confused or used at the detriment of the other European Union policies.</p>
<p>The European Committee of the Regions stresses that the implementation of the European Defence Industrial Development Programme will be managed by the European Defence Agency which operates as a regulatory agency responsible to the Council only. Moreover, it is not common practice for a regulatory agency to manage such large budget allocations. The European Committee of the Regions therefore calls on the Commission to ensure the utmost transparency in operating the European Defence Industrial Development Programme and take example from the functioning of executive agencies responsible to the European Parliament.</p>	<p>The Commission would like to stress that there is no provision in the Commission Proposal for a European Defence Industrial Development Programme or in the adopted Regulation (EU) 2018/1092 providing that the management of the programme will be done by the European Defence Agency. Additionally, the Commission has expressed its intention, by means of a declaration made during the adoption of Regulation (EU) 2018/1092, to implement the Programme under direct management. The Commission shares the Committee' position on transparency and intends to manage the programme in a transparent way and respecting the relevant transparency rules as regards the implementation of European Union Programmes.</p>

<p>The European Committee of the Regions calls on the Commission to use the potential of all EU Member States and not to concentrate support in specific areas. It should also not be forgotten that regional development is likewise important for domestic security in the individual Member States and is one of their development aims.</p>	<p>The Commission fully shares the view that the European Defence Industrial Development Programme should be inclusive and benefit entities across the Union. The Programme will support the development of defence technologies and products, thus contributing to capability identified by the Member States at Union level. The Programme aims in particular at enhancing cooperation between undertakings and Member States across Europe. In order to achieve this, it sets out conditions for eligible action to be undertaken by a cooperation of at least three entities based in at least three different Member States. This will ensure that support will target collaborative projects and that entities can benefit irrespective of size and location in the European Union.</p>
<p>The European Committee of the Regions calls for better coordination between the relevant services in order to keep interested parties informed and to promote new goods and technologies with dual use. The European Union must turn this enormous potential to good use for boosting growth and competitiveness; in this regard, the European Committee of the Regions also calls for a stable communications system to be built up to coordinate common information measures taken by the relevant Commission departments, where one major advantage of having such a system would be a one-stop shop for information on all the financing possibilities, including all relevant European Union programmes on defence and dual-use goods.</p>	<p>The Commission fully shares the Committee's view that it is essential that synergies be created between different funding programmes and that there is a need to coordinate information with a view to better inform potential beneficiaries. The Commission takes note of the Committee's call for a "one stop shop" and will ensure that all synergies and the necessary coordination are achieved to this effect.</p> <p>However, the Commission would like to stress that the funding provided under the European Defence Fund (including the Preparatory Action on Defence Research, the European Defence Industrial Development Programme, and the European Defence Fund for the 2021-2027 multiannual</p>

	<p>financial framework) is targeted at supporting the research and development of defence products and technologies.</p>
<p>The European Committee of the Regions calls on the Commission to support the following measures, by means of which small and medium-sized enterprises' participation in defence projects could be stepped up:</p> <ul style="list-style-type: none"> - the award criteria for funding cooperative projects in the current Multiannual Financial Framework should also include the condition that at least three undertakings from at least two Member States must be involved. It is important that the proposed projects actually are cross-border in nature and can help reduce fragmentation of the market in defence products in the European Union; - the award criteria should include additional points for such consortia in which several undertakings and Member States are involved; - consortia with a larger number of participating small and medium-sized enterprises should be given priority over comparable projects with a lower number of small and medium-sized enterprises; - urges that, insofar as is possible, at least one subject area of research and development should have small and medium-sized enterprise relevance, as is already the case in the administration of public tenders for research proposals. 	<p>As mentioned above, the Commission fully shares the Committee' call for special attention to be given to small and medium-sized enterprises and their cross-border participation. For this reason the Commission Communication specifically points out that small and medium-sized enterprises, at the heart of innovation in Europe and critical for the supply chains, should benefit in particular both in the research and capability window.</p> <p>As mentioned above, the adopted Regulation (EU) 2018/1092 provides that the work programme shall ensure that at least 10% of the overall budget benefits the cross-border participation of small and medium-sized enterprises.</p> <p>As also noted previously, specific mention to the proportion of the overall budget of the action to be allocated to the participation of small and medium-sized enterprises, and in particular to their cross-border participation, is included in the award criteria in the adopted Regulation.</p> <p>Increased funding rates (bonuses) for participation of small and medium-sized enterprises and mid-caps are also included.</p> <p>Finally, the adopted Regulation also provides for the work programme to include a category of projects specifically dedicated to small and medium-sized enterprises.</p>

<p>N°12 Delivering on low-emission mobility COM(2017) 652 final, COM(2017) 648 final, COM(2017) 647 final, COM(2017) 653 final, COM(2017) 675 final COR 2017/6151 – COTER-VI/039 130th Plenary Session – July 2018 Rapporteur: Mr Michiel SCHEFFER (NL/ALDE) DG MOVE – Commissioner BULC</p>	
<p>Points of the European Committee of the Regions opinion considered essential</p>	<p>European Commission position</p>
<p>General Comments</p>	
<p>23. The European Committee of the Regions welcomes the Action Plan for alternative fuels infrastructure as an important step towards decarbonising the road transport system; it regrets, however, that most of the National Policy Frameworks submitted to the Commission were not ambitious enough to arrive at an adequate goal for a transition towards clean and alternative fuels.</p>	<p>The Commission welcomes the Committee’s overall support for the Communication ‘Towards the broadest use of alternative fuels - an Action Plan on Alternative Fuels Infrastructure’⁷⁴ under Article 10(6) of Directive 2014/94/EU⁷⁵, including the assessment of national policy frameworks under Article 10(2) of Directive 2014/94/EU (the ‘Action Plan’).</p> <p>As stated in the Action Plan, the Commission agrees that the National Policy Frameworks submitted under Article 3 of Directive 2014/94/EU are not entirely coherent from an European Union perspective in terms of the priorities they set and how ambitious they are with regard to the different alternative fuels. Only a few National Policy Frameworks set clear and sufficient targets and objectives and suggest support measures. The aim of the Action Plan on Alternative Fuels Infrastructure is to increase the level of</p>

⁷⁴ COM(2017) 652 final.

⁷⁵ Directive 2014/94/EU of the European Parliament and of the Council of 22 October 2014 on the deployment of alternative fuels infrastructure Text with EEA relevance, OJ L 307, 28.10.2014.

	ambition of National Policy Frameworks, to increase investment, and to improve consumer acceptance.
<p>24. The European Committee of the Regions points out that many European cities and regions are frontrunners in the transition to low- and zero-emission mobility. It is also in cities that alternative fuels will have the highest impact in terms of reducing air and noise pollution. Regrettably, the latter is not covered at all by the Action Plan. A significant proportion of public procurement is undertaken by municipal and local authorities. It is therefore obvious that the uptake of alternative fuel vehicles depends heavily on local and regional authorities, mainly in cities and urban regions. Cities and regions with problems of congestion, air quality and noise should prioritise the transition to zero-emission of particulate matter and Nitrogen Oxide – as should areas of natural or cultural heritage. When these are cross-border areas and corridors, planning should be encouraged at this level.</p>	<p>The Commission recognises the role of cities and local authorities. Their support to investments in alternative fuels infrastructure and a systemic use of public procurement to accelerate the market uptake of cleaner vehicles will accelerate the transition towards low and zero emission mobility.</p> <p>The Commission recalls that public procurement of clean and energy-efficient vehicles is addressed in the proposal for amending the Clean Vehicles Directive⁷⁶.</p>
<p>25. The European Committee of the Regions notes that the best possible integration into individual sustainable urban mobility plans (SUMP) will be a key aspect. The main challenge cities face here is the space limitation, which means that alternative fuels infrastructure needs to be aligned with the existing infrastructure of other modes of transport. In the process of urban mobility planning, close cooperation with different public and private</p>	<p>The revision of sustainable urban mobility plans (SUMP) guidelines, as published by the European Platform on Sustainable Urban Mobility Plans⁷⁷ started in May 2018 and should be finalised by summer 2019. It will include, among others, aspects of space limitation and linking of mobility planning with spatial planning and energy infrastructure development in the context of alternative fuels infrastructure deployment. The multi-level governance</p>

⁷⁶ COM(2017) 653 final.

⁷⁷ <http://www.eltis.org/guidelines/sump-guideline>

<p>stakeholders will be key to ensuring a smooth roll-out of alternative fuels in cities.</p>	<p>and cooperation with stakeholders will also be tackled.</p>
<p>26. The European Committee of the Regions highlights the fact that decisions taken by cities, ideally in collaboration with economic and other stakeholders, will fail to have a positive impact if consumers are not adequately involved. If the deployment of alternative fuels infrastructure is not in line with consumer expectations and wishes, there is a risk of a low uptake. It is therefore also up to local and regional authorities to influence user behaviour to encourage the broadest uptake of alternative fuels. It is of crucial importance that services using alternative fuels, such as public transport and other services, remain accessible and reliable.</p>	<p>The Commission fully agrees that consumers should be ‘on board’ for the transition to low- and finally zero-emission mobility. It is therefore taking different initiatives to this effect.</p> <p>Raising awareness of the benefits of alternative fuels and zero-emission vehicles is for instance a key deliverable of the Commission’s awareness-raising campaign ‘European Mobility Week’, with cities being in charge of individual measures. The demonstration aspect is also a part of the ‘Civitas’ Initiative⁷⁸ which focuses on the deployment of innovative sustainable mobility projects and networking between cities.</p> <p>The Commission recognises the key role played by public transport in decarbonising our mobility, and agrees that it must remain accessible and reliable. In this regard, the Commission welcomes the many successful initiatives taken by local and regional authorities across the European Union – such as Paris, the Dutch Provinces, Hamburg and Warsaw – to switch to low- and zero-emission vehicles in public transport without compromising its accessibility and reliability. The Commission follows up closely on the developments in this field, amongst others through the Covenant of Mayors.</p>
<p>27. The European Committee of the Regions points out that there are regional differences that influence the uptake of alternative fuels. For peripheral regions</p>	<p>The Alternative Fuels Infrastructure Directive 2014/94/EU establishes that for road transport, Member States shall ensure that, by means of their National</p>

⁷⁸ <http://civitas.eu/>

<p>the current electromobility system might not be the preferred option, while it could be in urban regions. A quick start for European regions with substantial resources and more urgent air quality and noise issues may mean that – thanks to their scale, critical mass and lower prices – peripheral regions may benefit, after 2025, from proven technologies and lower costs.</p>	<p>Policy Frameworks, an appropriate number of publicly accessible electric recharging points and compressed natural gas refuelling points are put in place by 2020 in urban agglomerations or densely populated urban areas. That same Directive also establishes that publicly accessible electric recharging points and refuelling points for compressed natural gas, liquefied natural gas and hydrogen (this latter being optional) are put in place by 2025 over the Trans-European Transport Networks Core Network.</p> <p>The Directive does not establish objectives for road transport after 2025 and for the Trans-European Transport Networks Comprehensive Network. The new objectives should be defined according to the technical and environmental performance of the technologies of the different alternatively fuelled vehicles. The objective of zero emissions should be pursued by 2050.</p>
<p>28. The European Committee of the Regions points out that in cities, where electromobility might be seen as the preferred option, this needs to be aligned with energy distribution and the need for energy at certain peak hours. It is important here to have a buffer and for electricity to be stored on a large scale, for example in large batteries and hydrogen (fuel cells).</p>	<p>The link between the energy and transport system is clearly mentioned in the Action Plan. In this respect, the Commission is working on a strategy to ensure that electric vehicle users charge their vehicles at the best possible time for the energy system (i.e. smart charging).</p> <p>The revised sustainable urban mobility plans (SUMP) guidelines should moreover cover the link between mobility planning, energy grid development and alternative fuels infrastructure development.</p>
<p>29. The European Committee of the</p>	<p>The Commission agrees that different</p>

<p>Regions recalls, in the same context, that electromobility generally does not represent a suitable way of ensuring comprehensive public transport in rural areas. Buses' long charging times and limited range mean that, until appropriate technologies are developed, the option of resorting to low-emission propulsion (including plug-in hybrids) must be retained. At the same time, solutions for rural areas should be developed in the near future, which could be supported by means of pilot projects.</p>	<p>solutions will be necessary to decarbonise transport in different areas, using the zero- and low-emission technologies that are best suited to the specific local needs and conditions.</p> <p>The Commission recalls that, in the context of the proposal for a revision of the Clean Vehicles Directive⁷⁹, plug-in hybrids buses are considered “clean vehicles” and their use is promoted together with that of full battery electric, hydrogen and natural gas buses.</p>
<p>30. The European Committee of the Regions points out, with reference to the "Missing Transport Links in Border Regions" report (2017/C 207/05), that there is a huge potential in synergies from cross-border cooperation on the infrastructure development cost. It must be ensured in cross-border regions that the preferred technology of the two Member States is interoperable and developed to meet cross-border and not just domestic needs.</p>	<p>A key objective of the Alternative Fuels Infrastructure Directive 2014/94/EU is to ensure European Union-wide mobility with alternatively fuelled vehicles. In this respect, cross-border cooperation between Member States is essential and the Action Plan invites Member States to intensify their cooperation to guarantee cross-border continuity for all types of alternatively fuelled vehicles and vessels.</p> <p>Moreover, under the Connecting Europe Facility, transport sector, priority is given to projects addressed to the building up of alternative fuels infrastructures ensuring cross-border continuity for alternatively fuelled vehicles and vessels.</p>
<p>31. The European Committee of the Regions emphasises the importance of cities being able to also steer the uptake of vehicles with low emissions of particulate matter and Nitrogen Oxide through urban access regulations. The introduction of environmental zones</p>	<p>In order to increase awareness of urban vehicle access regulations, information to travellers is of primary importance. In this context, beside the online platform http://urbanaccessregulations.eu, the Commission is of the opinion that information should be available and</p>

⁷⁹ COM(2017) 653 final.

<p>must be based on local assessments and decided on at local level. For the European Union, it is a matter of providing the right conditions through a common framework for introducing environmental zones and highlighting this as a way of improving air quality. However, local and regional bodies must be allowed to decide for themselves on whether, and at which level, the zones should be introduced.</p>	<p>accessible in standardised data format, for further re-use in particular by travel information service providers. The Commission is therefore stimulating the related data provision through standardisation work and funding.</p> <p>In addition, the Commission has started to work with Member States, cities and stakeholders to find a common approach regarding urban vehicle access regulations in the European Union that should result in publication of a non-binding guidance document in 2019. The decision as to introduction of environmental zones and other restrictions will remain at local level.</p> <p>This is in line with the recently adopted Commission Communication "Clean Air for All"⁸⁰ which refers to a guidance document being prepared by the Commission with stakeholders. That Communication moreover calls on the Commission to engage with stakeholders and with national and local authorities to foster consistency and information, and ensure a link with air quality plans.</p>
<p>32. The European Committee of the Regions highlights the fact that financing cannot be done by local and regional authorities alone and notes that the Commission proposes a broad range of financing instruments but is rather conservative when it comes to the cost of the provision of alternative infrastructure deployment and potentially over-optimistic on the uptake of the financing through private funds in the first phase.</p>	<p>With the Commission's proposal for the Connecting Europe Facility 2.0 (CEF.2.0), the Commission has given a clear signal of its continued commitment to support sustainable mobility projects, such as deployment of publicly accessible charging infrastructure and public fleets of clean vehicles.</p> <p>The Commission proposals for financing instruments in the post-2020 period indicate that European Union financing for cities for the deployment of zero-emission mobility solutions is even</p>

⁸⁰ COM(2018) 330 final.

	<p>likely to increase.</p> <p>The Commission finances sustainable mobility both in the early stages, most importantly by means of the Horizon2020 (future HorizonEurope) Programme, as well as in the deployment phase. The latter may take the form of different instruments, varying from pure grants - from the Connecting Europe Facility and from the European Fund for Strategic Investments, to a combination of grants and financial instruments in cooperation with the European Investment Bank. Moreover, certain regions can also benefit from structural funds (e.g. Cohesion Funds and European Regional Development Funds) to support investments in sustainable mobility and related infrastructure.</p> <p>To date, many projects in the area of Alternative Fuels have been implemented in different modes of transport (inland, maritime, urban, and on the Core Network of the Trans-European Transport Network). Detailed information on these projects is available on the Innovation and Networks Executive Agency's website⁸¹:</p> <p>The Commission also recalls that its efforts with the European Investment Bank, which has already established a Cleaner Transport Facility (http://www.eib.org/en/projects/sectors/transport/cleaner-transport-facility.htm), allows for financing of a broad range of projects.</p> <p>Financing alone however will not guarantee the uptake of Alternative Fuels. Technical Assistance to the</p>
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⁸¹ <https://ec.europa.eu/inea/en/connecting-europe-facility/cef-transport/cef-transport-projects>

	<p>Member States, and where appropriate, to local and regional authorities, is crucial to build institutional capacity, share best practices, build project pipelines and exchange knowledge about public procurement strategies, and other initiatives that facilitate the implementation of Alternative Fuels.</p> <p>The Commission has launched a Programme Support Action under the Connecting Europe Facility. It supports action by a consortium of Member States to review current practice of collection of data on the availability and accessibility of recharging infrastructure, to develop a proposal for a common European approach and support better identification of emobility actors.</p>
<p>33. The European Committee of the Regions takes the view that concessions that aim to achieve zero emissions should be incentivised through being given a longer duration or an extension if intermediate and final objectives are met. It is also important that the possibilities for good takeover schemes are expanded. This ensures that parties can recover their investments faster.</p>	<p>The Commission welcomes initiatives by relevant authorities in the Member States to incentivise the decarbonisation of urban mobility, within the framework of relevant European Union legislation.</p> <p>Under the Alternative Fuels Infrastructure Directive 2014/94/EU, the Commission has been working on standardisation of physical alternative fuels infrastructure, in order to improve interoperability and avoid stranded investments. In particular, standardisation works to ensure the interoperability of the recharging/refuelling points are ongoing under the mandate M/533 addressed by the Commission to the European Standardisation Organizations (CEN-Cenelec). The Commission is now looking to expand its standardisation work into the Information and Communication Technology protocols allowing communications with the physical infrastructure, equally with a view to</p>

	avoiding stranded investments.
34. The European Committee of the Regions believes that European financing is needed for public transport concessions to accelerate further scaling-up in the search for zero emissions. European funding must be used to stimulate innovation and cover investment, so that a larger part of the fleet can run emission-free at the start of the concession.	See reply to point 11.
35. The European Committee of the Regions points out that, when designing and building new buildings in the future, charging points and pre-cabling will be provided.	The Commission confirms that the recently revised Energy Performance of Buildings Directive ⁸² does indeed prescribe requirements for the installation of a minimum amount of rechargers and ducting in large new and refurbished residential and non-residential buildings.
36. The European Committee of the Regions calls for greater ambition with regard to the share of public accessible charging stations. In the Action Plan each Member State should ensure the establishment of a minimum number of recharging points for electric vehicles by the end of 2020, at least 10% of which must be publicly accessible. Development of publicly accessible charging stations must reflect local and regional conditions and demand. It is estimated that in 2025, in Europe, 2 million publicly-accessible recharging points for electric vehicles would be needed, of which 70% are in urban areas. Priority should be given to the Trans-European Transport Network core network corridors with a full backbone of alternative fuels infrastructure by	All National Policy Frameworks define targets for publicly accessible recharging points. However, most of these targets are low when compared with the estimated deployment of electric vehicles, in particular post-2020. The Commission considers that Member States should increase their ambitions so that at least one publicly accessible recharging point is available for every 10 electric vehicles. The Action Plan estimates that two million publicly -accessible recharging points will be needed by 2025, and investments between EUR 2.7 to 3.8 billion a year could be required as from 2021 under a scenario with electric vehicles making up 7 percent of the overall vehicle stock by 2025. Most of these investment needs would concern urban areas.

⁸² Directive (EU) 2018/844 of the European Parliament and of the Council of 30 May 2018 amending Directive 2010/31/EU on the energy performance of buildings and Directive 2012/27/EU on energy efficiency (Text with EEA relevance), OJ L 156, 19.6.2018.

2025. Equipping at least the urban nodes of the Trans-European Transport Network core and comprehensive networks with enough publicly accessible (fast) recharging and refuelling points is expected to boost investor and consumer confidence. An international level playing field must be created with open protocols and interoperability, so that the e-driver can make international use of the charging infrastructure without blockages. Sufficient Liquefied Natural Gas filling points are also required for freight traffic and shipping. The Committee asks for an ambitious goal of 2,000 Liquefied Natural Gas filling points in Europe according to local and regional needs;

According to the National Policy Frameworks, a total of 379 Liquefied Natural Gas refuelling points will be deployed across the European Union. Based on the targets provided in the National Policy Frameworks, it is evident that some portions of the road Trans-European Transport Core Network will remain without Liquefied Natural Gas refuelling infrastructure. The Commission considers as an indicative objective, as established in recital 46 of Directive 2014/94/EU, that Member States should ensure that refuelling points accessible to the public are put in place, at least along the existing Trans-European Transport Core Network, approximately every 400 kilometres.

With the aim to support the Member States in the building up of the necessary alternative fuels infrastructure, the Commission has organised roadshows in some Member States to review in a comprehensive way the ambitions of the National Policy Frameworks and the investment needs for low and zero emission mobility as well as to assess the opportunities offered by the different European Union funding and financial instruments, including flagship actions for alternative fuels infrastructure in the context of the Trans-European Transport Networks.

Standardisation works to ensure the interoperability of the recharging/refuelling points are ongoing under the mandate M/533 addressed by the Commission to the European Standardisation Organizations (CEN-

	Cenelec).
37. The European Committee of the Regions points out that municipalities should be involved, in order to make sure that relevant plans and urban development considerations are included in the choice of locations for public accessible charging stations to ensure that chargers are positioned at the right places and that there will be no "over-placing of chargers", including in places that are unprofitable.	<p>The location of recharging stations, as well as other elements of development of alternative fuels infrastructure, should normally be covered in the sustainable urban mobility planning by municipalities. The revised sustainable urban mobility plans (SUMP) guidelines should further emphasise this aspect.</p> <p>The Commission believes that alternative fuels infrastructure deployment should be demand driven, i.e. the recharger should follow the vehicle.</p>
38. The European Committee of the Regions calls for greater ambition with regard to hydrogen refuelling points. One refuelling point per 300 kilometres is far too little in densely populated areas. This should be made dependent on the number of inhabitants, with one refuelling point per 300 000 inhabitants.	<p>The build-up of hydrogen refuelling points, as established in Article 5 of Directive 2014/94/EU, is optional and therefore the Commission cannot impose the implementation of hydrogen refuelling infrastructures by the Member States. Nevertheless, hydrogen is included in 14 National Policy Frameworks and some Member States, for example Germany, have defined ambitious targets for the relevant infrastructure.</p> <p>Moreover, the Commission is actively supporting research into and deployment of hydrogen solutions through the Hydrogen Fuel Cell Joint-Undertaking, a public-private partnership at European Union level entirely dedicated to promoting the use of hydrogen, inter alia as a fuel for transport.</p>
8. The European Committee of the Regions notes that, in connection with the greening of motor vehicle use, (cargo) cycling for short journeys, as well as railway and green shipping,	The Commission welcomes the Committee's note supporting the promotion of railway and green shipping.

<p>should be promoted.</p>	
<p>Amendment 14 - Recital 13</p> <p>There should be on average at least one suitable transshipment terminal for combined transport located no further than 150 kilometres from any shipment location in the Union except in peripheral and outermost regions where geographical limitations make this either impossible or would make infrastructure investments cost excessive in relation to the Directive's objective of promoting a shift of freight transport from road to more environmentally friendly modes of transport.</p>	<p>The Commission proposal does not aim to create an absolute target for the density of transshipment terminal but rather supports the targeting of terminal investments in areas where there is appropriate freight transport demand. The European Parliament has proposed an amendment along those lines and the Council is discussing possible similar amendments. The Commission would welcome such clarifications in the proposal.</p>
<p>Amendment 15: Article 1, point (5)</p> <p>(5) In Article 6 the following paragraphs 4, 5, 6, 7 and 8 are added :</p> <p>4. Where necessary for the achievement of the aim referred to in paragraph 9, Member States shall take the necessary measures to support investment in transshipment terminals as regards:</p> <p>(a) the construction and, where necessary, the expansion of combined transport such transshipment terminals;</p> <p>(b) the increase of operational efficiency in existing terminals.</p> <p>Member States shall coordinate with neighbouring Member States and with the Commission and ensure that, when such measures are implemented, priority is given to ensuring a balanced and sufficient geographical distribution of suitable facilities in Trans-European Transport Network Core and Comprehensive networks, allowing that any location in the Union is not situated</p>	<p>Please refer to the reply to the above point.</p>

<p>at a distance farther than 150 kilometres from such terminal except in peripheral and outermost regions where geographical limitations make this either impossible or would make infrastructure investments cost excessive in relation to the Directive’s objective of promoting a shift of freight transport from road to more environmentally friendly modes of transport.</p>	
<p>8. The European Committee of the Regions notes that, in connection with the greening of motor vehicle use, (cargo) cycling for short journeys (in line with "An EU Roadmap for Cycling" (2017/C 088/10), as well as railway and green shipping, should be promoted. This requires a network of intermodal nodes, for which adequate funding should be available, for example through the European Fund for Strategic Investments. Fast e-bikes (speed pedelecs) are a good alternative to the car, particularly in urban areas, and may lead to lower emissions, while physical activity is also good for public health. The use of the e-bike can be stimulated by creating sufficient fast cycle paths and charging points and through incentives.</p>	<p>The Commission welcomes the Committee’s support for the promotion of railway and green shipping and the related need for a network of intermodal nodes. This is in line with the Commission proposal, in Article 6(4), requesting Member States “to take the necessary measures to support investment in transshipment terminals”, together with giving “the priority to ensuring a balanced and sufficient geographical distribution of suitable facilities”.</p>
<p>Proposal for revision of the Combined Transport of Goods Directive⁸³:</p> <p>51. The European Committee of the Regions welcomes this proposal's impact on the change of the transport system towards a more environmentally friendly one; it points out that there are areas that can only be relieved by a modal shift from road to train, waterways and/or by</p>	<p>The Commission welcomes the Committee’s positive assessment of the impact of this proposal towards a more environmentally friendly transport system and the importance for the Committee to further promote financial support for the development of combined transport. This is precisely the scope of this Commission proposal.</p>

⁸³ COM(2017)648 final.

<p>electric trucks. Intermodal terminals are an important prerequisite in this. Local and regional authorities can introduce charging points and fuelling points that support both public and freight transport. It is essential to further promote financial support measures for the development of combined transport: aid both for investment in new terminals, with a cost-benefit analysis that reflects the externalities of transport, as well for investment in operations, at least in the early years, including recouping the necessary material resources.</p>	
<p>47. The European Committee of the Regions highlights here the fact that buses are still less environmentally friendly than railways and that the main routes between cities and regions are covered by this mode of transport. Long-distance buses can be complementary to rail and can be attractive compared with private cars.</p>	<p>The Commission agrees with the Committee that long-distance buses can be complementary to rail and can be attractive compared with private transport. The Commission's impact assessment shows that the impact of the proposal is marginal in terms of passenger shift from rail. The beneficial effects of the modal shift from car and air together with the generation of new traffic are greater than the abstraction from rail. The performance of coach and rail combined is improved so there is an increase in the modal share of the most environmentally friendly transport modes.</p>
<p>46. The European Committee of the Regions calls for long-term planning certainty and sufficient transitional periods for public transport operators and contracting authorities.</p>	<p>The Commission takes note of the Committee's suggestion to provide sufficient transitional periods for public transport operators and contracting parties.</p>
<p>49. The European Committee of the Regions thinks it important, when opening the market for international bus coaches, to ensure that the rules of the internal market and services of general</p>	<p>The delimitation of commercial regular services and services of general economic interest will remain largely a responsibility of Member States applying basic principles of Union Law.</p>

<p>economic interest are maintained, so as to ensure universal access and freedom of movement.</p> <p>50. The European Committee of the Regions notes that the proposal gives the regulatory body the possibility of rejecting an application when an objective economic analysis shows the economic equilibrium of a public service contract to be compromised. The European Committee of the Regions nevertheless, believes that all bus services, public and private, are subject to the same requirements for low emissions.</p> <p>Commercial regular service operations should not undermine the public service obligations of a service of general economic interest, whose analysis should not be limited to economic terms but in a wider sense. To prevent distortions of competition, private bus services must also meet the requirements for low emission.</p>	<p>The proposal entrusts national regulatory bodies with the task to ensure that new commercial regular services do not compromise the economic equilibrium of services of general economic interest operated in accordance with Regulation (EC) No 1370/2007⁸⁴.</p> <p>This will not prevent Member States from organising their public transport services and will not impinge upon a Member States' right to specify public service obligations.</p> <p>The Commission underlines that it has not yet established the procedure and criteria to ensure that the economic equilibrium of public service contracts are protected. The Commission recognises the importance of balancing the legitimate interests of operators performing a public service contract and competent authorities, on the one hand, with the overarching objectives of the proposal and its wider social and environmental benefits, on the other hand. The Commission will design the procedure and criteria in such a way as to achieve a balance between these competing interests.</p>
<p>Amendment 1 - Recital 3</p> <p>Either competent transport authorities or an independent and impartial regulatory body should be designated in each Member State to ensure the proper functioning of the road passenger transport market. That body may also be responsible for other regulated sectors such as rail, energy or</p>	<p>The Commission considers that it is necessary to introduce an independent and impartial regulatory body to ensure the proper functioning of the road passenger transport market. The regulatory body will provide greater confidence that decisions are made on an objective, impartial and consistent basis, without conflict of interest, bias or</p>

⁸⁴ Regulation (EC) No 1370/2007 of the European Parliament and of the Council of 23 October 2007 on public passenger transport services by rail and by road and repealing Council Regulations (EEC) Nos 1191/69 and 1107/70, OJ L 315, 3.12.2007.

<p>telecommunications.</p> <p>Amendment 7</p> <p>the following Article 3a is inserted before Chapter II:</p> <p>Article 3a Regulatory body</p> <p>1. Subject to their domestic services market organisation, each Member State shall designate a single national regulatory body for the road passenger transport sector. That body shall be either a competent transport authority or an impartial authority which is, in organisational, functional, hierarchical and decision making terms, legally distinct and independent from any other public or private entity. In the second case, it shall be independent from any competent authority involved in the award of a public service contract.</p> <p>The regulatory body may be responsible for other regulated sectors.</p>	<p>improper influence.</p> <p>The proposal enables Member States to designate a regulatory body that is proportionate to the importance of the sector in the Member State concerned.</p> <p>As a competent authority would be involved in the award of public service contracts, the market is less likely to have the same confidence in the competent authorities' decision making capabilities.</p>
<p>Amendment 2 - Recital (4)</p> <p>Commercial regular service operations should not compromise the equilibrium of existing public service contracts. For this reason, the regulatory body should be able to carry out an objective analysis to ensure that this is the case. This analysis must take into account the relevant structural and geographical characteristics of the market and network concerned (size, demand characteristics, network complexity, technical and geographical isolation and the services covered by the contract) as well as whether the new service leads to an improvement in the quality of services or cost efficiency, or both, compared to the previously awarded public service</p>	<p>The Commission underlines that it has not yet established the procedure and criteria to ensure that the economic equilibrium of public service contracts are protected. The Commission recognises the importance of balancing the legitimate interests of operators performing a public service contract and competent authorities, on the one hand, with the overarching objectives of the proposal and its wider social and environmental benefits, on the other hand. The Commission will design the procedure and criteria in such a way as to achieve a balance between these competing interests.</p>

contract.

Amendment 4 - Recital (8)

Authorisation for both national and international regular services should be subject to an authorisation procedure. Authorisation should be granted, unless there are specific grounds for refusal attributable to the applicant, or the service would compromise the equilibrium of a public service contract. The equilibrium of a public service contract should take into account its economic viability but also the services offered to citizens in terms of connections, intermodal journey planning, quality, efficiency, suitability to the demand, safety and security. The provision of services should also comply with environmental and social standards.

Amendment 8

the following Article 3a is inserted before Chapter II:

Article 3a

Regulatory body

(...)

3. The regulatory body shall perform the following tasks:

(a) carry out analyses of whether a proposed new service would compromise the equilibrium of a public service contract and would negatively impact on the quality of service provided to citizens taking into account inter alia questions of available connections, frequency, fares, intermodal journey planning or safety, as well as compliance with environmental and social standards in the provision of services;

(b) collect and provide information on

See reply to previous point.

<p>access to terminals; and</p> <p>(c) decide on appeals against decisions of terminal operators.</p>	
<p>Amendment 5 – Recital (13)</p> <p>Deleted</p>	<p>The Commission considers that the legislative proposal is consistent with the subsidiarity principle. The subsidiarity assessment of the proposal (necessity test and test of European Union added value) is documented in the impact assessment report accompanying the proposal⁸⁵.</p>
<p>Amendment 9</p> <p>The following Article 3a is inserted before Chapter II:</p> <p>Article 3a</p> <p>Regulatory body</p> <p>(...)</p> <p>3. The regulatory body shall perform the following tasks:</p> <p>(...)</p> <p>(b) collect and provide information on access to terminals with an aim to ensure that access to the relevant terminals for service operators is granted under fair, equitable, non-discriminatory and transparent conditions; and</p> <p>(c) decide on appeals against decisions of terminal operators.</p>	<p>The Commission agrees with the Committee that buses and coaches are one of the most accessible and most important modes of transport in the European Union. It also agrees that it is vital that passengers receive the best service possible.</p>
<p>Amendment 11</p> <p>Article 8 is replaced by the following:</p> <p>Article 8</p> <p>Authorisation procedure for the international carriage of passengers</p> <p>1. Authorisations shall be issued in agreement with the competent</p>	<p>The Commission considers that the introduction of competition on the domestic markets for road passenger transport services should be supported by a clear process that is based on objective and ideally unambiguous criteria.</p> <p>During the impact assessment, a range of</p>

⁸⁵ SWD(2017) 358 final.

authorities of all the Member States in whose territories passengers are picked up or set down. The authorising authority shall send a copy of the application, together with copies of any other relevant documentation, within two weeks of receipt of the application to such competent authorities with a request for their agreement. At the same time, the authorising authority shall forward those documents to the competent authorities of other Member States whose territories are crossed, for information.

(...)

approaches to protect public service contracts were screened to identify the most viable options. The analysis of the different approaches and methods, which can be found in Annex 6 of the Impact Assessment, indicated that the most workable approach appeared to require that each passenger be carried a minimum distance in a straight line.

The 100 km distance was selected based on past and current precedents in Member States and a review of the radii of passenger transport services in European urban centres or conurbations into the surrounding area.

Based on the evidence, the approach retained for protecting public service contracts was the commercial service carrying passengers over a distance of less than 100 km in a straight line.

<p>N°13 Climate Governance after 2020: a European and global perspective – a contribution to the UNFCCC COP24 (own-initiative opinion) COR 2018/0923 - ENVE-VI/030 130th Plenary session - July 2018 Rapporteur: Mr Andrew VARAH COOPER (UK/EA) DG CLIMA – Commissioner ARIAS CAÑETE</p>	
<p>Points of the European Committee of the Regions opinion considered essential</p>	<p>European Commission position</p>
<p>6. The European Committee of the Regions [...] calls for appropriate, easy-to-access European Union financing to be made available for programmes and projects pursuing these goals in accordance with the integrated national energy and climate plans of Member States in the light of the long-term objectives of the Paris Agreement.</p>	<p>The Commission is committed to provide and foster the appropriate financing to implement its Paris Agreement commitments.</p> <p>Already under the current Multiannual Financial Framework, the European Union has committed to spend 20% of the European Union budget on climate action and is on a good track to achieve this objective.</p> <p>The Commission proposal for the Multiannual Financial Framework for the period 2021-2027⁸⁶ increases climate mainstreaming to 25% of the European Union budget, which would represent an increase of EUR 114 billion over the seven-year period.</p> <p>The new European Union budget aims at being more aligned with priorities, flexible and ready to deliver tangible results on the ground. The proposals include safeguards to ensure that other expenditures do not undermine European Union climate objectives.</p>
<p>18. The European Committee of the Regions proposes that the Talanoa Dialogue continue beyond 24th Session of the Conference of the Parties (COP24) and</p>	<p>The Commission sees the Talanoa Dialogue as the first chance to take stock of progress made towards the goals, but certainly not the last one.</p>

⁸⁶ COM(2018) 321 final.

<p>be turned into a mid-term exercise during the global stocktake cycles to be held every 2.5 years. During that process, to strengthen the global understanding of progress towards achieving the goals of the Paris Agreement and to embed a sense of urgency, it proposes that a fourth question - "by when?" - be added to the Talanoa Dialogue framework.</p>	<p>The Commission takes note of the Committee's proposal to include a fourth question to the Talanoa Dialogue framework. The timeframe element is already part of the Nationally Determined Contributions under the Paris Agreement.</p>
<p>20. The European Committee of the Regions calls on the Commission and Member States to make use of the Talanoa Dialogue process to engage with local and regional authorities and other stakeholders in preparing the European Union negotiating positions and inputs for the 24th Session of the Conference of the Parties (COP24).</p>	<p>The Commission has strongly encouraged the role of local and regional authorities and non-state actors in the international climate negotiations and stocktaking exercises.</p> <p>Exercises such as the recent Regional Talanoa Dialogue, where local and regional authorities took part, are an important input for the European Union negotiation position.</p> <p>In this context, the Commission adopted the European Union Strategy for long-term greenhouse gas emissions reductions on 28 November 2018, just before the 24th Session of the Conference of the Parties (COP24). The Strategy will help support the European Union's leading role in worldwide climate action. All stakeholders were encouraged to participate in the consultation process in preparing this strategy.</p>
<p>25. The European Committee of the Regions calls for Nationally Determined Contributions to include an aggregation of regionally and locally determined contributions to recognise the role of subnational authorities in the achievement of the international climate commitments.</p>	<p>Parties to the United Nations Framework Convention on Climate Change are currently in the process of negotiating further guidance on features of the Nationally Determined Contributions. It should however be noted that Nationally Determined Contributions, by definition, are nationally determined and hence it is ultimately for the Parties to the United Nations Framework Convention on</p>

	Climate Change to decide whether or not to include an aggregation of regionally and locally determined contributions.
26. The European Committee of the Regions considers that, in order for this process to be effective at European Union level, provisions should be enshrined in the Regulation on the Governance of the Energy Union, notably as regards the participation of local and regional authorities in the preparation of the Integrated National Energy and Climate Plans.	<p>Regarding the Regionally and Locally Determined Contributions, the Commission recalls that sub-national authorities can already define their mitigation and adaptation commitments within the Covenant of Mayors framework. In its proposal for a Regulation on the Governance of the Energy Union⁸⁷, the Commission included a consultation of local and regional authorities. In a spirit of multi-level governance, Member States may go further in aligning their national targets with local and regional authorities' voluntary commitments.</p> <p>Under the provisionally agreed Regulation on the Governance of the Energy Union, Member States will be tasked to organise multilevel climate and energy dialogues to support active engagement of local authorities, the business community, investors, and the general public in managing the energy transition.</p>
28. The European Committee of the Regions invites the European Commission to table, in consultation with the European Committee of the Regions, a non-legislative proposal for a monitoring and evaluation methodology to track cities' progress against their respective visions towards 2050 and strategies towards 2030, which could be built upon the existing Covenant of Mayors monitoring and evaluation framework.	The Commission takes note of the Committee's invitation to table a non-legislative proposal for a monitoring and evaluation methodology to track cities' progress. The Commission will further explore this possibility, bearing in mind existing methodologies and, in some cases, national frameworks.
29. The European Committee of the	The Commission will also continue to

⁸⁷ COM(2016) 759 final.

<p>Regions calls on the Commission to simplify the Covenant of Mayors' reporting process and the monitoring system in consultation with local/regional authorities, and to shorten the time required for evaluating Sustainable Energy Action Plans to bring forward the number of recognised commitments, ensure compatibility of monitoring and evaluation frameworks and minimise reporting burdens on cities and regions.</p>	<p>back monitoring and reporting of this local climate action. The Commission is currently simplifying the Covenant of Mayors reporting and monitoring process, in consultation with local authorities, whilst offering a tool that can help track and manage action and the related investments in the light of their energy and climate impacts. The Commission supports enhanced flexibility in order to accommodate national planning, monitoring and reporting frameworks where they exist.</p>
<p>33. The European Committee of the Regions calls on the United Nations Framework Convention on Climate Change Parties and on the European Commission to insert in the future rules on the global stocktake, an obligation for the Parties to consult and involve local and regional authorities during the formulation phase of their submissions.</p>	<p>The Commission takes note on the Committee's proposal. A clause like this should be discussed under the United Nations Framework Convention on Climate Change negotiations process. The Commission is exploring how and where inputs from non-party actors could be considered in the development of the modalities for the global stocktake and how these inputs could contribute to raising awareness of potential, availability of solutions, cooperative actions and opportunities for increased climate action in a way that is manageable and complementary to other processes designed to ensure non-Party stakeholder participation.</p>
<p>44. The European Committee of the Regions urges the Commission to liaise with other Parties to accelerate financing on risk reduction, resilience and adaptation plans that are geared to the priorities of the local communities and local and regional governments they are meant to serve.</p>	<p>The Commission is working at the international level to liaise with other Parties and ensure a proper mobilisation of international climate finance through both public and private sources.</p> <p>The European Union remains committed to the collective goal of mobilising USD 100 billion a year in climate finance by 2020. The percentage of European Union climate finance targeted at adaptation is</p>

	<p>increasing, with particular focus on actions in the most vulnerable countries. These funds should serve the priorities of local and regional authorities as well.</p>
<p>46. The European Committee of the Regions calls on the European Commission to recognise and make use of local and regional authorities to meet climate and energy challenges in the agriculture and Land use, Land-use Change, and Forestry (LULUCF) sectors. In some regions and cities, climate and energy strategies are already supporting the decarbonisation of these sectors. The European Committee of the Regions therefore stresses the role of climate and energy strategies at regional and local level in supporting the decarbonisation of the agricultural and land use sectors.</p>	<p>The Commission acknowledges the important role that local and regional authorities play in supporting decarbonisation of agriculture and land use sectors. The Land use, Land-use Change, and Forestry (LULUCF) Regulation (EU) 2018/841⁸⁸ does not include specific commitments for local and regional authorities. However, the role of forests and urban forestry in mitigation and adaptation is recognised by the Covenant of Mayors and in particular by Sustainable Energy and Climate Action Plans.</p>

⁸⁸ Regulation (EU) 2018/841 of the European Parliament and of the Council of 30 May 2018 on the inclusion of greenhouse gas emissions and removals from land use, land use change and forestry in the 2030 climate and energy framework, and amending Regulation (EU) No 525/2013 and Decision No 529/2013/EU (Text with EEA relevance), OJ L 156, 19.6.2018.