

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

EUROPEAN COMMITTEE OF THE REGIONS

PLENARY SESSION OF DECEMBER 2019¹

89th REPORT

DISCLAIMER:

Due to current circumstances of the COVID-19 pandemic, announcements made in this report may be subject to revision in coming weeks or months.

¹ Including the follow-up to one opinion adopted during the October 2019 plenary session.

N°	TITLE / LEAD DG	REFERENCES
SG.E1		
1.	<u>Action Plan against Disinformation</u> Rapporteur: Randel LÄNTS (EE/PES)	JOIN (2018) 36 final COR-2019-01053-00-01-AC-TRA CIVEX-VI/040
DG GROW		
2.	<u>A European framework for regulatory responses to the collaborative economy</u> Rapporteur: Peter FLORIAN SCHÜTZ (AT/PES)	Own-initiative COR-2019-02043-00-00-AC-TRA ECON-VI/047
DG REGIO		
3.	<u>The challenges of metropolitan regions and their position in the future cohesion policy post 2020</u> Rapporteur: Juraj DROBA (SK/ECR)	Own-initiative COR-2019-01896-00-00-AC-TRA COTER-VI/055
4.	<u>Macro-regional strategy for the Carpathian region</u> Rapporteur: Władysław ORTYL (PL/ECR)	Own-initiative COR-2019-03425-00-00-AC-TRA COTER-VI/057
5.	<u>Improving administrative capacity of local and regional authorities to strengthen investments and structural reforms in 2021-2027</u> Rapporteur: Manuela BORA (IT/PES)	Own-initiative COR-2019-02043-00-00-AC-TRA ECON-VI/047
DG EMPL		
6.	<u>Platform work – local and regional regulatory challenge</u> Rapporteur: Dimitrios BIRMPAS (GR/PES)	Own-initiative COR-2019-02655-00-01-AC-TRA SEDEC-VI/051

DG NEAR		
7.	<u>Local and regional authorities shaping the future Eastern Partnership</u> Rapporteur: Tadeuš ANDŽEJEVSKI (LT/ECR)	Own-initiative COR-2019-03731-00-00-AC-TRA CIVEX-VI/046
DG COMP		
8.	<u>Report on Competition Policy 2018</u> Rapporteur-General: Dominique LEVEQUE (FR/PES)	COM(2019) 339 final COR-2019-03686-00-00-AC-TRA ECON-VI/049
DG CLIMA		
9.	<u>Covenant of Mayors post 2020</u> Rapporteur: Benedetta BRIGHENTI (IT/PES)	Own-initiative COR-2019-01804-00-02-AC-TRA ENVE-VI/042
DG MOVE		
10.	<u>The potential of the rail sector in delivering EU policy priorities</u> Rapporteur: Pascal MANGIN (FR/EPP)	Own-initiative COR-2019-01939-00-00-AC-TRA COTER-VI/054
DG CNECT		
11. Opinion adopted during the plenary session of October 2019	<u>Active and Healthy Ageing</u> Rapporteur: Birgitta SACRÉDEUS (SE/EPP)	Own-initiative COR-2019-00015-00-00-AC-TRA NAT-VI/037

N°1 Action Plan against Disinformation
JOIN (2018) 36 final
COR-2019-01053 – CIVEX-VI/040
137th plenary session – December 2019
Rapporteur: Randel LÄNTS (EE/PES)
Secretariat-General – Vice-President JOUROVÁ

Points of the European Committee of the Regions opinion considered essential	European Commission position
<p>2. reaffirms the points made in its opinion <i>Tackling online disinformation: a European approach</i>. In particular, the CoR would like to point out that people need to be made more aware of this problem and that one way of increasing awareness is through education in schools;</p>	<p>The Commission agrees on the importance of raising public awareness of the problem of disinformation and recalls its sustained public communication efforts in close collaboration with the High Representative, the Parliament, and the Member States (through the framework of the European cooperation network on elections).</p> <p>The objective of these efforts is to inform EU citizens what disinformation is and how to better detect it via diverse multimedia tools, inter alia, a launched corner on ‘Fighting disinformation’¹ within the European Commission’s Coronavirus response website. This section of the web presence is dedicated to bringing the attention of users to the dangers of disinformation in the context of the ongoing coronavirus outbreak.</p> <p>The Commission has also compiled a selection of online resources and tools² for learners, teachers and educators during the outbreak of coronavirus. The Commission and the High Representative have implemented a number of awareness raising campaigns inside and outside the EU.</p> <p>Particular activities might be limited or cancelled due to the national COVID-19 restrictions.</p>

¹ https://ec.europa.eu/info/live-work-travel-eu/health/coronavirus-response/fighting-disinformation_en

² https://ec.europa.eu/education/resources-and-tools/coronavirus-online-learning-resources_en

<p>5. notes that disinformation, as a problem embedded in complex and rapid socioeconomic changes, has to be tackled holistically. The CoR believes that local and regional authorities are well suited to take part in discussions on the threat of disinformation, and to initiate and coordinate counter-measures;</p> <p>6. points out the existence of fully-fledged operations set up to spread false information, and that countering them requires joint and sustained efforts by institutions, social media platforms and civil society;</p> <p>7. notes that new ways of accessing and disseminating information will require empowering citizens to counter online disinformation through knowledge, digital skills and actions. Development of media literacy fosters critical thinking by citizens and allows them to examine in depth information and its sources. This process enables citizens to make informed choices about the consumed content, notably strengthening their societal resilience. The urgency of the matter is highlighted by the fact that more than half of the EU population are getting their daily news from social media;</p>	<p>The Commission agrees that the response to disinformation and other efforts to interfere and manipulate democracy and public debates in Europe and in partner regions requires a holistic response including all relevant government actors, citizens, civil society and the private sector working together. That is why the Commission and the High Representative / Vice-President issued the Action Plan against Disinformation³ in December 2018, which was endorsed by the European Council. The Commission also issued the elections package in September 2018⁴ and established a European cooperation network on elections, based on the promotion of transparency and awareness raising, and making best use of existing tools and capabilities, and ensuring synergies were maximised.</p> <p>The outcome has included recommendations to competent authorities and national and European political parties to take steps to empower citizens and to promote transparency of paid online political advertisement, including enabling citizens to recognise such political advertisement, and to understand how they have been targeted.</p> <p>The Commission will report on the May 2019 European elections, including the implementation of the elections package, in the first half of 2020.</p>
<p>18. points out that there is a lot local and regional authorities could do against disinformation. They could help people to distinguish between real information and disinformation by making their own work more open and transparent and holding citizens' dialogues and public debates live and</p>	<p>The Commission echoes the Committee's view on the need for further engagement of local and regional authorities, and for collaboration with, inter alia, EU bodies and institutions. This is a key element of the ongoing work of the Commission and the High Representative in the context of the Action Plan against</p>

³ JOIN(2018) 36 final

⁴ https://ec.europa.eu/info/policies/justice-and-fundamental-rights/eu-citizenship/electoral-rights_en#europeanparliamentelections

<p>online. They should collaborate in these efforts with local and regional journalists, academia and think tanks, civil society, national authorities and EU bodies, institutions, activists and political commentators;</p>	<p>Disinformation. In that vein, the Commission's Representations in the Member States are actively seeking partnerships with local and regional authorities to exchange best practice and to help curb the spread of disinformation about the European Union's policies and values. They do this by promoting fact-based communication, debunking myths, exposing disinformation and raising awareness.</p> <p>In the framework of the European cooperation network on elections, Member States authorities noted that the engagement from the online platforms was lacking and could be improved, in particular in terms of level of engagement in Member States, and in the official language in each Member State⁵.</p> <p>Particular activities might be limited or cancelled due to the national COVID-19 restrictions.</p>
<p>19. points out, however, that combating and pursuing disinformation requires specific skills and tools which the average official or specialist in a regional or local authority does not yet have. Skills and knowledge gaps and lack of experience are important strategic disadvantages which hinder the effective identification of disinformation and prevention of its dissemination;</p>	<p>The Action Plan against Disinformation announced the creation of a Rapid Alert System to facilitate the exchange of information between the Member States on all aspects related to disinformation. The Commission agrees on the importance of empowering regional and local authority officials with skills and tools to effectively counter disinformation and recalls the ongoing efforts by the Commission Representations and the European External Action Service to facilitate capacity building through workshops for practitioners and background briefings for journalists, in order to foster healthier media ecosystems in Member States.</p> <p>Member States exchange experiences and practices in national networks of competent authorities established following the elections package, as well as in the European cooperation</p>

⁵ https://ec.europa.eu/info/policies/justice-and-fundamental-rights/eu-citizenship/electoral-rights/european-cooperation-network-elections_en

	<p>network on elections, including on awareness raising campaigns about disinformation and dedicated trainings for political actors and media practitioners. These practices should be made available at the regional and local levels.</p> <p>Particular activities might be limited or cancelled due to the national COVID-19 restrictions.</p>
<p>21. stresses that combating the spread of disinformation must on no account amount to the monitoring of beliefs or censorship or give any such impression. The possible spread of disinformation must be systematically and continuously monitored in the run-up to elections and in times of crisis and abrupt social change, but not all the time. Preventing disinformation can in no sense be equated with restricting freedom of speech, monitoring political views or a move towards a surveillance society; on the contrary, it is a prerequisite for freedom of expression and opinion;</p>	<p>The Commission is fully committed to ensuring that all initiatives taken on disinformation and manipulative interference affecting our democracies respect fundamental rights and freedoms, including the freedoms of speech and association, procedural safeguards and citizens' democratic rights.</p> <p>In line with the Commission's political priority of a new push for European democracy, the Commission will continue its efforts to counter disinformation, while preserving freedom of expression, freedom of the press and media pluralism.</p>
<p>26. points out that the training and awareness-raising of civil society representatives help to expand the network against the spreading of fake news and incorrect information and to reduce the risk of official censorship or attempts to curtail freedom of expression;</p>	<p>The Commission recognises the need for further capacity building among civil society representatives and other experts and is therefore actively promoting open debate around the subject of disinformation through, inter alia, public events organised by the Commission and the European External Action Service (a public event series on tackling online disinformation under its CONNECT University program⁶).</p> <p>Particular activities might be limited or cancelled due to the national COVID-19 restrictions.</p>
<p>28. stresses that the rapid and effective pooling of information and experience in countering disinformation is essential. Analysis of experience in regions and</p>	<p>The Commission notes that the national electoral networks and the European cooperation network on elections, established following the 2018 elections package, were</p>

⁶ <https://ec.europa.eu/futurium/en/blog/tackling-online-disinformation-series-connect-university-sessions>

<p>municipalities, as well as cases where false information has been disseminated, could bring to the fore the similarities, patterns, mistakes and successes of these campaigns. The European Union should therefore deploy funding and its network to help local and regional authorities and Member States share experience and learn from one another;</p>	<p>precisely intended, inter alia, to facilitate the exchange of information as regards the promotion of transparency of online advertising and raising awareness about disinformation. The Commission has made funding available in a call for proposals for action grants to support coordination among national authorities competent in electoral matters⁷, which opened on 15 January 2020 and was scheduled to close on 1 April 2020.</p>
<p>31. recommends the adoption of regulatory measures aimed at detecting disinformation campaigns and countering them, including through cooperation with social media platforms and reporting. By introducing common reporting standards on combating disinformation, it would be possible to follow the activities of social media platforms over a longer period of time, where appropriate have them monitored by independent third parties and thus obtain a comprehensive overview of the extent of the problem;</p>	<p>The Commission will adopt, later in 2020, a European Democracy Action Plan, which will, among others, address the threats of external intervention in our European elections. It will elaborate on measures to ensure greater transparency on paid political advertising and address financing of European political parties.</p>
<p>33. recommends that social media platforms provide means for people to report (attempts at) the dissemination of false information without major inconvenience;</p>	<p>Self-regulatory policies adopted by the Code of Practice on Disinformation⁸ signatories already provide for such a possibility. The Commission is assessing their effectiveness in the context of its ongoing analysis to determine whether additional measures may be called for.</p>
<p>34. calls for consideration to be given to providing financial support to regional and local authorities and citizens' associations across Europe in order to increase the capacity to detect disinformation, combat its dissemination and improve collaboration,</p>	<p>The creation of the European Digital Media Observatory⁹ includes the funding of a network of research hubs operating at national and regional level and connecting multi-disciplinary teams with specific knowledge of local information environments. This will enhance the</p>

⁷ <https://ec.europa.eu/info/funding-tenders/opportunities/portal/screen/opportunities/topic-details/rec-rcit-citi-ag-2020;freeTextSearchKeyword=;typeCodes=1;statusCodes=31094501,31094502,31094503;programCode=REC;programDivisionCode=null;focusAreaCode=null;crossCuttingPriorityCode=null;callCode=REC-AG-2020;sortQuery=openingDate;orderBy=asc;onlyTenders=false;topicListKey=callTopicSearchTableState>

⁸ <https://ec.europa.eu/digital-single-market/en/news/code-practice-disinformation>

⁹ <https://ec.europa.eu/digital-single-market/en/news/commission-launches-call-create-european-digital-media-observatory>

<p>including across borders, between public authorities and citizens' associations;</p>	<p>detection and analytical capabilities across Member States and produce evidence-based research on trends and threats due to disinformation, to the benefit of public authorities, media and civil society organisations.</p>
<p>35. recommends providing "Guidelines for dealing with Disinformation" through the network of fact-checkers, to generate learning through educational establishments and local authorities in order to encourage critical thinking in combating disinformation;</p>	<p>One of the functions of the European Digital Media Observatory will be to leverage the work of fact-checkers and researchers to better inform Member States actions in the area of media literacy.</p>
<p>36. notes the need to develop in the younger generations the ability to analyse facts, critical thinking and common sense in order to enable them to decipher and compare the information they receive, and considers it necessary to this end to foster awareness-raising measures (debates, dialogues, etc.) in education and training establishments to combat disinformation.</p>	<p>The Commission will continue to provide support to media literacy projects and stimulate coordination of efforts across Member States through its Media Literacy Week initiative. In addition, it will monitor the implementation by Member States of the Audiovisual Media Services Directive¹⁰, which provides, in its Article 33a, the obligation for Member States to ‘promote and take measures for the development of media literacy skills’.</p> <p>Particular activities might be limited or cancelled due to the national COVID-19 restrictions.</p>

¹⁰ Directive 2010/13/EU of the European Parliament and of the Council of 10 March 2010 on the coordination of certain provisions laid down by law, regulation or administrative action in Member States concerning the provision of audiovisual media services (Audiovisual Media Services Directive); OJ L 95, 15.4.2010, p. 1–24.

N°2 A European framework for regulatory responses to the collaborative economy
COR-2019-02043 – ECON-VI/048
137th plenary session – December 2019
Rapporteur-General: Peter FLORIAN SCHÜTZ (AT/PES)
DG GROW – Commissioner BRETON

Points of the European Committee of the Regions opinion considered essential	European Commission position
<p>12. considers, in the light of these concerns, that the existing EU regulatory framework – introduced before the age of collaborative economy platforms – is effectively outdated and cannot respond to the challenges posed by the collaborative economy without a thorough update;</p> <p>13. calls on the European Commission to put forward proposals to this end in the course of 2020, in the broader context of the "Digital Services Act" that is on the agenda of the Commission President-elect, especially as the main technical conveniences (e.g. smartphones) and platforms arose a long time after the e-Commerce Directive of 2000;</p>	<p>The e-Commerce Directive¹¹ from 2000 is one of the central pieces of Internet regulation in the EU. However, the nature, scale and scope of digital services has substantially evolved in particular over the last past years. To account for the changed landscape for digital services, the Commission’s President announced in her Political guidelines a Digital Services Act to ‘upgrade our liability and safety rules for digital platforms, services and products, and complete our Digital Single Market’.</p> <p>The Commission is currently carrying out preparatory work for the Digital Services Act.</p>
<p>15. calls on the Commission and the Member States to create an incentivising regulatory environment, which will enable small-scale European platforms to better profit from the Single Market and scale up to successfully challenge dominant global players;</p>	<p>One of the e-Commerce Directive’s goals was to promote innovation and competitiveness for information society services in the EU. This goal remains very much valid. On the other hand, the current regulatory fragmentation could undermine legal certainty within the Single Market for digital services.</p> <p>Under the Digital Services Act, the Commission will continue pursuing the goal of promoting innovation and competitiveness in the EU.</p>
<p>16. calls for the future European framework to</p>	<p>Member States are free to regulate the</p>

¹¹ Directive 2000/31/EC of the European Parliament and of the Council of 8 June 2000 on certain legal aspects of information society services, in particular electronic commerce, in the Internal Market ('Directive on electronic commerce'); OJ L 178, 17.7.2000, p. 1–16

<p>recognise this territorial dimension and to strengthen the capacity of public authorities to take action to regulate the collaborative economy according to their national, regional or local situation, in full respect of the principle of subsidiarity. Enforcing valid court decisions against short term rental platforms in the country of residence is a huge effort for local authorities due to lack of resources and capacity to litigate in another EU Member State;</p>	<p>provision of collaborative economy services at national, regional and local level as long as they comply with EU law, inter alia with the Treaty on the Functioning of the European Union, the e-Commerce Directive and the Services Directive¹².</p> <p>In particular, the e-Commerce Directive establishes substantive and procedural conditions that must be fulfilled by a Member State, other than the Member State of establishment, prior to the adoption of restrictive measures imposed on a platform.</p>
<p>17. emphasises that the country of origin principle in the e-Commerce Directive causes problems for cities and regions. The stronger the country of origin principle is, the clearer and more effective the rules to enforce the law must be; is of the opinion that there is a risk of cherry-picking when entering the single market which in the end leads to legal uncertainties and to a loss of administrative control for public authorities in the destination country;</p>	<p>The internal market clause of the e-Commerce Directive ensures the free movement of information society services between Member States. This does not <i>per se</i> mean that Member States cannot derogate from this principle when they wish to adopt measures in respect of a given information society service when these measures are necessary for the attainment of specific reasons of public interest and they are proportionate. The e-Commerce Directive also establishes procedural obligations, which Member States must comply with before adopting any restrictive measures, and in particular imposes a specific obligation for Member States to give prior notification of the envisaged restrictive measure to the Commission and the Member State of establishment.</p>
<p>19. recommends that Territorial Impact Assessments are carried out of the critical elements of the Digital Services Act and of the European framework for the collaborative economy;</p>	<p>With regard to the Digital Services Act, the Commission is currently carrying out preparatory work, including fact-finding and evidence gathering of the problems digital services are facing, including regulatory fragmentation.</p>
<p>20. suggests furthermore, given the dynamic</p>	<p>The proper implementation of EU laws by</p>

¹² Directive 2006/123/EC of the European Parliament and of the Council of 12 December 2006 on services in the internal market; OJ L 376, 27.12.2006, p. 36–68

<p>nature of the collaborative economy, that a mechanism is put in place to monitor the implementation of the Digital Services Act and the European framework for the collaborative economy;</p>	<p>private actors and by Member States is of utmost importance. The Commission will work towards ensuring this goal.</p>
<p>21. asks the European Commission to regularly monitor the development of collaborative platforms with regard to compliance with competition rules, as a high level of market dominance by just a few platforms can be seen at regional and local level;</p>	<p>The Commission agrees that an efficient enforcement of competition rules can positively complement regulatory initiatives in fields such as the collaborative economy. Regulation and competition enforcement need to complement and reinforce each other and regulatory proposals need to be informed by sound competition policy. Over the past years, the Commission has achieved a leading role in antitrust enforcement in high-tech markets among global enforcers and has taken action in several cases to preserve competition in the digital sector. A number of investigations into other companies active in the digital environment are also ongoing.</p> <p>The Commission agrees that the anticompetitive effects that platforms can bring about may sometimes be more visible at regional and local level. The Commission notes that the Commission and Member States' national competition authorities work closely on enforcing competition rules in the framework of the European Competition Network¹³. This network underpins the coherent application of EU antitrust rules by all enforcers and ensures that infringements are effectively detected, stopped and sanctioned. The recent adoption of the ECN+ Directive¹⁴ will boost the resources and tools available to national competition authorities.</p>
<p>28. highlights the fact that the definition of an</p>	<p>The Commission is closely following the</p>

¹³ https://ec.europa.eu/competition/consumers/cooperation_en.html

¹⁴ Directive (EU) 2019/1 of the European Parliament and of the Council of 11 December 2018 to empower the competition authorities of the Member States to be more effective enforcers and to ensure the proper functioning of the internal market; OJ L 11, 14.1.2019, p. 3–33

<p>information society service itself may need to be further clarified to distinguish between different types of activities, and in particular in relation to the emergence of so-called "composite services", as defined by Court of Justice of the European Union (CJEU) Advocate General Szpunar, including both an information society service and, inseparably, the underlying service not provided by electronic means;</p> <p>29. considers that the European framework should define the status of collaborative economy platforms according to the precise degree of control exercised by the platform, and that criteria to define "decisive influence" – the concept referred to by the CJEU – must therefore be explicitly outlined in EU law;</p>	<p>rulings of the Court of Justice of the European Union on the definition of information society services, not least for the preparatory work undertaken in the context of the Digital Services Act.</p>
<p>31. is of the opinion that collaborative platforms must be held liable for illegal actions or dissemination of illegal content (e.g. social housing offers on short term rental platforms) and believes that discriminatory decisions of platforms can be made only according to local laws or court decisions;</p>	<p>The e-Commerce Directive does not positively regulate the liability of online intermediaries. It rather defines under which conditions online intermediaries are exempted from the liability for the content they host. If these conditions are not fulfilled, online intermediaries can be held liable for the content they host.</p>
<p>33. considers in this respect that the Services Directive's definition of "service provider" should be reviewed, since its current wording could be interpreted to cover any economic activity; believes that this situation could potentially act as a strong deterrent by placing disproportionate burdens on people wishing to occasionally act as non-professional suppliers ("peers") of services through a collaborative economy platform;</p>	<p>The notion of a 'service provider' in the Services Directive does not impose any specific personal scope for national rules. In other words, it does not prevent national rules from distinguishing between peers and professional service providers.</p>
<p>34. recommends therefore that the situation be clarified through EU-wide thresholds developed for the level of economic activity</p>	<p>As already acknowledged in its 2016 Communication on collaborative economy¹⁵, the Commission agrees that, for the purposes</p>

¹⁵ A European agenda for the collaborative economy; COM(2016) 356 final.

<p>beyond which a user shall be considered a professional and be subject to market regulation; considers that these thresholds should be time-based rather than monetary to ensure a level playing field across the EU;</p>	<p>of regulating activities in the collaborative economy, private individuals offering services via collaborative platforms on a peer-to-peer and occasional basis should not be automatically treated as professional service providers.</p>
<p>35. points out that access to data is a crucial issue for public authorities, in particular at local and regional level; ensuring proper enforcement of applicable local rules and safeguarding supervisory mechanisms is impossible without access to the relevant data from platforms operating in a given territory;</p> <p>36. believes therefore that the European framework must require platforms to provide public authorities with the data necessary to enforce the rules applicable to the platform and/or its sector of activity on a legal basis. However, public authorities must give due regard to platforms' data and know-how, such as search and ranking algorithms, when accessing such information. Public authorities should not have to rely on the willingness of platforms to share data with them, as experience gathered in several European cities shows that where platforms claimed they were willing to cooperate, "in practice they don't, or only do so on a voluntary basis";</p>	<p>Obligations imposed on platforms to share data with the authorities are not illegal <i>per se</i>. However, the modalities of such obligations need to be assessed on a case-by-case basis against the relevant EU laws.</p> <p>In the context of the Digital Services Act, the Commission is gathering evidence <i>inter alia</i> for problems public authorities are facing in their interactions with digital services providers.</p>
<p>39. welcomes nonetheless the cooperative practices that some platforms have implemented in order to enforce rules such as the collection of tourist taxes on behalf of municipalities;</p> <p>40. considers however that requiring all platforms to do so in all local and regional authorities could represent a large administrative burden, while data sharing is</p>	<p>The Commission is aware of the different approaches being taken by Member States aiming at facing the challenge that is the effective taxation of revenues obtained through digital (not only collaborative) platforms, and is considering the need for EU action on this field.</p> <p>The Commission launched a public consultation¹⁶ on 10 February 2020 on a possible legal framework requiring the</p>

¹⁶ <https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/12157-Strengthen-the-exchange-of-information-framework-in-the-field-of-taxation-public-consultation>

<p>far less burdensome;</p>	<p>reporting to tax authorities of revenues obtained through digital platforms.</p>
<p>44. considers the collaborative economy to be an additional way to contribute to various measures taken by the EU to reach the climate goals of the 2015 Paris Agreement;</p> <p>45. asks the European Commission to produce studies into the possible environmental impact of the collaborative economy by the second half of 2020, as such in-depth studies are lacking;</p>	<p>The Commission would like to recall that already in 2015, the Communication on the EU Circular Economy Action Plan¹⁷ had stressed that innovative forms of consumption can support the development of the circular economy, including the collaborative economy.</p> <p>However, a collaborative economy must have a positive net resource impact on production and consumption patterns.</p> <p>To improve its knowledge base on such considerations, the Commission has studied the potential environmental impact of the collaborative economy. The study results¹⁸ show that the way in which the collaborative economy creates environmental (and socio-economic) impacts is complex and can differ strongly per business model. In general, though, by increasing the utilisation of existing assets in the economy, the environmental impact of collaborative consumption is typically lower than traditional alternatives. Yet, as collaborative consumption allows consumers to save money, the extra consumption could offset these direct environmental gains.</p>
<p>47. highlights the fact that many regions and cities find themselves confronted with the emergence of platform activities on their territories without prior notice; several European cities signed the "Sharing cities Declaration" in 2018;</p> <p>48. therefore calls on the Commission to propose a European framework to make prior</p>	<p>The Commission agrees that online intermediaries must comply with local, regional and national rules, which respect EU law. It is important that Member States are able to enforce their rules. At the same time, any requirements imposed on online platforms need to respect the freedom of establishment and the freedom to provide services in the</p>

¹⁷ COM/2015/0614 final.

¹⁸ The study can be found at

https://ec.europa.eu/environment/enveco/economics_policy/pdf/studies/Collaborative%20Economy%20potential%20-%20Final%20report_consolidated.pdf

<p>notice to the competent authorities mandatory and to encourage collaboration between authorities and platforms in order to ensure that the latter operate in accordance with the applicable rules and in a manner appropriate to the local situation;</p>	<p>Union, as well as the requirements of the e-Commerce Directive.</p>
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N°3 The challenges of metropolitan regions and their position in the future Cohesion Policy post 2020
COR-2019-01896 – COTER-VI/055
137th plenary session – December 2019
Rapporteur: Juraj DROBA (SK/ECR)
DG REGIO – Commissioner FERREIRA

Points of the European Committee of the Regions considered essential	European Commission position
<p>2. points out that increasing urbanisation is not just a European but also a global trend. On the one hand, this creates opportunities; on the other, it forces us to address new challenges. Collaboration between institutions and players in the MRs is therefore crucial;</p> <p>17. notes that MRs have to address economic, fiscal and territorial challenges, while at the same time grappling with an expanding demand for quality public services and limited financial resources with which to provide them – which has a marked effect on the population's overall quality of life.</p>	<p>The Commission agrees that increasing urbanisation creates both challenges and opportunities. The proposal for post-2020 cohesion policy¹⁹ addresses these issues through the support to five policy objectives.</p> <p>Among these objectives a ‘Europe closer to citizens’ is dedicated to:</p> <ul style="list-style-type: none"> - sustainable and integrated urban development with the focus on functional urban areas - sustainable and integrated development of all other types of territories. <p>Cohesion policy connects local development needs and potentials with European and global objectives to trigger economic, social and territorial cohesion in all regions.</p>
<p>3. notes that there is currently no consensus on criteria defining and delimiting MRs that reflect the diversity and the real situation in such regions throughout the Member States;</p> <p>4. notes that Eurostat defines MRs as NUTS3 regions or combinations of NUTS3 regions where at least half of the population lives in a functional urban area that has no fewer than 250 000 inhabitants. The territorial classification is based on the identification of</p>	<p>National definitions of metro regions might diverge, but a consensus at the level of the European Union and the Organisation for Economic Co-operation and Development (OECD) has been reached on criteria defining metro areas and metro regions²⁰.</p> <p>The definition of the Eurostat metropolitan regions is correctly described. This definition currently covers the Member States of the European Union and of the European Free</p>

¹⁹ Common Provisions Regulation; COM(2018) 375 final

²⁰ See Regulation (EU) 2017/2391 of the European Parliament and of the Council of 12 December 2017 amending Regulation (EC) No 1059/2003 as regards the territorial typologies (Tercet); OJ L 350, 29.12.2017, p. 1–6.

<p>urban centres with high population density and a minimum population of 50 000 inhabitants. Highlights that based on this statistical interpretation, 293.3 million EU-residents were living in MRs in 2016, points out that areas that are functionally linked to areas outside the EU must also be taken into account in this regard. The OECD defines MRs in terms of function, whereby an urban centre with high population density and job opportunities is connected to the rest of the area by heavy daily commuting into it;</p>	<p>Trade Association (EFTA) countries. Hence, functional links between EU Member States and European Free Trade Association countries are taken into account. Such links might be extended in the future to other neighbouring countries, subject to the availability of adequate data on neighbouring countries (in particular for the definition of Functional Urban Areas). The Organisation for Economic Co-operation and Development uses the term metropolitan areas as a synonym for Functional Urban Areas of at least 250 000 inhabitants. Hence, the OECD framework is fully consistent with the one used by Eurostat.²¹</p>
<p>6. notes the need to distinguish between highly urbanised and less urbanised MRs, which require different policy approaches and measures;</p> <p>7. notes that the metropolitan regions of Paris and London can be considered separately, with populations of over 12 million, while most MRs in European Union vary according to their size, functions and economic strengths, as well as by their degree of polycentricity. There are also significant differences in MRs' approaches to coordinating their joint policies and actions;</p> <p>43 calls on the EC to establish conditions and support mechanisms for knowledge transfer, exchange of experience and best practice on key challenges, solutions or projects developed by MRs, such as the governance between MRs, indicators to monitor the implementation of metropolitan planning strategies or the development of smart policies;</p>	<p>Cohesion policy provides the Member States with flexibility beyond the traditional operational level at national and regional level, allowing to focus on functional territories crossing administrative boundaries, the sub-regional, urban or local community levels and fostering their development through tailor-made policy mixes.</p> <p>Through shared management, cohesion policy aims to ensure that public investment decisions are taken as close as possible to citizens and the European Union actions are justified in the light of the possibilities and specificities at national, regional and local levels.</p> <p>Moreover, the Commission is setting up a new European Urban Initiative²² to support the urban authorities in their work through capacity building, innovative actions and knowledge transfer.</p> <p>The Commission provides information via the Strat-Board web tool²³ the integrated territorial</p>

²¹ For a recent OECD paper on this topic, see: Dijkstra, L., H. Poelman and P. Veneri (2019), 'The EU-OECD definition of a functional urban area', OECD Regional Development Working Papers, No. 2019/11, OECD Publishing, Paris, <https://doi.org/10.1787/d58cb34d-en>.

²² COM(2018) 372 final, Article 10.

²³ <https://urban.jrc.ec.europa.eu/strat-board/>

	<p>and urban development strategies currently supported by cohesion policy, and published a Handbook on Sustainable Urban Development Strategies²⁴ that takes stock of existing practices, including the functional area approach.</p> <p>The Commission is also working on the long term vision for rural areas, which has the objective of addressing the key issues of these regions.</p>
<p>8. points out that people migrating to cities is one of today's major demographic trends, with the EU's population mainly concentrated in the MRs of capital cities. MRs have to cope with urban sprawl, growing population density in urban centres and, conversely, the depopulation of rural areas.</p>	<p>Commission agrees with the importance of the demographic trends and corresponding challenges faced by growing urban areas and depopulating regions respectively.</p> <p>Strategies supported through cohesion policy should create new knowledge and innovation while tackling the multiple challenges involved concerning mobility, jobs, education, services, housing, environment, climate, etc.</p> <p>The planned Report on the Impact of demographic change will also examine the specific territorial impact and the corresponding challenges resulting from observed demographic trends on regional level.</p>
<p>11. underscores the importance for the harmonious development of regions that the EU and the Member States acknowledge the added value of metropolitan collaboration in achieving common objectives in reducing regional disparities.</p>	<p>The territorial dimension of cohesion policy plays a key role in balanced and harmonious development, encouraging contribution to integrated territorial strategies in order to address key issues of functional urban and rural areas and promoting territorial cooperation.</p>
<p>12. calls for attention to the necessity of real involvement of national policies in using territorial tools and to safeguard fair allocation of sources for all territories, regions,</p>	<p>In line with the Common Provisions Regulation²⁵ for the Partnership Agreement and each Programme, Member States are to organise and implement a partnership in</p>

²⁴ Fioretti, C., Pertoldi, M., Busti, M. and Van Heerden, S. (eds), 2020: Handbook of Sustainable Urban Development Strategies, doi: 10.2760/32842 (online).

²⁵ COM(2018) 375 final

<p>communes, be it metropolitan area, urban or rural, as well as to make sure Member States will consult with LRAs at an early stage of deciding where and how territorial tools will be used.</p>	<p>accordance with their institutional and legal framework and taking into account the specificities of the Funds. Among other relevant bodies, the partnership is to include the competent regional, local, urban and other public authorities.</p>
<p>21. stresses that the housing crisis impacts MRs in a distinct way. On the one hand, there is depopulation in some areas, while in others there is a huge demand for housing. In cities where demand for housing is high, prices are growing faster than incomes, leading to increased segregation and social inequality. Reiterates against this background its call for a European Agenda for Housing²⁶;</p>	<p>With the help of European Union cohesion policy, the European Regional Development Fund and the European Social Fund+, the Member States, cities and regions can improve their poor neighbourhoods and facilitate the construction of a more affordable and energy efficient housing and social housing in particular, and thus contribute to a reduction of housing costs, crowding, segregation and inequalities. This can enable access to services, education and improve safety and integration.</p>
<p>29. is in favour of there being no administrative barriers to cooperation between NUTS II regions that together form the capital city region (capital city – capital city region) and wish to coordinate their strategies and operations within the framework of their respective OPs. The Committee also believes that there should be sufficient flexibility when selecting measures to promote close cooperation;</p>	<p>The cohesion policy objective ‘Europe closer to citizens’ supports the functional urban area approach, i.e. an integrated strategy for a city and its surrounding areas.</p>
<p>33. calls on the EC to bear in mind, when approving the partnership agreements and subsequently the operational programmes, which party is competent to implement individual operations, since the powers of MRs and local authorities are different in each Member State;</p>	<p>The Commission will assess the partnership agreements and programmes prepared by Member States before approving them.</p>
<p>41. recommends that more support be given to instruments that assist metropolitan</p>	<p>Commission has proposed that at least 6% of the European Regional Development Fund</p>

²⁶ Point 20 of the European Committee of the Regions Resolution on the Proposals for the new European Union legislative mandate, 27 June 2019 <https://webapi2016.cor.europa.eu/v1/documents/cor-2019-02550-00-01-res-tra-en.docx/content>

<p>collaboration, such as ITI and CLLD, separate priority axes for MRs within individual operational programmes, regional integrated territorial strategies, sustainable urban development strategies and sustainable urban mobility plans (SUMP), which should be further developed under the post-2020 cohesion policy and serve as documentation to support investment;</p>	<p>resources at national level should be allocated to sustainable urban development through integrated strategies in the form of Integrated Territorial Investment, community-led local development or another territorial tool, designed by Member States, supporting integrated territorial and local development.²⁷</p> <p>In shared management policy the Member States have the flexibility to choose suitable instrument(s) to meet the development needs at different levels.</p>
<p>45. calls for all partnerships in the new EU Urban Agenda to address the ongoing metropolitanisation of areas or for a new partnership for the metropolitan dimension of the Urban Agenda to be designed that has a horizontal and strategic slant.</p>	<p>The Commission takes note of the proposal. The intergovernmental Urban Agenda for the European Union is currently undergoing assessment and might be linked to the renewed Leipzig Charter expected to be adopted by the responsible ministers during the German Presidency of the Council in the second half of 2020.</p> <p>In addition, the intergovernmental Territorial Agenda of the European Union is also being reviewed in view of adoption during the German Presidency of the Council. The current draft new Territorial Agenda²⁸ emphasises dialogue and cooperation addressing functional links, including metropolitan dimension, as one of the priorities to reduce imbalances and inequalities between places.</p>

²⁷ COM(2018) 372 final

²⁸ <https://territorialagenda.eu/renewal.html>

<p>N°4 Macro-regional strategy for the Carpathian region COR-2019-03425 – COTER-VI/057 137th plenary session – December 2019 Rapporteur: Władysław ORTYL (PL/ECR) DG REGIO – Commissioner FERREIRA</p>	
<p>Points of the European Committee of the Regions’ opinion considered essential</p>	<p>European Commission position</p>
<p>The role of macro-regional strategies in achieving EU cohesion (points 1 to 5)</p>	<p>The Commission welcomes the Committee’s support for macro-regional strategies as such.</p> <p>An initiative for a new macro-regional strategy should also be assessed against the findings of the Commission Report concerning the added value of macro-regional strategies²⁹ and the Council conclusions³⁰ on that report.</p>
<p>15. recognises the range of initiatives undertaken at various levels and by many groups to create a macro-regional strategy for the Carpathian region (Carpathian strategy), the result of which is the accepted declarations of support for the idea of creating it³¹. It is worth noting that these initiatives are undertaken at the level of governments, national parliaments and regional and municipal authorities as well as local communities;</p>	<p>One of the main prerequisites for the establishment, the continuous functioning and the successful implementation of a macro-regional strategy is the long-term ownership and commitment of each of the countries and regions involved³².</p> <p>The Committee’s opinion acknowledges, in a footnote, that the ‘Declaration of Intent to Create the European Union macro-regional strategy for the Carpathian Region’ was signed in September 2018 by Hungary, Poland, Slovakia and Ukraine. The other four countries involved – Czech Republic, Moldova, Romania and Serbia – did not sign this declaration and did not join up to now. Particularly, the full support of Romania,</p>

²⁹ COM(2013) 468 final (27.6.2013) – esp. page 10

³⁰ Council conclusions on added value of macro-regional strategies. General Affairs Council meeting, Luxembourg, 22 October 2013, https://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/EN/genaff/139110.pdf

³¹ In September 2018 representatives of governments from Hungary, Slovakia, Ukraine and Poland signed the Declaration of Intent to Create the EU Macro-Regional Strategy for the Carpathian Region.

³² Report from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions on the implementation of EU macro-regional strategies, COM(2019) 21 final (29.1.2019).

	which has a major share of the Carpathian range, would be crucial.
<p>17. commends the actions undertaken to implement the 2003 Framework Convention on the Protection and Sustainable Development of the Carpathians (Carpathian Convention) which is a multi-party international agreement on the Carpathian region established on treaty principles of international law. The parties to the convention are obliged to cooperate and pursue comprehensive policy for protection and sustainable development of the Carpathian region, also taking into account objectives and provisions of the Convention in their own sectoral policies (for example, concerning spatial planning, agriculture, forestry, transport and tourism), better coordination of these policies and applying integrated approach principles to management of land resources;</p>	<p>The Carpathian Convention³³, existing since 2003, provides a platform for tackling the specific needs of the region³⁴ and for taking joint, transnational measures.</p>
<p>18. notes that the Carpathian Convention is a multi-sectoral management mechanism covering the Carpathian region that enables inter-sectoral integration and widespread participation of stakeholders from various levels (national, regional, non-governmental, etc.) The multi-level cooperation standards that have been developed and have resulted in five thematic protocols on the Carpathian Convention can be used as an important part of further cooperation;</p> <p>21. refers to its opinion on “Macro-regional strategies, such as the Danube: a framework for promoting transnational clusters” in which the CoR advocated the creation of a Carpathian strategy and expressed the belief that creating a macro-regional strategy for the Carpathian region would be an excellent complement to the existing initiatives such as the Carpathian Convention and the Carpathian Euroregion and would make it possible</p>	<p>With regard to the multi-sectoral and multi-level nature of the Carpathian Convention, the added value of a macro-regional strategy depends on the clear political support of all participating countries to achieve well defined objectives.</p>

³³ <http://www.carpathianconvention.org/the-convention-17.html>

³⁴ Out of the possibly eight participating countries of the proposed Carpathian MRS, all countries but Moldova are contracting states of the Carpathian Convention.

<p>to exploit the existing potential of cooperation of authorities at all levels;</p>	
<p>29. referring to its previous opinion, notes that the macro-regional strategy for the Carpathian region will help complement actions undertaken within the existing Danube strategy, as it takes into account the specificities of the mountainous Carpathian region. The Committee points out that the strategy for the Danube region (EUSDR, 2010) is currently the largest macro-regional strategy in the EU in terms of area and part of this area is covered in the strategy for the Alpine region (EUSALP, 2016) and the strategy for the Adriatic-Ionian region (EUSAIR, 2014), which does not lead to adverse effects. The Committee believes that it will be similar for the Carpathian strategy;</p>	<p>The Committee addresses the issue of geographical overlaps between macro-regional strategies. Indeed, the proposed Carpathian macro-regional strategy would include eight countries, of which seven are participating in the macro-regional strategy for the Danube region (EUSDR), with the exception of the Polish southern regions. In this case, the extent of the overlap would be much larger than in cases like the European Union Strategy for the Alpine Region (EUSALP) or the European Union Strategy for the Adriatic-Ionian Region (EUSAIR).</p>
<p>31. recalls the Council's appeal for renewed political impetus for macro-regional strategies and its readiness to analyse initiatives that aim to establish new strategies³⁵;</p>	<p>In the Committee's opinion, there is a reference to a 'Council's appeal', but the document referred to in the Committee opinion's footnote is not a Council document.</p>
<p>32. calls on the European Commission to support the initiative to create a macro-regional strategy for the Carpathian region as a further macro-regional strategy and the second one to address a European region with mountainous characteristics;</p>	<p>The call to launch a new macro-regional strategy must come from the Council.</p>
<p>34. acknowledging the positive impact of the Carpathian Convention, the importance of its objectives and their convergence with the EU's priorities, calls on the European Commission to take action towards the EU joining this Convention as a party, and points out that the EU is already a party to the Alpine Convention.</p>	<p>The Commission takes note of this invitation; however it points out, in accordance with the Commission's answer provided to the parliamentary question 3398/2019³⁶, that the Carpathian Convention does not contain a 'Regional Economic Integration Organisation clause'. It is therefore not possible, at the moment, for the European Union to become a Party to it.</p>

³⁵ COM(2019) 21 final – doc. 5927/19 + ADD 1.

³⁶ Question for written answer E-003398/2019 to the Commission: 'Carpathian Convention' by Anna Zalewska (ECR/PL): <http://www.europarl.europa.eu/plenary/en/parliamentary-questions.html#sidesForm>

N°5 Improving administrative capacity of local and regional authorities to strengthen investments and structural reforms in 2021-2027
COR-2019-02043 – ECON-VI/047
137th plenary session – December 2019
Rapporteur: Manuela BORA (IT/PES)
DG REGIO – Commissioner FERREIRA

Points of the European Committee of the Regions opinion considered essential	Commission position
<p>6. notes that, in line with the principle of subsidiarity, the responsibility for the quality of public administration lies with the Member States and involves different levels of governance. The EU can however play a complementary role by approximating standards through legislation or coordination processes such as the European Semester, and by enabling the exchange of best practices and supporting efficiency and innovation in the public administration and administrative capacity building at all levels of government. Article 14 of the Treaty on the Functioning of the European Union could be a relevant legal basis for the quality of public administration in relation to services of general economic interest;</p>	<p>The European Semester country-specific recommendations are based on Article 121 (economic policy coordination) and Article 148 (employment policy coordination) of the Treaty on the Functioning of the European Union. In that respect, the analysis within the European Semester exercise as well as the country-specific recommendations formulated in the European Semester framework are, in particular, related to the economic and employment policies of the Member States. Quality of public administration, its efficiency and innovation are therefore approached regarding their economic/employment policy relevance.</p>
<p>8. regrets the lack of transparent information on the total amount and actual use of the EU resources available for capacity building of LRAs, as well as on their overall impact, and calls on the Commission to provide this information as soon as possible; also suggests that the Annual Monitoring Report of the Structural Reform Support Programme include a permanent section on the involvement of LRAs as beneficiaries of the Programme;</p>	<p>Progress in the implementation of actions to reinforce the capacity of Member State authorities and beneficiaries to administer and use the Funds needs to be included in annual implementation reports. The Commission regrets, however, that aggregated information on how much funding is used to support capacity building of local and regional authorities under shared management is not available because this is not envisaged in the legislative framework.</p>

	<p>On the second point, Article 16(2) of Regulation (EU) 2017/825³⁷ defines the elements to be included in the annual monitoring report under the Structural Reform Support Programme. The Commission provided the Committee with detailed information on technical support projects under the Structural Reform Support Programme for local and regional authorities to help prepare the present opinion. The Commission can provide similar information on a yearly basis, upon request of the Committee.</p>
<p>11. underlines that the information available on the involvement of LRAs in the Structural Reform Support Programme (SRSP) is insufficient. According to unofficial estimates, only about 6% of projects received under the SRSP concerned LRAs, a very low percentage considering that 55% of all CSR are directly or indirectly addressed to LRAs; therefore regrets that LRAs can only access the SRSP through their national governments;</p>	<p>The Structural Reform Support Programme is a ‘demand-based’ and voluntary programme, which provides technical support for the design and preparation of reforms upon request from Member States. Local and regional authorities can request such support through the central national authorities. In full respect for the principle of subsidiarity, the Commission cannot and does not want to instruct Member States how they should organise themselves to request technical support. In any case, there is no strict correlation between the percentage of country-specific recommendations related to local and regional authorities and the technical support projects that involve them under the programme.</p> <p>In addition, the indication that only ‘6% of projects involve local and regional authorities’ underestimates the actual support provided. This very often includes projects of multi-level governance nature, from which all local and regional authorities of the Member State can benefit.</p>
<p>16. insists that adequate funding for capacity building (i.e. not less than during 2014-2020) should remain directly accessible to LRAs through policy instruments under shared</p>	<p>The Commission prepared a balanced proposal of the next multiannual financial framework, with adequate tools supporting administrative capacity building within both cohesion policy and</p>

³⁷ As amended by Regulation (EU) 2018/1671 of the European Parliament and of the Council of 23 October 2018 amending Regulation (EU) 2017/825 to increase the financial envelope of the Structural Reform Support Programme and adapt its general objective; OJ L 284, 12.11.2018, p. 3–5.

<p>management; suggests, therefore, that Article 32 of the proposed CPR for 2021-2027 or Article 2 of the proposed ERDF/CF Regulation envisage actions in all OPs aimed at building the capacity of public authorities and stakeholders at all levels and not exclusively relating to the management of the ESI Funds;</p>	<p>centrally managed instruments. The discussions on the multiannual financial framework are ongoing.</p> <p>Local and regional authorities can benefit from support to capacity building, provided they fulfil the conditions in Article 32 of the proposed Common Provisions Regulation for 2021-2027 or Article 2 of the proposed European Regional and Development Fund / Cohesion Fund Regulation.</p> <p>The Commission is urging Member States to pay due attention to the capacity of beneficiaries, which include local and regional authorities, as this is an important factor for efficient use of the funds.</p> <p>It is envisaged that the proposed Technical Support Instrument under the proposed Reform Support Programme will support institutional capacity building that is not related to management of the shared management funds.</p> <p>Member States and the Commission are to ensure the coordination, complementarity and coherence between the Funds and other Union instruments.</p>
<p>17. points to its opinions on the proposed CPR 2021-2027³⁸, which suggested that the flat rate for technical assistance in the ERDF and CF (Article 31) should be raised to 5%, and on the next ERDF/CF³⁹, proposing additional funding for capacity building, including in view of the need to localise the SDGs, and on the ESF+⁴⁰, aimed at bringing back thematic objective 11 for the post-2020 period;</p>	<p>In relation to the financing of technical assistance, the study of 2018⁴¹ estimated the administrative costs associated with the European Regional Development Fund and the Cohesion Fund in 2014-2020 at 3% of average programme costs for European Regional Development Fund and 2.2% for Cohesion Fund. The study also highlighted that greater use of simplified cost options or financing not linked to costs, as well as that a more proportionate approach to control and audit – proposed by the Commission – could</p>

³⁸ Adopted on 5.12.2018 (<https://webapi2016.cor.europa.eu/v1/documents/cor-2018-03593-00-00-ac-tra-en.docx/content>)

³⁹ Adopted on 5.12.2018 (<https://webapi2016.cor.europa.eu/v1/documents/cor-2018-03594-00-00-ac-tra-en.docx/content>)

⁴⁰ Adopted on 5.12.2018 (<https://webapi2016.cor.europa.eu/v1/documents/cor-2018-03597-00-00-ac-tra-en.docx/content>)

⁴¹ Spatial Foresight & t33, New assessment of administrative costs and burden in ESI Funds, https://ec.europa.eu/regional_policy/en/information/publications/studies/2018/new-assessment-of-esif-administrative-costs-and-burden.

substantially reduce total administrative costs. These findings underpinned the proposal from the Commission in relation to flat rates for technical assistance. The common provisional understanding of co-legislators for the Common Provisions Regulation established the flat rates at 3,5% for European Regional Development Fund and 2,5% for Cohesion Fund.

Furthermore, the Common Provisions Regulation proposal did not set financial limits as regards the use of technical assistance not linked to costs under Article 32. It is worth noting that the reference to the Sustainable Development Goals in the local context is discussed within interinstitutional negotiations of the European Regional Development Fund Regulation.

With regard to European Social Fund+ support for capacity building in the post-2020 period, although there will be no equivalent to thematic objective 11, the European Social Fund+ will continue to support institutional capacity for crucial policy and system reforms. However, it will focus on its areas of action, notably employment, social inclusion and protection, education and training systems, as well as health systems and services.

This support may be provided under any of its specific objectives. In doing so, the European Social Fund+ will act in synergy and complementarity with other European Union instruments providing funding in support of structural reforms, notably the instruments of the Directorate-General for Structural Reform Support (DG REFORM), which will provide support to other reforms in public administration not falling within the scope of support of the Funds. The European Social Fund+ proposal indicates likewise that the Member States, where appropriate, shall foster synergies and ensure coordination, complementarity and coherence with the Reform Support Programme (Article 7(1))

	European Social Fund+).
<p>18. highlights the need for coordination and synergy between the existing EU-funded capacity-building instruments, as well as for transparent and timely monitoring and evaluation of such instruments; in this respect, reiterates its recommendation that the Commission issue a single set of guidelines on capacity building applying to all relevant EU programmes;</p> <p>25. highlights the need for coordination and synergy between the existing EU-funded capacity-building instruments, as well as for transparent and timely monitoring and evaluation of such instruments; (...)</p>	<p>An inter-service group on public administration is set up to facilitate coordination between Commission services on institutional capacity building.</p> <p>The Commission closely coordinates directly managed technical support. For technical assistance under shared management, the Commission also relies on monitoring / evaluation by Member States.</p> <p>Under the current Structural Reform Support Programme and the future Technical Support Instrument under the proposal for a Reform Support Programme, Member States and the Commission are to ensure the coordination, complementarity and coherence between the Funds and other Union instruments.</p> <p>Regarding ‘guidelines’, the chapters of the Quality Public Administration Toolbox apply equally to local and regional authorities, and theme 3 provides substantial guidance on the aspects of multi-level governance.</p>
<p>27. stresses that chapters on capacity building <i>at all levels of government</i> should be included in the Annual Growth Survey, country reports and national reform programmes. An assessment of needs and related capacity-building policies at all levels of government would turn the national reform programmes into a strategic coordination tool; shares the European Parliament's proposal to reintroduce in the AGS a chapter dedicated to public administration and governance;</p>	<p>The Annual Sustainable Growth Strategy, which in 2020 has succeeded the Annual Growth Survey, produced within the European Semester autumn package, is the document that sets the priorities for the European Union for the following year. The Annual Sustainable Growth Survey places sustainability and social inclusion at the heart of the European Union’s economic policymaking. It encompasses four interrelated and mutually reinforcing dimensions to address long-term challenges around the overarching objective of competitive sustainability.</p> <p>In that respect, the document is streamlined to convey effectively the key messages.</p> <p>Administrative capacity is treated in the autumn package in relation to the Single Market, in the Single Market Performance Report, a novel</p>

	<p>feature within this European Semester autumn package. Quality public administrations are referenced as being conducive to growth and productivity.</p> <p>The Commission is of the opinion that it is not necessary to establish a rule to introduce systematically in the Annual Sustainable Growth Survey a full chapter dedicated to public administration and governance.</p>
<p>28. considers that direct structured involvement of LRAs, or national organisations of LRAs, in the European semester, based on partnership and multilevel governance, would allow them to help assess capacity-building needs and set long-term goals and policies, strengthening their ownership and encouraging action. LRAs, or national organisations of LRAs, should be involved as full partners in the European semester through a legally binding European code of conduct, even more so now that the semester gives guidelines for cohesion policy programming through Annex D of the country reports. This would allow the LRAs to contribute, under the semester cycle, to successfully adapting EU policies to actual territorial disparities and specific challenges;</p>	<p>As far as the Member States are concerned, the Commission has repeatedly stressed that, in spite of positive developments, there is room for wider dialogue with, and better involvement of the different levels of governance. The Commission encourages Member States to make every effort to maximise the involvement of all stakeholders concerned in the European Semester process, including in particular local and regional authorities, social partners and civil society.</p> <p>The involvement of all stakeholders concerned is fundamental to improving ownership and legitimacy of reforms and bringing about better socio-economic outcomes. Nevertheless, the Commission does not believe that it is necessary to establish a legally binding European code of conduct on the matter. Focus should be on using, exchanging and developing further existing good practices in the Member States.</p> <p>As regards the programming of EU funds, a wide consultative and structured partnership is envisaged in the proposal for a Common Provisions Regulation for 2021-2027⁴², mirroring the similar provision of the 2014-2020 programming period. The Commission has proposed in the Common Provisions Regulation for 2021-2027 that in order to provide continuity in the organisation of partnership, Commission Delegated Regulation (EU) No 240/2014 on the European code of conduct on partnership in the</p>

⁴² COM(2018) 375 final

	<p>framework of the European Structural and Investment Funds should continue to apply. This is also reflected in the investment guidance provided in 2019 country-specific recommendations made by the Council to the Member States, which draws on the 2019 Country Reports (annex D).</p>
<p>29. taking into consideration the European Commission's simplification proposals for the next period from 2021 to 2027 and regarding the implementation of cohesion policy through the combination of different EU funding sources, there is a need for an integrated approach involving joint planning, thus facilitating the use of different instruments, such as Integrated Territorial Investment (ITI) and Community-Led-Local-Development (CLLD), involving the local and regional authorities in the decision-making and implementation process;</p>	<p>The Commission acknowledges the importance of an integrated approach involving joint planning and has proposed Policy Objective 5 'Europe closer to citizens'. Efforts to promote use of Integrated Territorial Investments and community-led local development will continue. The capacity building and preparatory actions supporting the design and future implementation of the territorial and local strategies shall be ensured in community-led local development. In addition, Interreg programmes such as URBACT and ESPON provide opportunities for engaging local and regional authorities.</p> <p>Furthermore, the proposed European Urban Initiative will be comprised of a dedicated strand on capacity building.</p>
<p>30. shares the European Parliament's concern that "the Commission has neither a standardised and shared assessment framework for public administration nor a method of systematic data collection" and asks the European Commission to develop these tools;</p>	<p>The Commission has started working on the development of an assessment framework for public administration, in close collaboration with the Economic Policy Committee of the Council.</p>
<p>31. recommends that the new RSP can be directly accessible to LRAs and more focused on improving the quality of public administration and supporting capacity building at all levels of government; points to its recommendations that the governance of the RSP should be based on partnership and multilevel governance; asks that a share of the RSP allocation be earmarked for</p>	<p>The future Reform Support Programme⁴³, as proposed by the Commission in May 2018, is a bottom-up programme – to be managed by the Commission in direct management – where requests emanate from the Member States. Whether the local and regional authorities benefit from the new instrument largely depends on the institutional set-up at national level and on how</p>

⁴³ https://ec.europa.eu/info/funding-tenders/funding-opportunities/funding-programmes/overview-funding-programmes/structural-reform-support-programme-srsp_en

<p>projects requested by LRAs; recommends that, as long as Member States only access the Structural Reform Support Service through contact points at national level, applications from LRAs should be permanently encouraged and monitored;</p>	<p>the requests emanating from the local and regional authorities are considered by the Member State concerned in the context of the submission of requests for support to the Commission.</p> <p>Furthermore, the Commission would like to clarify that the primary purpose of the Commission's technical support under the Structural Reform Support Programme is to support 'growth-enhancing structural reforms' and not capacity building as such. Many structural reforms related to local and regional authorities, either require national level coordination, and/ or positively affect all local and regional authorities in a country (and not only a selected few). For example, there is an increasing number of projects related to Sustainable Development Goals or smart city management, which foster collaboration at territorial level.</p> <p>The Committee is invited to promote among the local and regional authorities the Commission's Structural Reform Support Programme and the future Reform Support Programme. The relevant Commission services are available, in case of need, to participate in initiatives organised by the Committee and other relevant entities linked to the deployment of the Reform Support Programme, once adopted.</p>
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N°6 Platform work – local and regional regulatory challenge
COR-2019-02655 – SEDEC-VI/051
137th plenary session – December 2019
Rapporteur: Dimitrios BIRMPAS (EL/PES)
DG EMPL – Commissioner SCHMIT

Points of the European Committee of the Regions opinion considered essential	European Commission position
<p>8. maintains that a comprehensive framework is needed to ensure the social protection and social rights of all workers (from health and safety to access to lifelong learning), in order to create a level playing field for the platform economy and the "traditional" offline economy, based on the same rights and obligations for all interested parties;</p>	<p>The Commission agrees that the working conditions of platform workers need to be looked at in a comprehensive manner.</p> <p>In its Communication on a Strong Social Europe for Just Transitions⁴⁴, the Commission has confirmed that ‘[i]n particular, the sustainable growth of the platform economy requires improved working conditions of platform workers. A new Digital Services Act, to be presented during the second semester of 2020, will upgrade our liability and safety rules for digital platforms, services and products, and complete our Digital Single Market. At the same time, the Commission will also organise a high-level conference on platform work to discuss priority issues and possible solutions, including for example employment status, working conditions and access to social protection of platform workers, access to collective representation and bargaining, as well as cross-border aspects of platform work.’</p>
<p>9. stresses that false self-employment (also sometimes referred to as disguised or bogus self-employment) refers to cases where individuals are classified as self-employed but, to all intents and purposes, work as employees. The deliberate misclassification of workers by</p>	<p>The Commission agrees with this objective. The determination of the employment status of workers is a competence of Member States and national courts. In this context, the European Court of Justice held that ‘[t]he classification of a ‘self-employed</p>

⁴⁴ COM(2020) 14 final

<p>employers seeking to avoid employment regulations, fiscal obligations and workers' representation, as well as to shift risks onto workers and/or gain a competitive advantage, should be stamped out;</p>	<p>person' under national law does not preclude that person from being classified as an employee within the meaning of EU law if his independence is merely notional, thereby disguising an employment relationship'.⁴⁵</p> <p>The status of 'worker' within the meaning of EU law is therefore not affected by the fact that a person has been hired as a self-employed person under national law, for tax, administrative or organisational reasons.</p>
<p>11. notes the difficulties faced by the so-called "own-account workers" to have collective representation and draws attention to the fact that the biggest challenge facing social partners is to reach workers in the informal sector and in the newly emerging forms of employment such as the platform workers⁴⁶; calls therefore for measures to foster and facilitate social dialogue for this segment of the labour market;</p>	<p>In the context of a rapidly changing world of work, also social dialogue models need to be adapted, to find new ways for representing new players and those working in non-standard forms of work including platform workers. Those questions will be addressed during the high-level conference on platform work and are also being discussed by European social partners in the relevant Sectoral Social Dialogue Committees organised by the Commission.</p> <p>By means of its so-called prerogative budget lines on social dialogue, European and national social partners, as well as research organisations, can receive funding for projects allowing an exchange of good practice or developing new strategies for fostering social dialogue, including in the platform economy.⁴⁷</p>
<p>12. argues that a joint European initiative to regulate work on digital platforms should ensure a coordinated response by the Member States to the legal challenges arising from ongoing technological changes on the labour market; is</p>	<p>The Commission is aware that a number of Member States have already started to address the working conditions of platform workers. It shares the view on the need for coordinated response to avoid policy</p>

⁴⁵ FNV Kunsten Informatie en Media, C-413/13, §35.

<http://curia.europa.eu/juris/document/document.jsf?jsessionid=4AD5BBDA3C95CB78FC0545BD745527AD?text=&docid=160305&pageIndex=0&doclang=en&mode=lst&dir=&occ=first&part=1&cid=537917>

⁴⁶ European Parliament study on 'EU and ILO: Shaping the Future of Work', 2019

(http://www.europarl.europa.eu/meetdocs/2014_2019/plmrep/COMMITTEES/EMPL/DV/2019/09-03/IPOL_STU2019638407_EN.pdf)

⁴⁷ <https://ec.europa.eu/social/main.jsp?catId=329&langId=en&furtherCalls=yes&callType=2>

<p>mindful of the opportunities for professional support, knowledge capture and learning to which the new technologies, such as artificial intelligence, provide access; further underlines the need to properly manage the negative impacts of new technologies on platform workers, given that the increasing incidence of such technologies, including artificial intelligence, subjects those workers to decisions determined to a great extent by artificial intelligence algorithms;</p>	<p>fragmentation. The Commission is hence preparing a high-level conference on platform work for the third quarter of 2020 to explore ways of addressing the challenges related to working conditions of new forms of work and a Digital Services Act, to be presented during the second half of 2020.</p>
<p>13. joins the ILO's call for the establishment of an international governance system requiring platform holders to respect certain minimum rights and protections and regulating the use of data and algorithmic accountability in the world of work. This would address issues of collective representation of platform workers as well as issues linked to artificial intelligence, by requiring the application of a human-in-command approach, ensuring that final decisions affecting work are taken by humans⁴⁸; welcomes at the same time national and subnational initiatives⁴⁹, as well as platform-based initiatives launching code of conducts for crowd sourcing and crowd working;</p>	<p>The Commission agrees on the importance of social dialogue, privacy and personal data protection in a changing world of work, including platform work, and cooperates with the International Labour Organization (ILO) to seek multilateral solutions to these global challenges.</p> <p>The Commission is committed to implementing, together with the Member States, the Council conclusions on ‘The Future of Work: the European Union promoting the ILO Centenary Declaration’ adopted in October 2019. The Conclusions call on Member States and the Commission to strengthen the institutions of work, in particular labour administration and inspection, and promote the effective implementation of international labour standards for the protection of all workers, including in the new forms of work, as well as to ensure appropriate privacy and personal data protection, including in platform work.⁵⁰</p> <p>The Commission studies with interest</p>

⁴⁸ ‘Work for a brighter future’, ILO Global Commission on the Future of Work, 2019.

http://www.ilo.org/wcmsp5/groups/public/---dgreports/---cabinet/documents/publication/wcms_662410.pdf

⁴⁹ An interesting example is the initiative of the city of Milan, which launched in 2018 the ‘Riders’ Municipal Information Counter’, the first office in Italy dedicated to listening, information and advice for workers of food delivery platforms. http://www.ansa.it/lombardia/notizie/2018/07/18/a-milano-primo-sportello-per-i-rider_111a55ca-fc7b-4c16-91f7-60b1b22a3c96.html

⁵⁰ <https://data.consilium.europa.eu/doc/document/ST-13436-2019-INIT/en/pdf>

	different national and subnational initiatives, as well as platform-based initiatives launching code of conduct for crowdsourcing and crowdworking, and welcomes efforts of different actors to improve working conditions of platform workers.
15. welcomes the intention of the new president of the European Commission, Ursula von der Leyen, as voiced at the opening session of the European Parliament on 16 July 2019, to improve the labour conditions of platform workers, notably by focusing on skills and education ⁵¹ ; expects, however, that the improvements to these conditions will go beyond the aforementioned policy areas and include a proposal by the new Commission "to address the labour conditions of platform workers and actively address new forms of precariousness" ⁵² ;	The Commission approaches platform work in a multidimensional manner, including aspects of labour law, social protection and employment policy as much as aspects related to internal market regulation, digital policy, commercial law, competition law, data protection, taxation and others. All these aspects are being studied with a view to propose ways of improving the labour conditions of platform workers.
16. points to the overall need to bring up to date the current legal frameworks at EU level (i.e. E-Commerce Directive, Services Directive) to respond to the rapid expansion of the collaborative economy and to the challenges posed by globally operating platforms. Exploring the effectiveness of existing EU legislation that can apply also to platform work, such as the Directive on Transparent and Predictable Working Conditions, and accurately mapping existing forms of platform work constitute a key prerequisite for any update of the legal framework;	The e-Commerce Directive is one of the central pieces of Internet regulation in the EU. However, the nature, scale and scope of digital services has substantially evolved in particular over the last past years. To account for the changed landscape for digital services, the Commission is currently carrying out preparatory work for a Digital Services Act. As regard the Services Directive, no revision is currently foreseen.
21. recognises the complexity of contractual relations on digital platforms, but points out that	The Commission sees the improvement of working conditions of platform workers as a

⁵¹ Political Guidelines for the next European Commission 2019-2024

<https://www.europarl.europa.eu/resources/library/media/20190716RES57231/20190716RES57231.pdf>.

⁵² Introductory speech by Nicolas Schmit, Commissioner-designate for Jobs, during his hearing before the European Parliament https://multimedia.europarl.europa.eu/en/-hearing-of-nicolas-schmit-commissioner-designate-jobs-opening-statement-by-nicolas-schmit_I178011-V_v

<p>the highly diverse employment models of the traditional economy are governed by common basic rules that apply in the same way to all operators. The Committee of the Regions therefore calls for fundamental labour and social provisions to be extended to the platform economy and its workers, highlighting the need to address the social effects of the Digital Single Market at European level. A proportionate national and where necessary – given the transnational nature of the digital economy – European framework to address the regulatory challenges of work on digital platforms will create a level playing field between the traditional economy and the digital platform economy and tackle social dumping. Such a regulatory framework should also envisage prohibiting exclusivity clauses that prevent workers cooperating with other platforms;</p>	<p>priority.</p> <p>In addition to the planned initiatives described above, there are recent EU legal instruments that could be relevant for improving working conditions for platform workers. However, they are in the process of transposition or early implementation (e.g. Recommendation on Access to Social Protection⁵³, Directive on Transparent and Predictable Working Conditions⁵⁴, Platform to Business Regulation⁵⁵, General Data Protection Regulation⁵⁶, Regulation on the establishment of a European Labour Authority)⁵⁷.</p>
<p>25. supports the creation of a special working group to look into and monitor employment relationships and the classification of workers on digital platforms, as part of the work of the EU Observatory on the Online Platform Economy, set up by a Commission decision⁵⁸. The observatory, which is made up of a group of independent experts on the online platform economy and a dedicated team of Commission</p>	<p>The Commission has already addressed employment issues through its High-Level Expert Group on the Impact of the Digital Transformation on EU Labour Markets set up in May 2018.⁵⁹ The European Foundation for the Improvement of Living and Working Conditions (EUROFOUND) also has a repository on ‘Platform Economy’, which to a certain extent focuses on labour issues.⁶⁰</p>

⁵³ Council Recommendation of 8 November 2019 on access to social protection for workers and the self-employed 2019/C 387/01ST/12753/2019/INIT; OJ C 387, 15.11.2019, p. 1–8.

⁵⁴ Directive (EU) 2019/1152 of the European Parliament and of the Council of 20 June 2019 on transparent and predictable working conditions in the European Union; OJ L 186, 11.7.2019, p. 105–121.

⁵⁵ Regulation (EU) 2019/1150 of the European Parliament and of the Council of 20 June 2019 on promoting fairness and transparency for business users of online intermediation services, OJ L 186, 11.7.2019, p. 57–79.

⁵⁶ Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation), OJ L 119, 4.5.2016, p. 1–88.

⁵⁷ Regulation (EU) 2019/1149 of the European Parliament and of the Council of 20 June 2019 establishing a European Labour Authority, amending Regulations (EC) No 883/2004, (EU) No 492/2011, and (EU) 2016/589 and repealing Decision (EU) 2016/344; OJ L 186, 11.7.2019, p. 21–56.

⁵⁸ Commission Decision of 26.4.2018 on setting up the group of experts for the Observatory on the Online Platform Economy (C(2018) 2393 final)

⁵⁹ <https://ec.europa.eu/digital-single-market/en/high-level-expert-group-impact-digital-transformation-eu-labour-markets>

⁶⁰ <https://www.eurofound.europa.eu/data/platform-economy>.

<p>officials, has already started work and provides the Commission with advice and expertise on developments in the online platform economy. The Committee of the Regions can contribute to the group's work with best practices at local, regional and cross-border level, which reinforce, inter alia, skills development for staff of local and regional authorities; calls, therefore, for an observer status within the Observatory;</p>	<p>In addition, the coordination between the afore-mentioned High-Level Expert Group and the Observatory for the Online Platform Economy is ensured through some overlap in the participants in both work strands. In view of this, the current work programme of the Expert Group for the Online Platform Economy did not include any labour aspects in the online platform economy.</p> <p>However, in its discussions on the future of the Observatory, the Commission will reflect on possibilities to take the Committee's concrete suggestion into account.</p>
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N°7 Local and regional authorities shaping the future Eastern Partnership
COR-2019-03731 – CIVEX-VI-046
137th plenary session – December 2019
Rapporteur: Tadeuš ANDŽEJEVSKI (LT/ECR)
DG NEAR – Commissioner VÁRHELYI

Points of the European Committee of the Regions opinion considered essential

European Commission position

General comment on the opinion:

The Commission concurs with the Committee on the value of the Eastern Partnership. It welcomes the Committee contribution as a key input to the debate on the achievements and the future of the Eastern Partnership.

As requested by the European Council in June 2019 and as specified in the Mission Letter by President von der Leyen to the Commissioner for Neighbourhood and Enlargement, the Commission presented a new set of long-term policy objectives in March 2020, with a view to the next Eastern Partnership Summit.

Involvement of local and regional authorities in focal regions has increased in the current policy framework and will be further developed in the future.

The Communication includes proposals on EU support to public health in the partner countries, in particular regarding support to better addressing communicable and non-communicable diseases as in the case of the current pandemic of COVID-19.

The Commission has mobilised a support package of €140 million for the most immediate needs in our Eastern Partnership countries tackling the coronavirus crisis. This includes support for supplied needed for medical and health emergency; support for vulnerable groups mostly through civil society; and support for the real economy, notably small and

	<p>medium-sized enterprises (SMEs). Reorientation and acceleration of ongoing funds under bilateral programmes to provide additional responses to the current COVID-19 crisis are actively being explored. The Commission continues to closely cooperate at all levels, including regional and local, to ensure communication to the public and immediate impact of the support package.</p>
<p>3. specifically urges that the legal framework determining the shape of the EaP be broadened, e.g. adding annexes to the association agreements signed by Ukraine, Georgia and Moldova enabling them to take part in the next EU programmes. (...);</p>	<p>The Commission supports full implementation of the Association Agreements and Deep and Comprehensive Free Trade Areas with Ukraine, Georgia and the Republic of Moldova, and is ready to deepen sectoral cooperation where appropriate.</p> <p>At the same time, it is important to find the right balance between differentiation and inclusiveness in the post-2020 Eastern Partnership policy framework. More engagement with those partner countries that are committed to undertake reforms will be key.</p>
<p>8. points out that civil society and local and regional authorities (LRAs) have an important role to play in strengthening the rule of law (...);</p>	<p>The Commission intends to continue working on the outstanding issues from the current Eastern Partnership objectives, notably the rule of law, the fight against corruption and the role of independent media and civil society.</p> <p>Successful current initiatives with focal regions, with Mayors for Economic Growth (M4EG) and with the Covenant of Mayors East (CoM East) will be further developed.</p>
<p>15. welcomes stronger engagement with all partners in modernising education, research and innovation systems, and improving their quality performance and competitiveness, (...);</p>	<p>The current Eastern Partnership policy framework addresses youth, education and training, digital, and research and innovation. The common engagement focuses on reforms and modernisation agenda, which will be further reinforced. The strategic role of education reforms was recognised in the Eastern Partnership Ministerial Meeting on Education on 22 November 2019.</p>

<p>17. advocates strengthening the capacity and quality of public administration in the EaP countries at all levels, particularly that of local and regional authorities. The Committee supports improving civil servants' qualifications and increasing transparency in the recruitment of public employees and in public decision-making, including implementing anti-corruption standards and making decisions on the basis of democratic mechanisms;</p>	<p>Governance and rule of law were the highest priority identified by Member States and partner countries during the structured consultation. The reform of public administration at national, regional and local levels should be continued in the post-2020 policy framework.</p>
<p>44. (...) The Committee (...) welcomes investment in the EaP countries under the indicative TEN-T Investment Action Plan (...) helping to develop communication links between the towns and regions of the EaP. (...);</p>	<p>Trans-European Transport Network (TEN-T) will remain an important connectivity element of post-2020 Eastern Partnership strategy.</p>
<p>33. furthermore, recommends introducing programmes to support energy efficiency and development of renewable energy in the EaP countries (...) and (...) welcomes the <i>Covenant of Mayors East (CoM East)</i> initiative to promote and implement EU energy and climate policy targets in the EaP countries. (...);</p>	<p>In addition to the Mayors for Economic Growth (M4EG) and the Covenant of Mayors East (CoM East) regional initiatives mentioned above, the high-level energy efficiency initiative supports these issues in bilateral relations with individual countries.</p> <p>Environment and climate issues are key horizontal priorities for the new Commission, as reflected in the Communication, 'The European Green Deal', adopted on 11 December 2019⁶¹.</p>
<p>36-41. Development of cross-border cooperation</p>	<p>Cross-border cooperation offers opportunities for regional and local stakeholders in Member States and partner countries to cooperate on an equal footing. It should be supported by the Neighbourhood, Development and International Cooperation Instrument (NDICI) and the European Regional Development Fund (ERDF) for the period 2021-2027. Cross-border cooperation remains an important element of the Eastern Partnership policy.</p>

⁶¹ COM(2019) 640 final.

<p>N° 8 The European Commission Report on Competition Policy 2018 COM (2019) 339 final COR-2019-03686 – ECON-VI/049 137th plenary session – December 2019 Rapporteur: Dominique LEVEQUE (FR/PES) DG COMP – Executive Vice-President VESTAGER</p>	
<p>Points of the European Committee of the Regions opinion considered essential</p>	<p>European Commission position</p>
<p><i>United Kingdom withdrawal from the EU</i></p> <p>4. The Committee of the Regions deeply regrets that the United Kingdom-European Union withdrawal agreement of 17 October 2019 no longer contains binding measures guaranteeing that in future, the United Kingdom will comply with EU rules and regulations on State aid, competition and relevant tax matters. The United Kingdom's commitment, which is neither binding nor specific, to maintain "a level playing field" thanks to "common high standards" in these areas, as stipulated in the political declaration accompanying the agreement, provides inadequate protection for the United Kingdom's citizens, workers and businesses;</p> <p>5. The Committee of the Regions notes that the United Kingdom (UK) will remain subject to EU competition rules at least until the date on which it leaves the EU. Investigations opened before this date might not be finalised until after the date has passed; however, the decisions arising from these investigations will still have to be implemented; welcomes in this regard the clarifications provided by the Commission in its notice of 25 March 2019 on the consequences of the UK's withdrawal for EU⁶² competition law, but regrets that this</p>	<p>Following the notification of Article 50 of the Treaty on European Union by the United Kingdom, the Commission has established a Task Force for the Preparation and Conduct of the Negotiations in the relevant areas to prepare the withdrawal of the United Kingdom from the European Union.</p> <p>According to the Withdrawal Agreement between the European Union and the United Kingdom⁶³, Union law shall be applicable to and in the United Kingdom during the transition period, which will end on 31 December 2020. After the transition period, the Union shall continue to be competent for antitrust, merger, and state aid procedures, which are ongoing at the end of the transition period. Pursuant to the Withdrawal Agreement, the Union will also continue to be competent to open new State aid procedures after the end of the transition period on State aid illegally granted prior to the end of the transition period. In addition, pursuant to the Protocol on Ireland/Northern Ireland to the Withdrawal Agreement⁶⁴, EU State aid rules would continue to apply in respect of aid that affects trade between Northern Ireland and the EU. The Commission and the European Court of Justice will remain competent to control such aid. The negotiating directives adopted by the Council and which</p>

⁶² https://ec.europa.eu/info/sites/info/files/file_import/eu-competition-law_en.pdf

⁶³ Withdrawal Agreement between the European Union and the United Kingdom; OJ C 384I, 12.11.2019, p. 1–177.

<p>notice only deals with antitrust and merger control;</p>	<p>constitute a mandate to the Commission for the negotiations of the future EU-UK partnership establish that the future partnership must ensure open and fair competition, encompassing robust commitments to ensure a level playing field. It also states that the envisaged agreement should uphold common high standards in the areas of State aid and competition.</p>
<p><i>EU competition policy and industrial strategy</i></p> <p>8. proposes a methodological turnaround in the monitoring of research, development and innovation (RDI) by limiting the Commission's ex ante controls to a minimum, shortening the deadlines for examining this aid, and simplifying the measures for important projects of common European interest (IPCEIs)⁶⁵. Such a turnaround would facilitate the implementation of IPCEIs, only one of which, in the microelectronics sector, has been successfully launched for a total of EUR 1.75 billion. The IPCEI project for the development and production of next generation battery cells and modules (with a total investment of EUR 6 billion and EUR 1.2 billion in State aid) was presented to the Commission last May;</p>	<p>Competition policy contributes to a modern European industrial policy, with the aim of rendering European companies more innovative and therefore competitive internationally. EU State aid rules support this where there are market failures and the need to strengthen value chains.</p> <p>In June 2014, the Commission adopted a Communication on Important Projects of Common European Interest (IPCEI), setting out criteria under which Member States can support transnational projects of strategic significance for the EU⁶⁶. This framework aims to encourage Member States to jointly design and support large integrated projects that make a clear contribution to economic growth, sustainability, jobs and the competitiveness in Europe. They also require extensive dissemination and spill over commitments of new knowledge throughout the EU and a detailed competition assessment to minimise any undue distortions. The IPCEI framework complements other State aid rules such as the General Block Exemption Regulation (GBER)⁶⁷ and the Research, Development and Innovation Framework⁶⁸, which allows supporting innovative projects whilst ensuring that potential competition distortions are limited.</p>

⁶⁴ https://ec.europa.eu/commission/sites/beta-political/files/revised_withdrawal_agreement_including_protocol_on_ireland_and_nothern_ireland.pdf

⁶⁵ Franco-German manifesto for an industrial policy for the 21st century <https://ue.delegfrance.org/manifeste-franco-allemandpour-une>

⁶⁶ In line with Article 107(3)(b) of the Treaty on the Functioning of the European Union (TFEU).

⁶⁷ http://ec.europa.eu/competition/state_aid/legislation/block.html

⁶⁸ Communication from the Commission — Framework for State aid for research and development and innovation, OJ C 198, 27.6.2014, pp. 1–29.

	<p>In December 2018 and 2019, the Commission found that two projects jointly notified by a number of Member States in the European strategic value chains of microelectronics and batteries, respectively, are in line with EU State aid rules and contribute to a common European interest⁶⁹. Given the rather high amounts of aid that may be involved in such large cross-border Important Projects of Common European Interest (IPCEI), an ex-ante State aid and distortion of competition assessment is necessary. The Commission has already demonstrated in the batteries IPCEI that it can conclude its assessment within very short deadlines when the Member States provide good quality information and data in a timely manner.</p>
<p><i>State aid – general considerations</i></p> <p>11. points out once again that it feels strongly that the 2016 Commission communication on State aid is a springboard for public authorities to gain a better understanding of this complex issue. Nonetheless, asks the Commission to update it in light of developments in its decision-making process and European case law, particularly as regards selectivity;</p>	<p>The Commission welcomes the appreciation for the Notice on the notion of State aid. Besides providing clarifications on a number of points particularly important for public investment, the Notice gives general guidance on all aspects of the definition of State aid. It does so by systematically summarising the case law of the EU courts and the Commission's decision-making practice. As such, the Notice should be updated when developments in the case law are observed, which would require further updates.</p>
<p>12. calls on the Commission to raise the ceiling for de minimis aid from EUR 200 000 to EUR 500 000 over a period of three fiscal years given that this ceiling was established in 2006;</p> <p>21. notes that on 7 December 2018 the Commission approved the extension of the period of application of its De minimis Regulation for companies providing SGEIs until 31 December 2020. In this context, the</p>	<p>In accordance with the Better Regulation framework, the Commission launched in June 2019 an evaluation of the State aid rules for health and social Services of General Economic Interest (SGEI) and the SGEI de minimis Regulation,⁷⁰ which expires in December 2020. As part of this evaluation, a public and a targeted consultation were carried out between July and December 2019.</p> <p>By carrying out the evaluation, the Commission</p>

⁶⁹ https://ec.europa.eu/commission/presscorner/detail/en/IP_18_6862, and https://ec.europa.eu/commission/presscorner/detail/en/ip_19_6705

⁷⁰ https://ec.europa.eu/info/law/better-regulation/initiatives/ares-2019-3777435_en

<p>Committee notes that it has requested the following:</p> <ul style="list-style-type: none"> – that the de minimis thresholds for State aid for SGEIs be raised (beyond compensatory measures up to EUR 500 000 over any period of three fiscal years); – that the definition of "reasonable profit" of an SGEI be revised, in particular so as to reflect the fact that, through incentives or an increase in the percentage of recognisable reasonable profit, such profit is often reinvested in SGEIs; 	<p>aims to get a better and more detailed understanding of the potential issues that Member States may have had in implementing the rules. Moreover, the Commission will assess to what extent the current rules have encouraged and/or deterred Member States from designing new or adapting existing Services of General Economic Interest (SGEI) compensation measures for health and social services in line with the currently applicable SGEI rules.</p>
<p>14. takes note of the public consultation conducted between 6 June and 27 September 2019 on the proposal to revise the GBER with a view to accompanying the next Multiannual Financial Framework (MFF) and intended to identify the simplest and most effective means possible of facilitating a mix of national funding and funding from the EU budget; welcomes in particular the proposal to extend the current block exemption, which is limited to aid to SMEs, to large undertakings without prior notification (Article 20); also welcomes the fact that the GBER may provide for simplified block exemptions for very low amounts of aid granted to ETC projects (up to EUR 20 000 per undertaking and per project) (Article 20a); lastly, supports the increase in the aid intensity ceiling for SMEs to 80% points, however, to two further concerns:</p> <ul style="list-style-type: none"> i) the need to clarify that use of own resources by public bodies taking part in projects does not count as government contributions when calculating maximum aid intensity rates; and ii) confirmation that aid granted under Article 20a is not subject to the requirement for reporting (Article 11) and monitoring (Article 12) of the GBER and does not entail any information requirement on the part of 	<p>Given that the review process is still ongoing, those considerations will be assessed together with all the comments received. Moreover, a further public consultation is envisaged in the course of 2020.</p>

third parties;	
<p>15. takes note of the Commission's Communication on the recovery of unlawful and incompatible State aid, published on 22 July 2019⁷¹, as part of the implementation of Council Regulation 2015/1589 of 13 July 2015 laying down detailed rules for the application of Article 108 of the Treaty on the Functioning of the European Union. Within this legal framework, the communication in question provides no abatements to recipients of State aid and in particular de minimis State aid. The limitation period of 10 years for de minimis aid has therefore not been reduced, even though, as a result of procedural steps with suspensory effect, it is in fact much longer. Nor has the Commission agreed to waive recovery in cases where it has created a legitimate expectation, when the information necessary for recovery is not available or when a decision on the part of a national court that specifically deals with the existence of aid becomes definitive. In addition, the Commission considers that, if the total amount of aid cannot be recovered, not only must the beneficiary be declared insolvent, but no restructuring or temporary continuation of its activity may be authorised without first recovering the full amount. This approach is difficult to reconcile with the aim of national and European insolvency proceedings. Although State aid recovery procedures aim to retroactively remove the distorting effects of unlawful aid, corporate restructuring under insolvency law also takes account of other objectives, such as maintaining employment. The CoR therefore calls on the Commission to consider presenting a proposal to amend</p>	<p>The Commission would like to recall that de minimis aid is not formally aid and it is therefore not covered by the 10 years limitation period and cannot be subject to a recovery obligation. Final Commission decisions do usually refer explicitly to the fact that aid complying with the applicable de minimis regulation at the time of granting of the aid, should not be recovered.</p> <p>Concerning exemptions from the obligation to recover the aid, section 2.4 in the 2019 Communication on recovery⁷² looks at exceptions to the recovery obligation and reflects the applicable case-law in that field. Exceptions have to be interpreted in a very narrow way, because aid that has to be recovered is in first instance illegal aid, i.e. aid granted without being notified, infringing thereby the stand-still obligation provided by article 108(3) of the Treaty on the Functioning of the European Union (TFEU).</p> <p>The Commission looks at each case on its merits, applying possible exceptions to recovery, in line with the current stage of the case law. For example, the Court of Justice has interpreted strictly the conditions of finding absolute impossibility to recover in Joined Cases C-622/16P to C-624/16P, <i>Scuola Elementare Maria Montessori v Commission</i>, EU:C:2018:873, paragraphs 96-97. Member States and the Commission are called to cooperate in executing the Commission recovery decisions, and look together at the difficulties encountered by the Member States. Regarding cooperation with national courts, the Commission has put in place cooperation tools allowing national courts to gain insight from the Commission when faced with State aid issues. These tools are, however, rarely used by the national courts, as revealed by the</p>

⁷¹ https://ec.europa.eu/competition/state_aid/legislation/recovery_notice_en.pdf

⁷² Communication from the Commission – Commission Notice on the recovery of unlawful and incompatible State aid, C/2019/5396, OJ C 247, 23.7.2019, pp. 1–23.

<p>Regulation 2015/1589;</p>	<p>study commissioned by the Commission on the enforcement of State aid law by national courts⁷³. The Commission would therefore like to make this possibility more known to the national judges, to strengthen the cooperation between national courts and the Commission on State aid matters.</p> <p>The need for the obligation for Member States to opt for an insolvency procedure if no full recovery by the beneficiary is possible is detailed in paragraph 127 of the Communication on recovery. Thus, allowing for a more flexible approach would perpetuate the granting of an illegal and incompatible aid. Furthermore, the Rescue and Restructuring Guidelines⁷⁴ allow Member States, under certain conditions, to grant temporary aid measures allowing companies to tackle particular problems.</p>
<p>16. points out that the arrangements for State aid in the banking sector have not changed since August 2013⁷⁵ while the economic context has been transformed, and the question therefore arises of whether the precondition that any aid should help to "remedy a serious disturbance in the economy of a Member State" (Article 107(3)(b) TFEU) is still relevant;</p>	<p>The Commission continuously monitors, based on sector developments and experience gained in State aid cases, whether it needs to evaluate or update the relevant State aid rules. The Commission considers that it is still appropriate to use Article 107(3) (b) the Treaty on the Functioning of the European Union (TFEU) as the basis for the assessment of State aid to the financial sector. In particular, the Commission notes that legacy problems such as bad loans and bad bank governance continue to persist in some areas. In addition, banks have not finished building up adequate levels of own funds to support a possible resolution and the Banking Union has not yet been completed.</p>
<p><i>State aid for environmental and energy transition</i></p> <p>22. stresses the importance of ensuring that the</p>	<p>In January 2019, the Commission launched a process aimed at, firstly, prolonging the validity of those State aid rules that would otherwise expire</p>

⁷³ <https://ec.europa.eu/competition/publications/reports/kd0219428enn.pdf>

⁷⁴ Communication from the Commission – Guidelines on State aid for rescuing and restructuring non-financial undertakings in difficulty, OJ C 249, 31.7.2014, pp. 1–28.

⁷⁵ Communication from the Commission on the application, from 1 August 2013, of State aid rules to support measures in favour of banks in the context of the financial crisis:
[https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:52013XC0730\(01\)&from=EN](https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:52013XC0730(01)&from=EN)

<p>Commission's policy on aid for environmental and energy protection is fully in line with the implementation of the Paris Agreement under the UNFCCC, promotes sustainable energy in the form of renewable energies and greater energy efficiency, as well as combating energy poverty, securing energy supply and strengthening territorial cohesion; calls in this context for an end to State aid for fossil fuel extraction;</p> <p>25. intends to contribute the following elements to the forthcoming revision of the Guidelines on State aid for environmental protection and energy:</p> <ul style="list-style-type: none"> – requires that State aid for biomass and bio-methane be subject to guarantees of origin; – recommends the introduction of provisions on storage and self-consumers of renewables, ensuring consistency with the revised Renewable Energy Directive (in particular Articles 21 and 22); – calls for the granting of aid to be linked to an obligation for transparency whereby costs that are passed on to consumers are clearly defined in invoices (in line with Directive 2019/944 on the energy market); – suggests that point 220 of the guidelines be amended so that Member States are obliged to demonstrate that they have prioritised alternative means of achieving the aim of gradually phasing out environmentally or economically harmful subsidies, such as giving priority to demand management and energy efficiency measures, increasing interconnection capacity and opening up the system to renewable energy;⁷⁶ 	<p>by the end of 2020 – and secondly, at evaluating the rules under the State Aid Modernisation package in line with its Better Regulation Guidelines. The evaluation takes the form of a ‘fitness check’, with the aim of analysing the relevance, effectiveness, efficiency, coherence and EU-added value of these State aid rules – and of providing a basis for decisions by the Commission regarding the potential further prolongation or possibly updating of the rules. The current ‘fitness check’ covers two Regulations and nine Guidelines, including the Environmental and Energy Guidelines.</p> <p>In December 2019, the Commission adopted the ‘European Green Deal’ Communication⁷⁷, outlining policy initiatives to reach net-zero greenhouse gas emissions by 2050, explaining that the EU Environmental and Energy Guidelines will be revised by 2021 to reflect the policy objectives of the ‘European Green Deal’. Furthermore, in January 2020, the Commission adopted the ‘Sustainable Europe Investment Plan - European Green Deal Investment Plan’ Communication⁷⁸, outlining potential further facilitation in State aid, while ensuring a level-playing field in the internal market.</p> <p>Moreover, the Commission is currently evaluating its Guidelines on certain State aid measures in the context of the greenhouse gas emission allowance trading scheme post-2012 (ETS Guidelines)⁷⁹ and preparing their revision to ensure that they are adapted to EU’s new emissions trading scheme for 2021-2030⁸⁰. On 14 January 2020, the Commission launched a public consultation inviting all interested parties to comment on the revised ETS Guidelines, by 10 March 2020⁸¹. The ETS Guidelines aim at reducing the risk of ‘carbon leakage’, which occurs when companies</p>
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⁷⁶ Guidelines on State aid for environmental protection and energy 2014-2020, <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A52014XC0628%2801%29>

	<p>move production to countries outside the EU with less ambitious climate policies, leading to less economic activity in the EU and no reduction in greenhouse gas emissions globally.</p>
<p>27. reiterates its call⁸² "for coal regions to be identified as assisted areas in accordance with Article 107(3)(a) and (c) of the Treaty on the Functioning of the European Union (TFEU), and for the EU aid rules for these special regions to be adapted so as to enable measures to be taken to deal with structural change [...]. In addition, consideration should be given to whether such support measures could be based on Article 107(3)(b) TFEU, given the high-profile and exemplary importance of the climate-resilient transformation of coal regions for EU energy and climate policy";</p>	<p>State aid rules already provide many possibilities for Member States to help their less economically developed regions to catch up: from support which can be given without any geographical limitation (for example for investments by small and medium-sized enterprises, for research and innovation projects, for infrastructure projects, etc.) to support which is allowed only in disadvantaged regions (for example investment aid for companies of all sizes in many productive sectors). The Commission notes that already today many of the European coal regions are located in assisted areas and covered by the regional aid maps, thereby allowing the grant of regional investment aid. In addition, since 2017, the Platform for Coal Regions in Transition initiative, is supporting coal and carbon-intensive regions in their transformation.</p> <p>The flexible approach called for by the Committee has also to factor in that State aid control helps ensuring a level playing field within the EU's Single Market.</p>
<p>31. once again calls on the Commission to raise the threshold for applying the GBER to aid for regional airports significantly above</p>	<p>As mentioned above, the Commission is currently conducting a 'fitness check' in the State aid area to assess their relevance, effectiveness, efficiency,</p>

⁷⁷ Communication from the Commission to the European Parliament, the European Council, the Council, the European Economic and Social Committee and the Committee of the Regions 'The European Green Deal', COM(2019) 640 final.

⁷⁸ Communication from the Commission to the European Parliament, the European Council, the Council, the European Economic and Social Committee and the Committee of the Regions 'Sustainable Europe Investment Plan - European Green Deal Investment Plan': https://ec.europa.eu/commission/presscorner/detail/en/fs_20_48.

⁷⁹ https://ec.europa.eu/info/law/better-regulation/initiatives/ares2018-6600267_en

⁸⁰ Directive (EU) 2018/410 of the European Parliament and of the Council of 14 March 2018 amending Directive 2003/87/EC to enhance cost-effective emission reductions and low-carbon investments, and Decision (EU) 2015/1814, OJ L 76, 19.3.2018, pp. 3–27.

⁸¹ https://ec.europa.eu/competition/consultations/2020_ets_stateaid_guidelines/index_en.html

⁸² Points 29-31 of the European Committee of the Regions draft opinion on 'The socioeconomic transformation of coal regions in Europe', rapporteur Mark Speich (EPP/DE), adoption of the opinion scheduled for the plenary session of 8-9 October 2019.

<p>the current threshold of 200 000 passengers per year, in view of the fact that they have no significant impact on trade between the Member States, they are structurally unable to cover their operating and investment costs⁸³ and this State aid is intended to develop safe and sustainable air transport infrastructure in underserved regions⁸⁴;</p>	<p>coherence and EU-added value. The 2014 Guidelines on State aid to airports and airlines⁸⁵ and the relevant rules under the 2017 General Block Exemption Regulation (GBER)⁸⁶ are part of this ongoing exercise.</p>
<p>32. regrets that, contrary to what the CoR had requested, the proposals made by the Commission in June 2018 for a post-2020 CAP reform did not include proposals for revising the competition rules applicable to the agricultural sector; calls therefore on the Commission to reconsider, irrespective of the inter-institutional monitoring of post-2020 CAP legislative proposals, its hitherto very restrictive interpretation of Article 101 TFEU in the horizontal guidelines, and not to hinder collective agreements concluded by producer organisations;</p>	<p>Certain derogations to Article 101 of the Treaty on the Functioning of the European Union (TFEU) exist in the Common Market Organisation (CMO) Regulation⁸⁷ (see Report of 26 October 2018 on the application of the Union competition rules to the agricultural sector)⁸⁸. Since 2018, the ‘Omnibus Regulation’⁸⁹ has allowed recognised producer organisations and their associations, by way of derogation from Article 101 TFEU, to engage in practices such as production planning and contractual negotiations, pursuant to Article 152 of the Common Market Organisation (CMO) Regulation.</p> <p>In view of such substantive changes, which enlarge the scope of agreements of farmers and provide more legal certainty to the latter, the Commission remains at the disposal of the Committee to discuss what specific points in the horizontal guidelines are still seen as ‘restrictive’</p>

⁸³ Committee of the Regions opinion of 28 November 2013 on EU guidelines on State aid to airports and airlines (COTER-V-043).

⁸⁴ Decision of the European Commission on Angoulême airport, 23 July 2014: http://europa.eu/rapid/press-release_MEMO-14-498_en.htm

⁸⁵ Communication from the Commission — Guidelines on State aid to airports and airlines; OJ C 99, 4.4.2014, p. 3–34; <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A52014XC0404%2801%29>

⁸⁶ 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, p. 1–18 <https://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1497952641554&uri=CELEX:32017R1084>

⁸⁷ Regulation (EU) No 1308/2013 of the European Parliament and of the Council of 17 December 2013 establishing a common organisation of the markets in agricultural products and repealing Council Regulations (EEC) No 922/72, (EEC) No 234/79, (EC) No 1037/2001 and (EC) No 1234/2007; OJ L 347, 20.12.2013, p. 671–854.

⁸⁸ COM(2018) 706 final, https://ec.europa.eu/competition/sectors/agriculture/report_on_competition_rules_application.pdf

⁸⁹ <https://www.consilium.europa.eu/en/press/press-releases/2018/07/16/omnibus-regulation-simpler-rules-for-use-of-eu-funds-adopted/>

	and as ‘hinder[ing] collective agreements concluded by producer organisations’.
36. calls for the establishment of European legislation that enables the relevant level of governance (local, regional, national or European), which has authorised platforms to perform services of general interest, to be able to access and monitor the algorithms used by these platforms;	<p>The Commission monitors the online platform economy on an on-going basis, including through the Observatory on the online platform economy. This space consisting of over 10 000 mainly small platform companies offers important opportunities, including in terms of cross-border entrepreneurship, but also raises a range of important questions including the functioning of algorithms.</p> <p>The recent regulation on promoting fairness and transparency for business users of online intermediation services⁹⁰ in addition already establishes an EU-wide rule requiring the transparency of ranking algorithms off all online platforms and search engines. A new Digital Services Act, announced in the presidential political guidelines and in the Commission Work programme 2020, should ‘upgrade our liability and safety rules for digital platforms, services and products, and complete our Digital Single Market’. To this end, preliminary evidence gathering and impact assessment work will analyse also the issues raised by algorithmic systems used by online platforms, as well as an appropriate oversight and enforcement mechanisms.</p>
37. supports a greater degree of control over acquisitions of start-ups by dominant or systemic platforms and/or ecosystems; also recommends that the jurisdictional thresholds set out in the EU Merger Regulation be amended so that acquisitions are assessed not only on the basis of turnover, but also on the value of the transaction, in order to better assess the competitive potential of start-ups,	The Commission increasingly has to assess mergers involving digital issues, both in the digital and traditional industries, and their number is likely to continue growing. That is why the Commission welcomed the input provided by the three independent Special Advisers in their report of April 2019 ⁹¹ on digitisation and competition law, designed to provide input to the Commission's ongoing reflection process about

⁹⁰ Regulation (EU) 2019/1150 of the European Parliament and of the Council of 20 June 2019 on promoting fairness and transparency for business users of online intermediation services; OJ L 186, 11.7.2019, p. 57–79.

⁹¹ Report on ‘Competition policy for the digital era’: <https://ec.europa.eu/competition/publications/reports/kd0419345enn.pdf>

<p>which in general do not follow a short-term profit model;</p> <p>39. also calls on the Commission to consider modifying Regulation 139/2004 and updating the current guidelines on mergers. In concrete terms, the Commission should ensure that the structural commitments it requires to authorise mergers do not result in the sale of strategic assets to non-European competitors (as has occurred in 50% of cases since 2010). Moreover, the timeframe of the Commission's analysis is in principle fixed at two to three years, which does not allow for anticipation of any major changes related to the entry of innovative actors into the market, especially in the digital sector. Therefore, the Horizontal Merger Guidelines could be amended by deleting the reference to the two-year deadline (point 74) and by stipulating that the timeframe of the analysis "depends on the characteristics and dynamics of the market, as well as on the specific capabilities of potential entrants";</p>	<p>how competition policy can best serve European consumers in a digital, fast-changing world. Furthermore, the Commission is currently carrying out further research on the different topics covered by the evaluation of selected procedural and jurisdictional aspects of EU merger control, launched in 2016, and will reflect on whether further action is required at this stage.</p> <p>The Commission regularly monitors and re-examines its competition tools and processes, adapting them where necessary to ensure that they continue to be fully effective. For example, the Commission has been actively reflecting on any necessary adjustments to EU competition rules and enforcement due to digitisation.</p> <p>With respect to structural remedies in merger cases, the Commission carefully assesses proposed purchasers to ensure that they maintain competition for the benefit of EU consumers. The Commission checks that the purchaser is independent of the merging companies, that it has the financial resources, expertise and incentive to maintain and develop the divested business and that the divestment is not likely to create competition concerns. In mergers cleared in 2018, two-thirds of approved purchasers of remedy businesses were from the European Economic Area (EEA) countries (2019 statistics are not yet available, since many structural remedies are still being implemented).</p> <p>Regarding the timeframe for the Commission's merger analysis, it is very case and industry specific. The Commission takes into account all factors and likely market developments that are known or can reasonably be foreseen, to avoid speculative predictions. While the Horizontal Merger Guidelines mention that entry 'normally' has to take place within two years to be taken into account, in practice, and depending on the industry characteristics, the Commission often analyses longer periods. For example, in the case of</p>
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	<p><i>Bayer/Monsanto</i>, potential entry in one of the markets was assessed in the timeframe of 8-10 years; in the case of <i>Siemens/Alstom</i> the potential entry of Chinese competitors was assessed in the timeframe of 5-10 years.</p> <p>The Special Advisors take the view that a change to the EU Merger Regulation is not necessary at this point in time. Regarding jurisdiction, the Special Advisers consider it premature to amend the notification thresholds of the Merger Regulation to cater for acquisition of small but valuable start-ups. As regards substantive merger assessment, the Special Advisers find that the current test remains a sound basis for assessing mergers in the digital economy. However, they propose to revisit certain theories of harm, to assess acquisitions of small start-ups by dominant platforms or ecosystems, in particular where such acquisition can eliminate a potential competitive threat and further lock users within their ecosystem.</p>
<p>38. stresses that the Commission's competition analysis needs to take better account of the issue of state control and subsidies granted to companies that can distort competition, especially in the case of competitors from third countries;</p>	<p>The Commission continues to support discussions on enhanced subsidy disciplines in the World Trade Organisation and the Organisation for Economic Co-operation and Development. It has also created a dedicated forum with EU Member States to raise awareness as regards international subsidy policies and to exchange views on ongoing developments at multilateral and bilateral level, as well as regarding subsidies given by third countries. In addition, the Joint Communication by the Commission and the High Representative on 'EU-China strategic outlook'⁹² proposes ten actions, out of which action 8 states that the Commission will identify how to fill existing gaps in EU law, in order to address distortive effects of foreign state ownership and state financing in the internal market. The Commission is reflecting on options for an additional instrument that would</p>

⁹² JOIN(2019) 5 final.

	address these distortive effects, with a view to present a white paper in the second quarter of 2020.
<p><i>The global dimension of competition policy</i></p> <p>40. considers that the Commission should not only focus on the inclusion of chapters on competition when concluding new free-trade agreements, but should also monitor the implementation of agreements that have already been signed and should provide for retaliatory measures when European companies' access to foreign markets is restricted. In order to do so, it is necessary to explore the possibility of creating the role of "chief enforcer" within the Commission;</p>	<p>The monitoring of the implementation of trade agreements is part of the Commission's day-to-day work. Since 2017, the Commission has reported annually on the implementation of EU preferential trade agreements. The latest report was published on 15 October 2019⁹³. Furthermore, each new bilateral trade agreement now includes a bilateral dispute settlement mechanism, which can be activated by any of the party, which considers that the partner country has failed to implement some of its commitments. The Commission has currently launched three cases using the dispute settlement regime of bilateral agreements (with South Korea, Ukraine and the South African Customs Union). Furthermore, EU preferential trade agreements are subject to regular ex-post evaluations. The most recent evaluation, which was completed, concerns the EU South Korea agreement. Moreover, in December 2019, the Commission created the position of Chief Trade Enforcement Officer. The post is expected to be filled by mid-2020.</p>
<p>41. calls for the legislative procedure for the adoption of the International Procurement Instrument to be relaunched, as proposed by the Commission in 2016 and with a view to opening up public procurement to international competition. Indeed, an instrument of this kind seems indispensable given that, during the negotiations within the WTO on the revision of the Government Procurement Agreement and bilateral negotiations with third countries, the EU confirmed that it was opening up its public contracts, worth around EUR 352 billion,</p>	<p>Following the Joint Communication by the Commission and the High Representative on 'EU-China strategic outlook'⁹⁴ calling for the adoption of the International Procurement Instrument (IPI) and the March 2019 European Council conclusions demanding to resume discussions, IPI has been on the agenda in the Council at working party level since May 2019. The Commission's proposal for the adoption of the International Procurement Instrument (IPI) aims at providing leverage of the EU for opening public procurement markets of third countries in plurilateral (Agreement on Government</p>

⁹³ https://ec.europa.eu/commission/presscorner/detail/en/ip_19_6074

⁹⁴ JOIN(2019) 5 final.

<p>while some countries signing the agreement only include public procurement in their schedules in a limited way (the United States, worth EUR 178 billion, and Japan, worth EUR 27 billion);</p>	<p>Procurement – GPA) and bilateral (Free Trade Agreement – FTA) negotiations.</p>
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N°9 Covenant of Mayors post 2020
COR 2019-01804 – ENVE-VI/042
137th plenary session – December 2019
Rapporteur: Benedetta BRIGHENTI (IT/PES)
DG CLIMA – Executive Vice-President TIMMERMANS

Points of the European Committee of the Regions opinion considered essential	European Commission position
<p>1. points out that the major international studies on climate change underscore the urgent need to implement ambitious climate policies and that European public opinion is becoming increasingly concerned about this issue. In this respect, the Committee looks forward to the proposals for the establishment of a European Green Deal and a European Climate Law by the new European Commission and calls on the European Commission and all the Member States to acknowledge that the Covenant of Mayors is a key tool for responding to the climate emergency and for steering local and regional authorities (LRAs) in the transition towards climate neutrality and climate change adaptation, with due regard for the commitments made under the Paris Agreement and the 2050 long-term strategy. It can be a key complement to the involvement of local and regional authorities in drawing up integrated national energy and climate plans;</p>	<p>As reflected in the Communication on the European Green Deal⁹⁵, the Commission acknowledges that the EU Covenant of Mayors will continue to be a central force in its work to empower regional and local communities in their development of sustainable urban development strategies.</p> <p>The role of local and regional authorities in drawing up integrated national energy and climate plans is further recognised in the 2018 Regulation on the Governance of the Energy Union and Climate Action⁹⁶. Its Article 30 requires Member States to establish a permanent multi-level energy dialogue, bringing together local authorities, civil society organisations, the business community, investors and other relevant stakeholders to discuss the different options envisaged for energy and climate policies.</p>
<p>3. calls on the European Commission to be more vigorous in supporting the 2050 target in the Covenant of Mayors. The Committee also asks the Commission to consider expanding the initiative's remit to ensure a more effective response to the cross-cutting challenges and opportunities presented to LRAs by climate neutrality, including new optional sectors such</p>	<p>The Commission actively participates in the strategic governance of the EU Covenant of Mayors, and continues to support local ambition that will be essential for reaching the EU's 2050 climate neutrality target.</p> <p>As reflected in the Sustainable Energy and Climate Action Plan (SECAP) Guidebook</p>

⁹⁵ The European Green Deal, COM(2019) 640 final.

⁹⁶ Regulation (EU) 2018/1999 on the Governance of the Energy Union and Climate Action.

<p>as industry, agriculture, forest management, and new environmental issues such as air quality, circular economy, biodiversity, biocultural diversity and natural carbon sinks so as to support the ambition of the most advanced municipalities. The move to include new sectors should focus primarily on the action plan, avoiding imposing further reporting and monitoring requirements on signatories; At the same time, it is important to support other forms of climate-change and environment-related cooperation that local and regional authorities in many Member States are involved in and to promote integration with the Covenant of Mayors. Where these local and regional authorities have the relevant potential to contribute to local efforts, they should be duly recognised and supported;</p>	<p>published by the Commission’s Joint Research Centre on behalf of the EU Covenant of Mayors in 2018 (section 2.1), the signatory (i.e. the local authority) is required to cover sectors deemed relevant to the implementation of the Sustainable Energy and Climate Action Plan (SECAP). Including industry and agriculture depending on the geographic characteristics of the signatory, while excluding plants covered by the EU Emissions Trading System (EU ETS) to avoid double counting.</p> <p>Furthermore, whilst pertaining the energy and climate focus of the initiative, the Commission services have launched a pilot activity testing Covenant as a platform for circular economy topics such as air quality, biodiversity and water management. The promotion of such integrated approaches and synergies at city level are an option also in the abovementioned guidance (section 3).</p>
<p>6. considers that the sustainable development of LRAs must be structured around the Sustainable Development Goals (SDGs). The Committee accordingly considers that the Covenant must be solidly incorporated into the SDG framework and seen as one of the key tools for monitoring the way it is implemented at local level. The Committee therefore calls on the European Commission and the Covenant of Mayors Office to link the Covenant's methodology to the SDGs, simply by associating Covenant measures with the relevant SDG;</p>	<p>The Commission recognises the crucial role for sustainable development of local and regional authorities (LRAs), and where possible, supports such developments in accordance with the principles of the Sustainable Development Goals (SDGs).</p> <p>The Commission is assessing measures to highlight the role of the EU Covenant of Mayors in the SDG framework, including recognition of the number of local authorities (‘signatories’) signed up to the EU Covenant of Mayors as one of its indicators used to monitor progress in accordance with Sustainable Development Goal 13 (Climate Action). Another relevant goal addressed by the EU Covenant of Mayors is Energy Access, related to SDG 7. Moreover, there are also other SDGs to which the Covenant of Mayors is related (for example SDG 11 – Sustainable</p>

<p>10. reiterates support for a system of Regionally and Locally Determined Contributions (RLDCs) as a way to formally acknowledge, monitor and encourage the reduction of carbon emissions by cities, local governments and regions globally. The European Commissions is asked to work with the CoR to explore how SECAPs or equivalent plans could act as RLDCs providing local contributions to the UN Paris Climate Agreement;</p>	<p>Cities and Communities).</p> <p>The Commission continues to support actions recognising local and regional contributions to the EU’s commitments to the Paris Agreement. With regards to Regionally and Locally Determined Contributions (RLDCs), it is further worth mentioning that the EU’s commitments also include actions such as the EU Emissions Trading System, that are taken outside the scope of the EU Covenant of Mayors, as well as climate action taken by non-signatories to the EU Covenant of Mayors. Moreover, the EU Covenant of Mayors as such has been designed to capture local and regional climate commitments, without overlapping with other climate initiatives in the EU.</p> <p>The contribution of the EU Covenant of Mayors on the EU 2020 and 2030 greenhouse gas emission reduction is regularly assessed by the Joint Research Centre and published to highlight the major contribution of cities.</p>
<p>12. calls on the European Commission to work with the Covenant of Mayors Office and the CoR to ensure that the Covenant of Mayors or similar national and regional initiatives involving the local and regional levels, when compatible, are incorporated into national reference frameworks, and particularly into the national energy and climate plans and the national 2050 long-term strategies. In this regard, the Committee asks the European Commission to establish a group of experts on the Covenant of Mayors, to include representatives of the national coordinators, the CoR ambassadors and representatives of the Covenant of Mayors Office, the European Commission and the JRC, as well as other</p>	<p>The role of local and regional authorities in the elaboration of integrated national energy and climate plans by Member States is recognised in the 2018 Regulation on the Governance of the Energy Union and Climate Action⁹⁷. Its Article 30 requires Member States to establish a permanent multi-level energy dialogue, bringing together local authorities, civil society organisations, the business community, investors and other relevant stakeholders to discuss the different options envisaged for energy and climate policies.</p> <p>Furthermore, the Commission encourages the participation of national coordinators and other stakeholders in the EU Covenant of</p>

⁹⁷ Regulation (EU) 2018/1999 of the European Parliament and of the Council of 11 December 2018 on the Governance of the Energy Union and Climate Action, OJ L 328, 21.12.2018.

<p>experts, including representatives of other climate and environment cooperation initiatives, in order to hold regular discussions on the challenges and opportunities involved in implementing the Covenant of Mayors in the various countries including in connection with other initiatives of this kind that already exist on the ground;</p>	<p>Mayors, including through a group of practitioners, and through related initiatives and institutional partners. These include, among others, the Urban Agenda for the EU, European Green Capital and Green Leaf awards, the Green City Accord, European Innovative Partnerships on Smart cities and communities, Civitas, the European Investment Bank, Executive Agency for small and medium-sized enterprises (EASME), the European Environment Agency, and the Committee of the Regions.</p>
<p>13. calls on the European Commission and the Covenant of Mayors Office to strengthen the national strategy, and in particular the role of national and regional coordinators and supporter. Regional coordinators should have a stronger remit and should be supported by the European Commission, from a technical and financial point of view, partly by means of appropriate financing under the ESI Funds. This should enable Coordinators to provide in particular small local authorities with access to technical assistance. In this regards it calls on the Managing authorities to consider the crucial role of Covenant-related activities in their territory in tackling climate, energy and environmental challenges and invites them to take these activities into account in the planning for the next programming period;</p>	<p>The Commission recognises the crucial role played by national and regional coordinators and supporters in the promotion, implementation and development of the EU Covenant of Mayors. The Commission continues its technical and financial support to such stakeholders through the wider framework of the EU Covenant of Mayors. This includes the guidance and capacity building support provided to local and regional authorities through the Commission's Joint Research Centre, as well as the EU Covenant of Mayors actions, for instance the online resources library containing more than 200 resources relevant to the development of local energy and climate strategies, identification of sources of financial support cohesion policy funds, as well as webinars and national workshops.</p>
<p>16. calls on the European Commission to ensure that the CoR is represented in the European Covenant's Political Board, providing a stronger link between the EU-level management of the Covenant and the Covenant's ambassadors, in order to provide political support for the initiative, promote the Covenant and assist dialogue with national bodies. In this regard, the Committee undertakes to make the necessary resources</p>	<p>The Commission welcomes the ambition of the Committee to make additional resources available to ensure that the network of ambassadors for the Covenant can become increasingly active and effective in their cooperation with the Commission and the EU Covenant of Mayors Office. The Commission will raise the issue of Committee invitation to the meetings of the EU Covenant of Mayors' Board.</p>

<p>available so that the network of ambassadors for the Covenant becomes increasingly active and effective, in close cooperation with the European Commission and the Covenant of Mayors Office;</p>	
<p>17. calls on the European Commission to make Covenant of Mayors data publically available and to geo-reference them: these data could contribute to create a European climate neutrality observatory, to the Urban Data Platform and to the Energy Poverty Observatory which is required to collect disaggregated data, at least at NUTS2 level;</p>	<p>The Commission actively engages with the EU Covenant of Mayors and the Global Covenant of Mayors to, where feasible, make city data publically available, taking due consideration to data privacy and obligations required through the initiative. The EU Covenant of Mayors data will be publically available through the EU Open Portal. Such data will be geo-referenced and allow further analysis.</p>
<p>20. asks the European Commission, the JRC and the Covenant of Mayors Office to work further towards a simpler, stable monitoring framework which avoids the need for constant training and updates, but which provides at the same time the necessary flexibility to respond to a changing policy environment. Emphasises that monitoring requirements, while important for the functioning and credibility of the Covenant system, must not be an obstacle to local authorities, especially smaller ones, joining the Covenant and benefiting from its potential to encourage ambitious initiatives. Against this backdrop, also asks to explore how the monitoring exercise itself could be better used, in terms of both communication and procedures in order to facilitate the widest possible participation in the network;</p>	<p>The Commission strives to reduce the reporting burden within the EU Covenant of Mayors as far as possible. For instance, it has recently updated its reporting format through the implementation of an online portal. On monitoring and evaluation under the initiative, the Commission further wishes to stress that trainings are offered through the initiative, which are predominantly focused on energy and climate planning and implementation capacity building in the local and regional authorities. With signatories ranging from megacities such as European capitals, to municipalities with populations of less than 100 inhabitants, tools are being prepared to help particularly the smaller cities in collecting data or gaining access to default data.</p>
<p>21. suggests that consideration also be given to the possibility of setting up thematic networks between signatories who share similar characteristics or face similar challenges resulting, for example, from their size or geographical, social or economic situation;</p>	<p>The EU Covenant of Mayors currently operates through a number of networks and collaborative initiatives, including expert groups and ‘Coalitions of the willing’ with stakeholders working on specific topics. In addition to this, the EU Covenant of Mayors operates an annual city-twinning programme</p>

	to facilitate sharing of best practices among cities facing similar challenges.
23. asks the European Commission and the JRC, with the support of the regional coordinators and supporters, to reconsider the procedure for evaluating the SECAPs to make it quicker and establish more user-friendly indicators geared to policy decisions. Efforts should be made to reduce administrative procedures, streamline reporting obligations and improve the use of data.	The Commission welcomes initiatives to facilitate the speedy evaluation of Sustainable Energy and Climate Action Plans (SECAPs). It is currently engaged in a dialogue with its Joint Research Centre and the EU Covenant of Mayors Office on a revision of the SECAP evaluation criteria to ensure user-friendly feedback on evaluations whilst sufficiently ensuring local actions. The Commission supports the role of the Covenant Territorial Coordinators in preparing Sustainable Energy and Climate Action Plans (SECAPs) for smaller municipalities in their territory, with the faster and simplified evaluation procedure based on a sample plan.
25. calls on the European Commission and the Covenant office to promote measures to help signatories that are facing difficulties to meet the targets they committed to by signing the Covenant of Mayors for unforeseen reasons beyond their control;	The Commission intends to review the targets of the initiative for its next phase from 2020, taking into account EU's headline targets and lessons from the first ten years. Moreover, it continues to undertake actions to support signatories through identification of funding and capacity building initiatives as part of the EU Covenant of Mayors. For instance, it is supporting local and regional authorities to plan for additional factors such as natural disasters through work on Disaster Risk Reduction and Planning and initiatives such as the EU Civil Protection Mechanism.
28. calls on the European Commission and the Covenant office to develop further the role of the so-called "academic corner" which aims at creating links between academic and research institutions and local and regional authorities; recalls that such links are of fundamental importance to develop the knowledge and competencies which are needed for the transitions, and that it is also necessary to reinforce the support both for research and	The Commission highlights the important role of academic and research institutions both in the European and the Global Covenant of Mayors. As part of this work, the Commission strives to reinforce the strong role of institutions such as the Commission's Joint Research Centre, and develop ongoing collaboration between the EU Covenant of Mayors Office and European researchers. Further highlighting the strong link made to

<p>studies, and for the dissemination of the results of such activities among the wider Covenant community;</p>	<p>cities in Horizon Europe through the specific mission targeting ‘Climate-neutral and smart cities’.</p> <p>The Commission supports the European Universities Initiative, ambitious transnational alliances of higher education institutions from across all parts of Europe developing long-term structural and strategic cooperation. They create transdisciplinary teams of students, academics, businesses, civil society, but also of local and regional authorities, to tackle the societal challenges facing Europe. Many of these teams are working on the smart specialisation strategy of their local and regional authorities.</p>
<p>31. asks the European Commission and the Covenant of Mayors Office to step up the involvement of schools and educational establishments of every level in the development, implementation and review of the SECAPs. This will be pivotal for bringing about the lasting behavioural changes needed to ensure an effective transition towards climate neutrality, as is made quite clear in the 2050 long-term strategy;</p>	<p>The EU Covenant of Mayors encourages signatories (i.e. the local authorities) to apply participatory approaches when developing their Sustainable Energy and Climate Action Plans (SECAPs), helping promote lasting behavioural changes. The EU Covenant of Mayors also offers capacity building workshops and trainings for signatories on how to integrate such approaches in the development of their plans.</p>
<p>35. asks the European Commission and the Covenant of Mayors Office to upgrade the SECAP, making it a comprehensive strategic document to be mainstreamed into the local administration's overall planning processes while taking account of different local needs. Each action should refer to specific plans or instruments already in place in the municipality. SECAPs could also set qualitative or quantitative criteria underpinning the municipality's planning and decision-making processes with a view to achieving the aims of the Covenant of Mayors;</p>	<p>The Commission wishes to recognise that the current Sustainable Energy and Climate Action Plan (SECAP) guidance in no way limits signatories’ abilities to develop their plans as such comprehensive strategic documents. However, the initiative does not require such an approach in order to account for the different urban planning processes across EU Member States, to limit reporting burden, and to help standardise the subsequent evaluation of developed Sustainable Energy and Climate Action Plans (SECAPs). The EU Covenant of Mayors Guidebook highlights that SECAPs complement other local policies and planning, such as ‘Integrating the Sustainable Energy and</p>

	<p>Climate Action Plan (SECAP) vision with the other actions and initiatives of the relevant departments and making sure it becomes part of the overall planning’.</p> <p>Against this backdrop, this proposal could be considered for discussion in an appropriate forum of the Covenant.</p>
<p>38. considers that having a current SECAP, or an equivalent energy and climate plan, should become a prerequisite for being granted access to all relevant financing programmes (City Facility, Horizon Europe, Life, etc.);</p>	<p>Urban areas are encouraged to set up and adopt sustainability plans as part of their application for LIFE programme and EU Research Funding. Sustainable Energy and Climate Action Plans (SECAPs) are a prominent way for local authorities to develop such plans.</p>
<p>41. asks the European Commission to provide the regions with clear guidance, to work with all the competent directorates-general to develop guidelines on how to support the implementation of SECAPs through ERDF Regional Operational Programmes and the ESF, to exchange good practices and to appoint people responsible for assisting the municipalities;</p>	<p>The Commission will continue to draw attention of the managing authorities of cohesion policy programmes to climate and energy policy objectives, including the Sustainable Energy and Climate Action Plans (SECAPs) and their implementation. The informal dialogue on the new programming period 2021-2027 provides an essential opportunity to highlight local and regional dimension of sectoral interventions.</p> <p>In the spirit of simplification, the Commission will limit number of guidance documents linked to cohesion policy.</p> <p>The technical assistance of cohesion policy, carried out at the initiative of the Member States or of the Commission (such as Peer2Peer initiative), will strengthen administrative and institutional capacity linked to the implementation of cohesion policy programmes. This also includes actions dedicated to support of regional and local authorities, like municipalities and exchange of good practices among relevant actors.</p>

<p>N°10 The potential of the rail sector in delivering EU policy priorities COR-2019-01939 – COTER-VI/054 137th plenary session – December 2019 Rapporteur: Pascal MANGIN (FR/EPP) DG MOVE – Commissioner VĂLEAN</p>	
<p>Points of the European Committee of the Regions opinion considered essential</p>	<p>European Commission position</p>
<p>Policy Recommendations</p>	
<p>1. Highlights the contribution of the rail sector, and the potential of regional and local rail lines in particular, to several of the Union's overarching policy priorities, namely decarbonisation and climate change mitigation, territorial, economic and social cohesion, internal market and free movement of persons and goods, as well as sustainable mobility;</p>	<p>The European Green Deal gives priority to boosting multimodal transport. This includes, as a matter of priority, measures to manage better and increase the capacity of railways, thereby improving the efficiency of the transport system, including with respect to decarbonisation and climate change mitigation efforts.</p> <p>Connecting Europe Facility Transport contributes to the decarbonisation of the European economy by investing heavily in environmentally friendly transport modes. 72% (€ 16.3 bn) of the Connecting Europe Facility (CEF) 2014-2020 budget supports actions aiming to adapt, upgrade and improve several thousand kilometres of railway lines all over Europe. Another € 18.7 billion in support from the EU budget for rail investment are provided by Cohesion Fund and European Regional Development Fund.</p>
<p>2. Highlights the role of the transport network as the backbone of EU economy – and the potential of the rail network for connecting the main transport routes with the Union's peripheral regions and territories while also contributing to the greening of EU logistics distribution by promoting the shift of long-distance freight from road to rail; emphasises that, in this context, while networks considered to be of "priority interest" must be permanently promoted, the role</p>	<p>In line with the European Green Deal, the Commission will propose in 2021 a series of measures to promote the modal shift towards rail and inland waterways.</p> <p>Enhancement of the efficiency of logistics through digital integration of railways is a priority action for the Commission supported both through multimodal transport initiative (EU Maritime Single Window environment,</p>

<p>of secondary regional lines must also not be overlooked;</p>	<p>eFreight Transport Information, etc.) and Rail Technical Specification for Interoperability.</p>
<p>4. calls for measures to further optimise these contributions in the context of the European Green Deal, responding to citizens' concerns in these areas;</p>	<p>For the period 2021-2027, the Green Deal agenda will serve as the compass for:</p> <ul style="list-style-type: none"> – preparing the first Connecting Europe Facility (CEF) 2021-2027 work programme for the period 2021-2023 (to be adopted before the end of 2020); – preparing the InvestEU Sustainable Infrastructure Window; – programming of Cohesion Fund and European Regional Development Fund. <p>Contributing to the review of the European Investment Bank (EIB) transport lending policy in line with the new EU Strategy for sustainable and smart mobility.</p>
<p>6. notes that railways have the potential to become the most critical component of mobility. They will need to fully embrace digitalisation and automation so as to ensure services up to and including the last mile in the passenger and freight sectors; and thus contribute to the shift towards a more sustainable transport system;</p>	<p>In 2011, the Commission adopted a white paper ‘Roadmap to a Single European Transport Area - Towards a competitive and resource efficient transport system’⁹⁸. The White Paper emphasises the paramount importance of the railways in the multimodal system. Furthermore, the White Paper clearly states that infrastructure shapes mobility. No major change in transport is possible without an adequate network and more intelligence in using it.</p> <p>The European Green Deal gives priority to boosting multimodal transport, including by promoting a shift to rail.</p> <p>The COVID-19 outbreak has further illustrated the importance of rail in maintaining supply chains. Rail freight has been much less disrupted than other modes and can shift greater volumes with fewer drivers, making it a particularly safe and reliable transport option in these</p>

⁹⁸ COM(2011) 144 final.

	<p>circumstances.</p> <p>The future of the railways will be digital. For this, it is of key importance to allow a smooth upgrade to new versions of software and to preserve compatibility once the new technologies and game-changers come shortly after 2022, including the future radio system (possibly 5G), moving blocks, automatic train operation, on-board train integrity or satellite positioning. There is a need for more standardisation and definition of interfaces to facilitate a modular approach.</p> <p>The Commission services, together with the sector representatives, are at present working on the overall framework of Command and Control Systems (CCS) architecture and the necessary short and mid-term steps to achieve this objective.</p> <p>It is envisaged that the Connecting Europe Facility (CEF) 2021-2027 will double its budget from the general envelope (40%) to the modernisation of the TEN-T network (i.e. digitalisation, European Rail Traffic Management System (ERTMS), freight transport services, new technologies and innovations, etc.) compared to the CEF I (~20%).</p> <p>In addition, 60% of the CEF 2021-2027 transport expenditures would contribute to climate objectives. This implies a strong focus on such a sustainable mode of transport as railways.</p> <p>Fostering a balanced development of a sustainable and smart European transport system will also be a priority for Cohesion Fund and European Regional Development Fund, providing support in particular in the less developed Member States and regions.</p>
7. calls on the European Commission to ensure	With regard to the Rail Passenger Rights

<p>the proper implementation of the existing rail regulatory framework;</p>	<p>Regulation⁹⁹, trilogues are ongoing with a view to revision of the regulation. During these negotiations, the Commission defends the approach taken in its proposal and emphasise the importance of incentivising and reinforcing the cooperation between the rail sector actors to ensure appropriate passenger protection in cases of travel disruptions.</p>
<p>Territorial cohesion</p>	
<p>11. points out that, while current EU policy objectives state that the Core Network Corridors (CNCs) and Rail Freight Corridors should constitute the main axes for the development of intermodality across the EU, the research report prepared for the European Parliament's TRAN Committee on modal shift emphasises that connectivity is not evenly distributed across EU regions. The report stresses, in particular, the need to ensure that the whole EU territory has the opportunity to be connected to the rail network "in accordance with the principle of cohesion and accessibility [...], and based on clear indicators of demand levels and socio-economic conditions of the catchment area" ; In order to achieve the objective of ensuring sufficient connectivity in Europe, not just the Core Network Corridors but also the secondary corridors should be financed from EU funding;</p>	<p>One of key objectives for the development of the TEN-T is fostering cohesion across the Union.</p> <p>The Trans-European Transport Network defines networks of priority infrastructure (the so-called core and comprehensive networks, linking the most important cities and ports in the EU) and set out minimum infrastructure parameters for these lines. Member States are to implement them by 2030 as regards the core network and by 2050 on the comprehensive network. The Commission is currently reviewing the TEN-T Guidelines¹⁰⁰ to see whether they are still fit for purpose and may propose modifications depending on the outcome of this evaluation.</p> <p>The Cohesion Fund and the European Regional Development Fund are important sources of EU co-funding for TEN-T projects, in particular in Member States and regions lagging behind in their infrastructure development.</p> <p>Furthermore, the Connecting Europe Facility funding has already helped Member States</p>

⁹⁹ Regulation (EC) No 1371/2007 of the European Parliament and of the Council of 23 October 2007 on rail passengers' rights and obligations; OJ L 315, 3.12.2007, p. 14–41.

¹⁰⁰ Regulation (EU) No 1315/2013 of the European Parliament and of the Council of 11 December 2013 on Union guidelines for the development of the trans-European transport network and repealing Decision No 661/2010/EU; OJ L 348, 20.12.2013, p. 1–128.

	<p>address the issue of rail accessibility, especially in regions lagging behind and create or improve cross-border connections.</p> <p>Connecting Europe Facility 2021-2027 will provide a higher support to the TEN-T comprehensive network, ensuring accessibility to all regions, in particular:</p> <ul style="list-style-type: none"> – 15% of the budget dedicated to the development of the TEN-T will focus on the comprehensive network and – 40% of the budget dedicated to modernisation of the TEN-T network will apply both on the TEN-T core and comprehensive network without any distinction (as opposed to the current situation where those horizontal priorities apply mainly on the core network).
<p>13. highlights the importance of cross-border rail links, including those of regional relevance. Given their specific contribution to territorial cohesion, these should be taken into account by the EU, including through funding via EU programmes;</p>	<p>Improving cross-border transport is a priority for TEN-T policy as well as for cohesion policy.</p> <p>Cohesion policy, e.g. through the Interreg programmes, actively supports cooperation for improved cross-border connections, including rail services of regional relevance.</p> <p>Considerable support is available from Cohesion Fund and ERDF for the development of national, regional and local transport infrastructure, complementing the support for TEN-T development.</p> <p>The current Connecting Europe Facility (CEF) duly takes into account the cross-border dimension, as the annex of the CEF Regulation¹⁰¹ clearly specifies that 80% of the transport budget shall be distributed to transport objective for removing bottlenecks, enhancing rail interoperability, bridging missing links and in particular improving</p>

¹⁰¹ COM(2018) 438 final; Annex: https://ec.europa.eu/commission/sites/beta-political/files/budget-may2018-cef-regulation-annex_en.pdf

	<p>cross-border sections.</p> <p>CEF 2021-2027 is expected to keep this funding objective but widening the geographical scope to cross-border sections of the comprehensive network.</p>
<p>Economic and social cohesion</p>	
<p>15. calls for a close partnership between the Commission and the rail sector to address the questions of training, recruitment and attractiveness of rail sector professions for young adults in particular, and to consider professionals performing inspection tasks as authority officers at European level, with a view to limiting attacks on those with this status by ensuring that national penal codes include penalties;</p>	<p>The Commission has launched a ‘Blueprint’ as part of the Skills Agenda. This is a framework for strategic cooperation between key stakeholders, such as businesses, education and training providers, social partners and public authorities, to deliver sector-specific skills solutions</p> <p>With a budget of € 4 million, ‘Rail supply and transport industries’ (including both manufacturing and provision of services) is one of the sectors included in the fourth wave of this initiative, starting in 2021.</p> <p>The second point on professionals performing inspections is not clear, in particular how a status of authority officers at European level can limit attacks.</p>
<p>16. the rail industry will see an increasing demand for ICT and cybersecurity professionals in line with increasing digitalisation and automation of the sector.</p>	<p>The digitalisation and automation of railways might be also one of the answers to a growing problem of ageing of the staff and might increase the attractiveness of the rail sector as employer among younger generation.</p>
<p>24. points out the increasing popularity of night trains, particularly among young people, and the need to relaunch these services on certain main European routes as part of the green transition. It notes that the international arts festival EUROPALIA will dedicate its 2021 edition to the influence of railways on the arts and suggests that the contribution of night trains and their resurgence should be highlighted on this occasion. It also calls on railways to increase</p>	<p>The Commission welcomes the development of (international passenger services) night trains and is discussing with Member States about how to achieve this under a competitive environment. The Commission welcomes the theme of year of railways chosen for the 2021 edition of the EUROPALIA festival, which will help to promote rail as a sustainable and potentially efficient (with the necessary improvement in</p>

<p>their contribution to sustainable tourism by stepping up cooperation with travel agencies and other modes of transport;</p>	<p>the operational efficiency of the operators) mode.</p>
<p>European Green Deal</p>	
<p>25. notes that the EU has repeatedly affirmed its objective for its industries to be world leaders in innovation, digitisation and decarbonisation. Decarbonisation and climate-change mitigation have been placed at the very top of the new Commission's political priorities as part of the "European Green Deal". This is why fresh and balanced proposals from the Commission are urgently needed and should be presented in the 100 days after the start of the new Commission. The Commission should indicate what financial resources are needed to achieve the decarbonisation targets;</p>	<p>The Communication on the European Green Deal¹⁰², adopted on 11 December 2019, announces a broad set of follow-up actions.</p>
<p>26. takes due note of the growing popular movements such as "flight shaming" or the strikes for the climate, and is convinced that these can help induce a modal shift only if railways offer a true alternative to more polluting modes at an affordable price. This depends on contributions from LRAs and public authorities but also on the capacity of the sector to be even more environmentally friendly;</p>	<p>The Commission is currently reviewing existing rules on rail freight corridors and on TEN-T to ensure optimal framework conditions for railway capacity, including traffic planning and management. Electrification of rail is and remains an EU objective, with more and more electricity from renewable sources. Further electrification of non-electrified lines will further enhance the environmental performance of rail.</p>
<p>Environment</p>	
<p>29. considers that the environmental performance of railways would be even bigger if railways would address their main shortcomings through a more systematic deployment of longer and heavier freight trains, rolling out of more silent trains, by incentivising retrofitting of wagons with composite brake blocks and</p>	<p>Through Connecting Europe Facility (CEF) calls in 2014, 2016 and 2019, the European Commission has supported the retrofitting of wagons with composite brake blocks. Actions to reduce rail freight noise will continue to be eligible under CEF 2021-2027.</p>

¹⁰² COM(2019) 640 final

<p>through the use of clean and efficient energy;</p>	<p>The issue of longer and heavier freight trains is addressed in the context of TEN-T policy and through the EU rail freight corridors. In a recent initiative, the Commission asked rail freight corridors to identify infrastructure priorities, including longer and heavier trains but also gaps in other parameters and in infrastructure capacity. A key element was to involve rail freight service operators in this exercise, which was a novelty at European level. Key insights from the replies of the rail freight corridors will be incorporated in the fourth version of the work plans of the EU coordinators for the TEN-T core network corridors.</p> <p>In parallel, the evaluations of the Regulation concerning a European rail network for competitive freight and of the TEN-T Guidelines¹⁰³ are currently carried out to assess whether legislative measures would be needed to accelerate progress on the issue. The results will be available in summer 2020. The evaluation will cover actions undertaken by the Rail Freight Corridors, including additional initiatives, such as studies focused on long trains and action plans performance targets.</p>
<p>Attractiveness of railways</p>	
<p>36. points out that railways offer a good combination of speed, safety, comfort, efficiency and environmental performance. Still road accounts for more than 50% of freight transport and rail 12%. For passengers, despite a certain increase in numbers in recent years, railways still have less than 10% of market share on average. LRAs have an important role to play in driving discussions with both public and private</p>	<p>The Commission has been always supporting modal shift in its State aid policy. There is an extensive case practice of decisions approving state aid for the coordination of transport, which includes promoting a modal shift of freight transport from road to rail and promoting interoperability in the rail sector. To that purpose, the Community guidelines for State</p>

¹⁰³ Regulation (EU) No 1315/2013 of the European Parliament and of the Council of 11 December 2013 on Union guidelines for the development of the trans-European transport network and repealing Decision No 661/2010/EU; OJ L 348, 20.12.2013, p. 1–128.

<p>operators concerning funding and solutions, in order to develop attractive transport services. To this end, the CoR calls on the European Commission to promote rail motorways and promote the public funding of their terminals and rolling stock as an optimised modal shift option that will help to greatly speed up the decarbonisation of freight transport;</p>	<p>aid for railway undertakings, adopted in 2008, set out compatibility rules for operating aid to modal shift operations (in the form of aid for infrastructure charges or aid for avoided external costs), as well as for investment aid for interoperability. Since 2008, all positive decisions were adopted, which included state support not only for combined transport services but also for the underlying infrastructure needed for combined transport operations.</p> <p>On that basis, the Commission has already manifested on several occasions, notably during the negotiations for the review of the Combined Transport Directive¹⁰⁴, its intention to simplify procedures for those types of aid where there is sufficient experience to define general compatibility criteria, along the lines of the Scientific Advice Mechanism (SAM) policy that led to the adoption of the General block exemption Regulation (GBER)¹⁰⁵ in 2014. Moreover, Article 56 of the General block exemption Regulation (GBER) sets out compatibility rules for the block exemption of State aid for investment projects in ‘local infrastructures’ (Article 56 of the GBER), which may also include facilities for combined transport operations.</p>
<p>Digitalisation</p>	
<p>37. believes that experiences from the two giant French and German rail operators tend to prove that railways should refocus on their core business: heavy rail.</p> <p>A proper industry strategy coupled with digitalisation will help put more trains on the</p>	<p>It is not clear why the experience of the two national incumbents is referred here to justify the focus on heavy rail and why precisely this type of activity is considered to be the ‘core business’ of railway undertakings.</p>

¹⁰⁴ Council Directive 92/106/EEC of 7 December 1992 on the establishment of common rules for certain types of combined transport of goods between Member States; OJ L 368, 17.12.1992, p. 38–42.

¹⁰⁵ Commission Regulation (EU) No 651/2014 of 17 June 2014 declaring certain categories of aid compatible with the internal market in application of Articles 107 and 108 of the Treaty; OJ L 187, 26.6.2014, p. 1–78.

<p>tracks;</p>	<p>However, there is no doubt about the fact that digitalisation of railways will help to increase the available capacity and operational efficiency.</p>
<p>38. recommends, in connection with digitalisation:</p> <ul style="list-style-type: none"> – ERTMS should be deployed at a fast pace to better combine additional capacity and safer transport; – digitalisation should be developed at intermodal level in order to optimise the performance of the transport sector as a whole. Services for PRM or any type of disability (physical, sensory or psychological) should be treated with particular attention; – to enhance customer care and offer passengers high-performing data – connection and internet access, 5G – should be used to the full; – "Digital Freight Trains" should rapidly be rolling. They will gather information on the status of goods and the train itself (temperature, shocks, security alerts etc.); sharing them onboard and with trackside control centres; <p>quick scaling up of predictive maintenance of both rolling stock and infrastructure via large scale adoption of remote wireless connected sensors (IoT) for detecting temperatures, pressures, vibrations, security alerts in critical points and in real time, automatic collection and organisation of all those sensors' data, immediate analysis by automatic systems based on Artificial Intelligence;</p>	<p>The Commission supports European Rail Traffic Management System (ERTMS) deployment both with funding and coordination.</p> <p>In terms of coordination, an EU TEN-T Coordinator has been appointed since 2014 to facilitate the coordinated implementation of the European Rail Traffic Management System.</p> <p>As regards the budgetary commitment, the Connecting Europe Facility funds 73 actions implementing European Rail Traffic Management System (ERTMS), which receive more than € 1 billion in EU support, for a total investment of almost € 2 billion.</p> <p>The Commission fully agrees on the need to accelerate the deployment of European Rail Traffic Management System and therefore on the necessity to attract substantial private capital.</p> <p>The TEN-T guidelines¹⁰⁶ establish European Rail Traffic Management System (ERTMS) as one of the priorities for railway infrastructure development and sets out a deadline for its deployment on the core network by 2030 and by 2050 on the comprehensive network. Building on this, the ERTMS European Deployment Plan¹⁰⁷ adopted in 2017, set out the deadlines for deploying ERTMS on some Core Network Corridors (CNC) sections in the</p>

¹⁰⁶ Regulation (EU) No 1315/2013 of the European Parliament and of the Council of 11 December 2013 on Union guidelines for the development of the trans-European transport network and repealing Decision No 661/2010/EU; OJ L 348, 20.12.2013, p. 1–128.

¹⁰⁷ Commission Implementing Regulation (EU) 2017/6 of 5 January 2017 on the European Rail Traffic Management System European deployment plan; OJ L 3, 6.1.2017, p. 6–28.

	<p>period 2017-2023.</p> <p>Anticipating the InvestEU, the CEF has established a Blending Facility, namely a cooperation framework set between the Commission and development or other public finance institutions (so-called ‘Implementing Partners’). The blending approach is used for European Rail Traffic Management System (ERTMS) in order to foster capital market financing and accelerate its deployment.</p> <p>Further, simplified form of funding has been defined to simplify, streamline and reduce the time needed for the financial management of projects supporting European Rail Traffic Management System (ERTMS) deployment.</p>
<p>39. emphasises that the potential of integrated ticketing and MaaS depend on the transport players making their data easily accessible to the rest of the ecosystem. Guidelines should be established at EU level to encourage railways to further open their data. They can contribute to the development of smart cities. In parallel, LRAs shall develop new competences in producing, exchanging and managing public data;</p>	<p>The Commission has recently concluded a study regarding the commercial barriers preventing i.a. the sharing of data for ticketing purposes¹⁰⁸ and is now contemplating next steps.</p> <p>Taking into account the need for improving the provision of information to passengers, the Commission proposed, in the recast of the Rail Passenger Rights Regulation¹⁰⁹, that: ‘Station managers and infrastructure managers shall make real-time data relating to trains, including those operated by other railway undertakings available to railway undertakings and ticket vendors, in a non-discriminatory manner’ (Article 9 (4) ‘Travel information’). Trilogue negotiations on the recast are ongoing.</p>
<p>40. stresses that integrated ticketing systems must be compatible with each other, reducing</p>	<p>The Commission agrees. National and regional ticketing systems are emerging in</p>

¹⁰⁸ <https://ec.europa.eu/transport/sites/transport/files/studies/2019-remaining-challenges-for-eu-wide-integrated-ticketing-and-payment-systems-exec-summ.pdf>

¹⁰⁹ Regulation (EC) No 1371/2007 of the European Parliament and of the Council of 23 October 2007 on rail passengers’ rights and obligations; OJ L 315, 3.12.2007, p. 14–41.

<p>the risk of internal market fragmentation;</p>	<p>the context of the development of Mobility as a service (MaaS) applications and fragmentation should be avoided. Several EU research projects have been funded to address the interoperability issue of MaaS applications.</p>
<p>Intramodal competition</p>	
<p>43. notes that net gains from further market opening, greater open tendering for public service contracts and continued unbundling are estimated in the range of EUR 18 billion to 32 billion over the period from 2019 to 2034. Therefore the CoR calls on the Commission and the European Agency for Railways to ensure a proper implementation of the 4th Railway Package so as to reap the benefits of market opening and simplification of rules;</p>	<p>The Commission fully supports the Committee’s opinion, which underlines the gains from further market opening, and in particular of open tendering for public service contracts. The Commission ensures a proper implementation of the 4th railway package, and in particular the principle of competitive award of rail public service contracts, for instance, through targeted advocacy action such as workshops with competent authorities in Member States to bolster their administrative capacity organising such competitive award procedures.</p> <p>The Commission notes with concern that some open access operators are facing serious financial difficulties following the COVID-19 crisis and related traffic restrictions and will need State support. Their survival will be important in ensuring an adequate level of competition and a sustainable transport offer after the crisis.</p>
<p>44. notes that the competent authority or competent authorities that awarded the public service contract may call for an economic equilibrium test to be run by the Regulatory Body to ensure that a new rail service does not put an existing public service at risk. Strengthening of regulatory bodies is also critical to a better performing railway ecosystem. To that end their independence and power need to be safeguarded;</p>	<p>The Commission has adopted in 2018 an updated Implementing Regulation that lay down the procedure and criteria for the application of the Economic Equilibrium Test by the Regulatory Body.</p> <p>The Commission ensures through its compliance checks with EU law that Member States provide the legal safeguards in order to ensure the independence of the Regulatory bodies and the adequate powers</p>

	they have at their disposal.
<p>45. points out that LRAs are also an important player in the rolling stock market and can help new entrants gain access to a fleet. This should go in parallel with a more dynamic market for second-hand rolling stock at EU level both for passengers and for freight. Incumbent railway undertakings have a responsibility in this respect as they are the main owners of rolling stock;</p>	<p>The Commission is aware of various rolling stock procurement models for Public Service Contracts managed by local and regional authorities. Technical Specifications of Interoperability and streamlined certification processes support creation of a more dynamic market for second-hand rolling stock.</p> <p>The Commission agrees with the Committee that non-discriminatory access to suitable rolling stock is crucial prerequisite for railway undertakings to enter the market, including participating in open tender procedures for the award of rail public service contracts.</p>
Intermodality	
<p>48. calls upon the Commission to address barriers to be alleviated, notably passenger guarantees against missed connections or provision of information; particularly passengers travelling between different Member States on connecting trains are often not as aware of their rights as, for example, aviation passengers;</p>	<p>When proposing the recast of the Rail Passenger Rights Regulation¹¹⁰, the Commission sought – as one of its main objectives – to increase the level and the reliability of information provided to passengers. The Commission therefore proposed that where passengers were not properly informed about the product they buy and their respective passenger rights, then in cases of a missed connection even the ‘separate tickets’ shall provide for the same (increased) level of protection associated to the purchase of a ‘single contract’ (‘through-ticket’). Trilogue negotiations are ongoing on the recast. The Commission also invests continuous efforts in raising passengers’ awareness of their rights in all modes of transport, for instance through the Passenger rights campaign.¹¹¹</p>

¹¹⁰ Regulation (EC) No 1371/2007 of the European Parliament and of the Council of 23 October 2007 on rail passengers’ rights and obligations; OJ L 315, 3.12.2007, p. 14–41.

¹¹¹ https://ec.europa.eu/transport/themes/passengers/campaign_en

<p>49. considers that investments in rail freight should focus on last-mile bottlenecks. It does not only apply to urban nodes, but also to rail connections in ports. Freight in capacity planning needs to be prioritised; In addition, the CoR calls for an increase of European funding sources aiming at the development of intermodal transport centres and the creation of hubs, which require large-scale investments;</p>	<p>The Commission has launched an evaluation of the Regulation concerning a European rail network for competitive freight¹¹² to analyse the progress made in providing rail freight services infrastructure capacity of high quality and adequate quantity, to be finalised during 2020. This will provide the basis to define further action in this field.</p> <p>It is envisaged that the CEF-2 will increase resources on horizontal priorities such as freight transport services and multimodality. In addition, the geographical scope will be extended to the comprehensive network.</p> <p>Supporting multi-modality, at all levels of the transport system, is also a priority for Cohesion Fund and European Regional Development Fund.</p>
<p>51. considers that the possibility of a general block exemption for investment in intermodal logistics platforms should be raised. This would be an important simplification measure for LRAs. However, a prerequisite to such an exemption is that railways refrain from cross-subsidies. It will help convince decision-makers that State aid rules should keep promoting railways as opposed to more polluting modes of transport, in line with the 2008 Community Guidelines on State aid for Railway Undertakings</p>	<p>As pointed out under point 36 above, the Commission has already approved several state aid measures supporting intermodal services and the underlying facilities. Moreover, Article 56 of the General block exemption Regulation sets out compatibility rules for the block exemption of state aid for investment projects in ‘local infrastructures’ (Article 56 of the General block exemption Regulation), which may also include facilities for combined transport operations.</p> <p>The evaluation of the 2008 Guidelines on State aid for Railway Undertakings offered the opportunity to local and regional authorities and stakeholders to contribute to the update of the existing State aid rules for the coordination of transport. Following the evaluation phase, the Commission will undertake an impact assessment where it will carefully take into account possible future options, including procedural</p>

¹¹² Regulation (EU) No 913/2010 of the European Parliament and of the Council of 22 September 2010 concerning a European rail network for competitive freight; OJ L 276, 20.10.2010, p. 22–32.

	<p>simplification for certain types of aid. In this respect, the Commission has already expressed on several occasions its intention to simplify procedures for those types of aid where there is sufficient experience to define general compatibility criteria, such as aid for the coordination of transport.</p>
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N°11 Active and Healthy Ageing
COR-2019-00015 – NAT-VI/037
136th plenary session – October 2019
Rapporteur: Birgitta SACRÉDEUS (SE/EPP)
DG CNECT – Commissioner BRETON

Points of the European Committee of the Regions opinion considered essential

European Commission position

1. calls for a strong public health programme and for the budgetary prioritisation of health promotion, disease prevention and reduction of health inequalities in the EU's post-2020 research programme, including Horizon Europe;

With regard to health policy and funding for health, the inclusion of the health programme as a strand of the proposed European Social Fund Plus (ESF+) 2021-2027 reflects the key position that health occupies in the European Pillar of Social Rights and ensures that, wherever relevant, health aspects are addressed in all social spending, and vice versa.

Politically, health and social issues are closely related. Innovative, sustainable and inclusive societies depend on the health of our citizens. A key element of health and social policies is addressing inequalities. Since the share of persons with a disability raises strongly with age, our policies need to ensure accessibility in order to respond to the needs of an ageing society.

The proposed health strand has a dedicated budget comparable to the current EU 3rd Health Programme, and in order to drive efficiency, it is intended to focus on areas where EU cooperation delivers the greatest benefit, including health promotion and disease prevention.

The draft legislative framework forbids discrimination in relation to disability and requires accessibility. A horizontal enabling condition addresses compliance with the UN Convention on the Rights of Persons with Disabilities (UNCRPD). The UNCRPD protects and promotes the rights of persons with disabilities, and this includes a large number of older persons with disabilities, given the very

strong correlation between disability and ageing.

Within the future Horizon Europe Programme, the Commission is prioritising effective health promotion and disease prevention to fight against the rise of communicable and non-communicable diseases; and the persistence of health inequalities among and within countries affecting disproportionately people that are disadvantaged or in vulnerable stages of life.

Horizon Europe, the next Framework Programme for Research and Innovation, with a proposed budget of €100 billion for 2021–2027, will foster the integration of health promotion, prevention, cure and care for healthier life course trajectories and the promotion of healthy ageing.

Investments in research and innovation within the Health Cluster are intended to target and contribute amongst others to: (i) keep citizens healthier throughout the life course due to improved health promotion and disease prevention, and with the support of healthier behaviours and lifestyles; (ii) unlock the full potential of new tools, technologies and digital solutions for a healthy society; (iii) a sustainable and globally competitive health-related industry in the EU.

The proposed Health Cluster is to be composed of six areas of intervention, one of which is devoted to the life course approach to ageing: ‘Health throughout the Life Course’. It proposes the following broad lines:

- early development and the ageing process throughout the life course;
- maternal, paternal, infant and child health as well as the role of parents;
- health needs of adolescents;
- health consequences of disabilities and injuries;
- independent and active life for the elderly

	<p>and/or disabled people;</p> <ul style="list-style-type: none"> • health education and digital health literacy; <p>Health will also figure prominently in the reflection that the Commission plans to launch before the end of 2020 in the context of the Green Paper on Ageing.</p> <p>Further consideration may be given to the health policy-related needs and issues stemming from the COVID-19 pandemic crisis.</p>
<p>2. expresses its support for the European Innovation Partnership on Active and Healthy Ageing and hopes that the European Commission will continue supporting this initiative. Innovation in assistive technologies is an important incentive in helping older people to lead an active and healthy life, and the European Committee of the Regions therefore supports research and development in this field;</p>	<p>The Commission notes that the proposals for the new multiannual financial framework (MFF) include a new approach to European partnerships under Horizon Europe. The approach to partnerships has gone through a major reform based on the experience of Horizon 2020. This partnership approach together with the missions (new under Horizon Europe) aim to tackle global challenges, in particular in line with the United Nations Sustainable Development Goals (SDGs), in a coordinated way through creating scale and critical mass, integrating demand-side policies and engaging with citizens and end-users. The details and subjects to be covered by future European Partnerships and missions are currently being developed, as part of strategic planning, through specific processes, closely involving Member States and stakeholders more broadly.</p> <p>The preliminary list of European partnerships candidates includes a proposal ‘Large-scale innovation and transformation of health systems in a digital and ageing society’¹¹³ building upon the strengths and experiences of Horizon 2020 partnerships such as European Innovation Partnership on Active and Healthy Ageing (EIP-AHA), Active and Assisted Living Joint Programme (AAL) and More years better lives Joint Programming Initiative.</p>

¹¹³ Revised Orientations towards the 1st Strategic Plan published on 31st October 2019
https://ec.europa.eu/info/files/orientations-towards-first-strategic-plan-horizon-europe_en

	<p>Several partnerships focus on integrated care solutions, which are a core element in managing health for older people.</p> <p>The Commission is committed to the implementation of the UNCRPD, including its provisions related to assistive technologies. It regularly discusses these provisions with Member States, in the context of the implementation of the UNCRPD. The Commission also supports research on accessible ICT and assistive technologies.</p>
<p>3. calls on all local and regional authorities to embrace the opportunities of e-Health and digitalisation as tools and to step up their efforts to modernise health services for all ages, using digital innovation to reduce health inequalities and improve access to care, especially in sparsely populated areas;</p>	<p>The Commission states in the ‘Communication on enabling the digital transformation of health and care in the Digital Single Market’¹¹⁴ that it will encourage closer cooperation between regional and national authorities and other stakeholders to tap into the potential of innovative solutions, such as digital technologies and data analytics, and in doing so assist Member States in pursuing the reforms of their health and care systems¹¹⁵.</p> <p>In addition, the eGovernment Action¹¹⁶ Plan aims to remove digital barriers and to prevent further fragmentation arising in the context of digitalisation of public services. It serves as a catalyst to coordinate public sector modernisation efforts and resources in the field of digitalisation. The overall vision of the action plan is to enable public administrations at national, regional and local levels to use the opportunities offered by digital technologies, and to facilitate their interactions with stakeholders.</p> <p>The eIDAS regulation¹¹⁷ provides the regulatory framework for electronic identification and trust services, which are critical for secure transactions online and across borders of patient and health</p>

¹¹⁴ COM(2018) 233.

¹¹⁵ State of Health in the EU “Companion Report 2019” https://ec.europa.eu/health/state/summary_en

¹¹⁶ <https://ec.europa.eu/digital-single-market/en/european-egovernment-action-plan-2016-2020>

¹¹⁷ Regulation (EU) N°910/2014 on electronic identification and trust services for electronic transactions in the internal market (eIDAS Regulation) adopted on 23 July 2014.

	<p>data.</p> <p>The Web Accessibility Directive¹¹⁸ and the European Accessibility Act¹¹⁹ contain relevant accessibility requirements for public sector websites and for e-commerce.</p>
<p>7. considers that the challenges of demographic change will require research and an active European industry in order to modernise, design and produce new innovative solutions for an ageing population, be they everyday products, infrastructure, technology or software; sees this as an opportunity for the EU to position itself as a market leader in the Silver Economy, creating local jobs, generating wealth and exporting ground-breaking innovations abroad;</p>	<p>The Active and Assisted Living Programme (AAL) is a joint programming initiative of the Commission and the Member States, under Horizon 2020. It aims to create better quality of life for older people and to strengthen industrial opportunities in the field of healthy ageing technology and innovation. The AAL-programme:</p> <ul style="list-style-type: none"> • fosters the emergence of innovative information and communications technology (ICT)-based products, services and systems for ageing well at home, in the community, and at work; • creates a critical mass of research, development and innovation at EU level in technologies and services for ageing well, including the establishment of a favourable environment for participation of SMEs; • helps creating market conditions for industrial exploitation of healthy ageing products by providing a European framework that supports the development of standardised solutions and facilitates their adaptation to local, regional and national levels to account for varying social preferences and regulatory requirements. <p>The proposed Digital Europe Programme (DEP) has the potential to connect businesses, public administrations and citizens to the latest technologies and resources. The Draft</p>

¹¹⁸ Directive (EU) 2016/2102 of the European Parliament and of the Council of 26 October 2016 on the accessibility of the websites and mobile applications of public sector bodies.

¹¹⁹ Directive (EU) 2019/882 of the European Parliament and of the Council of 17 April 2019 on the accessibility requirements for products and services.

	<p>Orientations for the preparation of the DEP work programme(s) 2021-2022¹²⁰ propose:</p> <ul style="list-style-type: none"> • ensuring a successful digital transformation of health and care services with the EU-wide deployment of innovative and cost-effective data-driven tools and services based on technologies like artificial intelligence (AI) and data analytics; • identify Digital Innovation Hubs specialised in health and care to facilitate the large-scale uptake of digital solutions and encouraging activities to ensure their networking. <p>Moreover, numerous relevant insights can also be found in the 2018 Silver Economy Study.¹²¹</p> <p>The European Accessibility Act harmonises accessibility requirements of key ICT products and services. Accessibility is an obligation in Public Procurement also in the area of ICT. The silver economy needs to ensure accessibility in order to respond to the needs of an ageing society. These legal instruments will contribute to the improvement of the internal market of accessible products and services and to the creation of jobs and wealth.</p> <p>The planned Report on the Impact of demographic change will pay specific attention to opportunities that may be created by an ageing society, which will be fully explored through the reflection to be launched by the Green Paper on Ageing.</p>
<p>18. reiterates the ECOFIN Council's conclusions¹²² calling on the Member States to implement the European Semester recommendations related to the sustainability of public finances, as well as apply the three-pronged strategy for addressing the economic</p>	<p>The Commission recognises that Europe's health and care systems face serious challenges linked to, among other things, an ageing population and increasing prevalence of chronic disease. Public spending on health and long-term care is steadily rising in EU Member States and is expected to</p>

¹²⁰ http://ec.europa.eu/newsroom/dae/document.cfm?doc_id=61102

¹²¹ 'How to stimulate the economy by hundreds of millions of Euros per year', <https://europa.eu/!Pn64qq>

¹²² <https://www.consilium.europa.eu/en/press/press-releases/2018/05/25/public-finances-conclusions-on-age-related-spending/>

<p>and budgetary consequences of ageing by reducing government debt, raising employment rates and productivity, and reforming pension, health care and long-term care systems;</p>	<p>continue to do so. In addition, the 2018 State of the Health in the EU report¹²³ highlights the importance of reducing wasteful spending that accounts to ‘up to one fifth of health spending and could be reallocated to better use’. The Commission considers that the digital transformation of health and care has the potential to address both rising costs and wasteful spending. With the greater availability of health data, not only linked to health care treatments, but also organisational aspects, new treatments and solutions will be identified and generate efficiency, reduced costs leading to greater sustainability.</p>
<p>23. recalls the findings of the EU consultation¹²⁴ highlighting that most Europeans do not currently have access to digital health services, and echoes the recommendation made in the CoR's opinion on digitalisation in the health sector that the Commission should promote the convergence between European, national and regional digital plans, strategies and funding that is necessary in order to complete the large-scale rollout of integrated, digital and person-centred healthcare services;</p>	<p>The Commission is supporting the development of guidelines for targeted investment by Member States in eHealth, being taken forward by the eHealth Network.</p> <p>The overall objective of the guidelines is to foster interoperability in the field of eHealth across and within Member States, by encouraging the use of common standards, formats and frameworks, and pointing to funding sources at EU level that may support this.</p> <p>The Commission also notes that the proposals for the new multiannual financial framework (MFF) contain increased funding for digital, including for digital health.</p> <p>In April 2016, the Commission launched the Digitising European Industry initiative (DEI)¹²⁵, as part of the Digital Single Market strategy¹²⁶. The DEI initiative aims to reinforce the EU's competitiveness in digital technologies and ensure that every business in Europe - whichever the sector, wherever the location, whatever the</p>

¹²³ https://ec.europa.eu/health/sites/health/files/state/docs/2018_healthatglance_rep_en.pdf

¹²⁴ https://ec.europa.eu/health/sites/health/files/ehealth/docs/2018_consultation_dsm_en.pdf

¹²⁵ COM(2016) 180 final

¹²⁶ COM(2015) 192 final

	<p>size – can draw the full benefits from digital innovation. Digital Innovation Hubs (DIH)¹²⁷ are a key pillar in the DEI initiative. Digital Innovation Hubs will play a key role in the next European multiannual financial framework (MFF), as they will help ensure the wide use and accessibility to digital technologies.</p> <p>The Web Accessibility Directive will contribute to providing digital access for older persons and persons with disabilities to digital health services.</p>
<p>24. emphasises that eHealth services, digitalisation and the electronic exchange of data between patients and their carers and healthcare providers facilitate patient-centred care and the transition from institutional to community-based care, and at the same time give individuals more opportunities to make informed choices and decisions on their own care;</p>	<p>On 6 February 2019, the Commission presented the recommendation on a European Electronic Health Records (EHR) exchange format¹²⁸ that seeks to facilitate the cross-border interoperability of such records in the EU by supporting Member States in their efforts to ensure that citizens can securely access and exchange their health data wherever they are in the EU. The Commission and the Member States are setting up a Joint Coordination Process to further develop the exchange format.¹²⁹ Dedicated activities through Horizon Europe (e.g. coordination and support action on interoperability) and the Digital Programme Europe (under deployment and interoperability) will support the interoperability of Electronic Health Records.</p>
<p>25. suggests that the rapid developments taking place in the field of digitalisation, including artificial intelligence, should be</p>	<p>On 19 February 2020, the Commission adopted the ‘Shaping Europe’s digital future’¹³⁰ package. Documents included in it also address</p>

¹²⁷ https://ec.europa.eu/newsroom/dae/document.cfm?doc_id=55564

<https://ec.europa.eu/digital-single-market/en/news/digital-innovation-hubs-helping-companies-across-economy-make-most-digital-opportunities>

¹²⁸ Commission Recommendation (EU) 2019/243 of 6 February 2019 on a European Electronic Health Record exchange format; C(2019) 800; OJ L 39, 11.2.2019, p. 18–27.

¹²⁹ <https://ec.europa.eu/digital-single-market/en/exchange-electronic-health-records-across-eu>

¹³⁰ Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions ‘Shaping Europe’s digital future’ (COM(2020) 67 final); White Paper on Artificial Intelligence – A European approach to excellence and trust (COM(2020) 65 final); Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions on a European strategy for data (COM(2020) 66 final); Report from the Commission to the European Parliament, the Council and the European Economic and Social Committee on the safety and liability implications of Artificial Intelligence, the Internet of Things and robotics (COM(2020) 64 final).

<p>monitored more attentively in order to enable future innovative solutions in the interests of better informed individuals and patients, of staff's ability to take preventive action, and of the development and economic viability of health care providers;</p>	<p>opportunities and challenges related to health data and artificial intelligence in healthcare, including actions to support the establishment of a common European health data space.</p> <p>In 2018, the Commission published the EU initiative on artificial intelligence¹³¹ and the Coordinated Plan for Artificial Intelligence¹³².</p> <p>These two strategic initiatives are supporting the development of an ‘AI made in Europe’ brand as a seal of quality for ethical, secure and cutting-edge artificial intelligence (AI) that can become a worldwide reference. The Coordinated Plan on AI contains several actions on health and care.</p> <p>Moreover, the White Paper on artificial intelligence (AI)¹³³ looks into ways to ensure that AI in Europe is developed and used in line with European values. The White Paper opens a broad consultation on these issues and invites all stakeholders to comment on it, including from the healthcare domain. It also warns about the possibility of AI affecting inter alia non-discrimination based on sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation.</p>
<p>26. is aware of the size of the European market for domestic robots and other devices for assisting older people and reiterates the recommendations of the 2018 report on the Silver Economy that the robotics market should be developed to help reduce the burden on caregivers and assist older and frailer people;</p>	<p>In the context of the Public-Private Partnership in Robotics (SPARC) between the European Commission and the European robotics stakeholders, the Commission is investing up to €700 million in robotics research and innovation through the Horizon 2020 framework programme in the period 2014–2020.</p> <p>One of the priority areas of recent work programmes drawn up in this context has been</p>

¹³¹ Communication from the Commission to the European Parliament, the European Council, the Council, the European Economic and Social Committee and the Committee of the Regions – Artificial Intelligence for Europe; COM(2018) 237 final.

¹³² Communication from the Commission to the European Parliament, the European Council, the Council, the European Economic and Social Committee and the Committee of the Regions - Coordinated Plan on Artificial Intelligence (COM(2018) 795 final)
<https://ec.europa.eu/digital-single-market/en/news/member-states-and-commission-work-together-boost-artificial-intelligence-made-europe>

¹³³ White Paper on Artificial Intelligence – A European approach to excellence and trust (COM(2020) 65 final).

	<p>health. Many projects have been funded in recent years to develop robotic solutions for a broad range of health applications, such as surgery, rehabilitation and intelligent prosthetics.</p> <p>The UNCRPD contains specific provisions related to access to assistive technology by persons with disabilities, including older persons with disabilities, that are relevant also for devices such as robotics.</p>
<p>34. shares the concerns of the public concerning the unavailability of certain medicine on the market and asks the Commission to investigate the reasons for rising difficulties of access to vaccines and medicines across the Union; points out that older patients typically use more medicinal products and that their health can be severely compromised if they cannot receive their prescribed medicines in a timely manner;</p>	<p>In accordance with the roadmap for the implementation¹³⁴ of the Council Recommendation on strengthened cooperation against vaccine-preventable diseases (2018)¹³⁵, the Commission will identify barriers to access and support interventions to increase access to vaccination for disadvantaged and socially excluded groups.</p> <p>The Commission would like to stress that, indeed, patients in the EU still have different levels of access to medicinal products. They do not always access innovative therapies due to market failures, high prices, companies' marketing strategies, and/or pricing mechanisms. The cost of novel technology and high-price medicines affect national health systems across the EU and put their sustainability at risk. Moreover, for some Member States, shortages of marketed medicines, including essential medicines like vaccines, pose risks to patients due to under-treatment, medication errors, increased length of hospital stay and adverse reactions from attempts to substitute missing medicines.</p> <p>There are a number of activities by the Commission, the European Medicines Agency and Member States aimed at addressing access and availability, including the ongoing evaluation¹³⁶ of the Regulations on medicines for</p>

¹³⁴ https://ec.europa.eu/health/sites/health/files/vaccination/docs/2019-2022_roadmap_en.pdf

¹³⁵ [https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32018H1228\(01\)](https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32018H1228(01))

¹³⁶ <https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/1248-Evaluation-of-the-legislation-on-medicines-for-children-and-rare-diseases-medicines-for-special-populations->

	<p>children and rare diseases (Orphan and Paediatric Regulations). These initiatives will also provide findings about incentives and could inform potential new business models to address market failures for antimicrobials. The Commission is also reflecting on possible legislative and non-legislative responses to the problem of shortages.</p>
<p>39. is convinced that the foundations for active and healthy ageing are laid early in life and therefore recommends, in line with its opinion on local and regional incentives to promote healthy and sustainable diets, making efforts to "promote healthy eating habits and [...] guide the younger generation towards more sustainable dietary choices in the form of unprocessed fresh, local and seasonal products of plant origin";</p>	<p>Unhealthy diets are associated with a large number of non-communicable diseases and the Commission puts great emphasis to support the promotion of healthy diets and healthy dietary behaviours at the earliest age possible. Eating habits established at young age are likely to stay for the rest of life, hence adopting healthy lifestyles by the young generation is crucial.</p> <p>The Commission has supported the development of actions on healthy lifestyles via initiatives on food reformulation, on reducing aggressive (online) marketing to children of foods high in fat, salt and sugar, or public procurement of food, along with promoting physical activity and fruit and vegetables consumption. These are all in line with the Action Plan on Childhood Obesity (2014-2020)¹³⁷, the Tartu Call for a Healthy Lifestyle¹³⁸ and the work of the Steering Group on Health Promotion and Prevention¹³⁹.</p> <p>The Commission also supports the development and implementation of national governmental guidelines for healthier food consumption. The planned 'From Farm to Fork' Strategy¹⁴⁰ under the Green Deal will promote healthy, safe, and sustainable food systems, involving all elements of the food chain from production to consumption. This integrated approach is also linked with a number of Sustainable</p>

¹³⁷ https://ec.europa.eu/health/sites/health/files/nutrition_physical_activity/docs/childhoodobesity_actionplan_2014_2020_en.pdf

¹³⁸ https://ec.europa.eu/commission/presscorner/detail/en/IP_19_3028

¹³⁹ https://ec.europa.eu/health/non_communicable_diseases/steeringgroup_promotionprevention_en

¹⁴⁰ https://ec.europa.eu/food/farm2fork_en
<https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/12183-Farm-to-Fork-Strategy->

	<p>Development Goals (SDGs) including SDG 3.4 focusing on ensuring health and wellbeing for all.</p> <p>The Commission is currently revising the compositional and labelling requirements of processed cereal-based food and baby food in order to reflect latest scientific evidence and recommendations on healthy diets for infants and young children.</p> <p>Horizon Europe’s innovative health promotion and early preventive strategies, especially under the Health Cluster (see above), will enable younger European generations become aware that some of the risk factors for age-related conditions are modifiable by lifestyle choices at all life stages and live to healthier old ages.</p>
<p>40. calls for the results of the European projects focusing on healthy and active ageing and promoting integrated care, which are funded under various EU programmes, to be used more effectively and disseminated more broadly;</p>	<p>The Commission works on Best Practices Portals and public repositories for project results e.g.:</p> <ul style="list-style-type: none"> • actions co-funded under the Health Programmes¹⁴¹; • the Community Research and Development Information Service (CORDIS)¹⁴² public repository with results from the projects funded by the EU's framework programmes for research and innovation (FP1 to Horizon 2020); • European Innovation Partnership on Active and Healthy Ageing (EIP-AHA) portal¹⁴³: a communication and information hub for all actors involved in Active and Healthy Ageing through Europe; • Active Assisted Living Programme portal¹⁴⁴; • Scaling up of innovations in Active and Healthy Ageing.¹⁴⁵

¹⁴¹ http://ec.europa.eu/newsroom/dae/document.cfm?doc_id=61102

¹⁴² <https://cordis.europa.eu/en>

¹⁴³ https://ec.europa.eu/eip/ageing/home_en

¹⁴⁴ <http://www.aal-europe.eu/projects-main/>

¹⁴⁵ <http://www.scale-aha.eu/home.html>

<p>41. finds it reassuring that research¹⁴⁶ confirms that the prevention of diseases that increase disability is necessary at every age, and therefore calls on decision-makers to increase the proportion (currently 3% on average) of health budgets allocated to prevention;</p>	<p>The Commission is aware of the high rates of non-communicable diseases across Europe and the importance of health promotion and disease prevention. According to Article 168(7) of the Treaty on the Functioning of the EU, the organisation and delivery of health services is a Member States responsibility.</p> <p>The Commission supports Member States' efforts to promote healthy lifestyles in general, most importantly within the Steering Group on Health Promotion and Prevention which has a mandate (amongst others) to facilitate the up-scaled implementation of validated best practices by Member States with all available Commission funding.</p> <p>In the last six years of the 3rd Health Programme, € 96 million (34% of the Programme operational credits) have been spent for health promotion and diseases prevention, of which 8 million on cancer and screening programmes and 11 million on prevention of alcohol and tobacco-linked diseases.</p>
<p>43. argues that, after 2020, the EIP must be firmly embedded in the Union's policy priorities and have strong ties with the Digital Single Market, the European Pillar of Social Rights and the Sustainable Development Goals in the field of health;</p>	<p>The preliminary list of European Partnerships candidates includes a proposal 'Large-scale innovation and transformation of health systems in a digital and ageing society'¹⁴⁷ building upon the strengths and experiences of Horizon 2020 partnerships such as European Innovation Partnership on Active and Healthy Ageing (EIP-AHA), Active and Assisted Living Joint Programme and More years better lives Joint Programming Initiative.</p> <p>The Draft Orientations for the preparation of the work programme(s) 2021-2022 of Digital Europe Programme¹⁴⁸ proposes:</p> <ul style="list-style-type: none"> • ensuring a successful digital transformation of

¹⁴⁶ <https://www.sciencedirect.com/science/article/pii/S1878764916300699>

¹⁴⁷ Revised Orientations towards the 1st Strategic Plan published on 31st October 2019:

https://ec.europa.eu/info/files/orientations-towards-first-strategic-plan-horizon-europe_en

¹⁴⁸ http://ec.europa.eu/newsroom/dae/document.cfm?doc_id=61102

	<p>health and care services with the EU-wide deployment of innovative and cost-effective data-driven tools and services based on technologies like AI and data analytics;</p> <ul style="list-style-type: none">• identify Digital Innovation Hubs specialised in health and care to facilitate the large-scale uptake of digital solutions and encouraging activities to ensure their networking. <p>The Commission also prepares a report on Long-Term Care (for 2021), assessing needs and access to support, as well as affordability. It has been fostering active ageing strategies also through the active ageing index, a policy advocacy and monitoring tool.</p> <p>Furthermore, the Commission has announced for early 2021 the adoption of a European Disability Strategy that will contribute to addressing and mainstreaming disability issues in the Commission's actions and initiatives in accordance with the European Pillar of Social Rights and the UNCRPD.</p>
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