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## Information and Notices

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## I

(Resolutions, recommendations and opinions)

## RESOLUTIONS

## COMMITTEE OF THE REGIONS

INTERACTIO – HYBRID – 145TH COR PLENARY SESSION, 30.6.2021-1.7.2021

**Resolution of the European Committee of the Regions' proposals in view of the European Commission Work Programme for 2022**

(2021/C 440/01)

THE EUROPEAN COMMITTEE OF THE REGIONS,

having regard to:

- the Protocol of Cooperation with the European Commission of February 2012,
- the CoR Resolution on the European Committee of the Regions' priorities for 2020-2025 <sup>(1)</sup>,
- the contributions of regional parliaments with legislative powers received in the framework of the CoR-CALRE cooperation agreement,

*Recovery and cohesion*

1. as the implementation of the Next Generation EU will be a fundamental priority of the European Commission Work Programme for 2022, the CoR calls on the Commission to ensure that local and regional authorities are involved in the implementation of the National Recovery and Resilience Plans (NRRPs), which is key to reaching the objectives of the Recovery and Resilience Facility (RRF), to ensuring better coordination with the cohesion policy's programmes and the Smart Specialisation Strategies developed by regions and to preventing potentially low absorption rates. Also highlights the need to involve LRAs in the European Semester processes, as the majority of country-specific recommendations have a local and regional dimension;
2. reiterates its call to the Commission to integrate the Sustainable Development Goals within a reformed European Semester, map them in the NRRPs, and on this basis integrate them into the next cycle, starting with the Annual Sustainable Growth Survey. The CoR also expects a EU multi-stakeholder platform on SDGs to be set up to support and advise the Commission on the timely implementation of the SDGs;
3. calls on the European Commission to put forward a proposal to extend until the end of 2022 the current exceptional flexibility measures under the Coronavirus Response Investment Initiative Plus, such as the possibility of a 100 % EU co-financing rate, and to consider a temporary increase of the *de minimis* state aid threshold in order to continue supporting sustainable investments for the same period;
4. urges the Commission to take all the necessary measures to ensure the full implementation of the legally binding roadmap to introduce new own resources in the course of the current MFF, including by making timely legislative proposals;

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<sup>(1)</sup> COR-2020-01392-00-00-RES-TRA.

5. calls on the Commission to take into account the reality and the needs of local and regional authorities, as well as the impact of the COVID-19 pandemic on debt and deficit levels in its relaunch of the review of the European economic governance framework, notably with regard to public investment at all levels of government;

6. calls on the European Commission to place sustainable development and job creation at the heart of the review of the EU strategy for the Outermost Regions, given the serious consequences of the COVID-19 pandemic on those regions; commits to get involved in the design and implementation of this strategy in line with its previous recommendations;

7. calls on the Commission to integrate demographic considerations into all its policies, and to provide for financial instruments for actions and measures to tackle demographic challenges, in regions where the consequences of demographic change have a particular impact;

#### *Environment and sustainability*

8. welcomes the Commission's proposal to establish Zero Pollution monitoring jointly with the CoR and, at a later stage, a *Scoreboard* of EU regions' green performance within its zero-pollution action plan; proposes to work together to monitor the progress and impacts of all Green Deal policies, including the implementation of climate action and Green Recovery, at regional level; asks to be involved in the organisation of the European Year for Greener Cities, if confirmed for 2022, and calls for consideration to be given to the particular circumstances of rural areas, especially those that are most depopulated, with a view to implementing the policies of the Green Deal;

9. calls on the Commission to integrate into the European Green Deal an Ocean Law as an overarching strategy with measurable targets and deadlines to protect the marine environment, reduce pollution and reverse biodiversity loss, while protecting and promoting small-scale fishing operators;

10. suggests the Commission introduce the concept of environment and climate cohesion as a complementary dimension to the economic, social, territorial and digital cohesion concept, in terms of key element for the recovery in Europe and the world, as well as the sustainable development, UN 2030 agenda, SDGs and the carbon neutral objective;

11. joins the European Parliament's call for the Commission to present a legally binding Biodiversity Law by the end of 2022. This should be accompanied by a monitoring mechanism with indicators and which formally involves LRAs;

12. calls on the Commission to review the Governance of the Energy Union regulation, with a view to making it fit for the implementation of the Green Deal, strengthening the integration of subnational contributions in national plans and aligning the National Energy and Climate Plans (NECPs) with the national plans to implement the UN 2030 agenda and the SDGs framework; proposes a framework for subnational action to be formally taken into account in the UNFCCC framework and the ensuing EU climate governance;

13. expects the Commission to start mainstreaming the gender dimension into its policy processes: in the Green Deal, in the NRRPs and in the Partnership Agreements under the EU structural and investment funds, notably by putting forward, in line with Article 16(f) of the Interinstitutional Agreement (IIA) and no later than 1 January 2023, a methodology assessing the gender impact of EU programmes;

14. calls on the Commission to open a structured dialogue with LRAs on the design and implementation of the 'Fit for 55' package;

15. supports the targets put forward by the Farm to Fork strategy, which remain to be transposed into the legislation of the common agricultural policy. Also calls on the Commission to put forward schemes for fair nutritional labelling, as well as labels for the origin and methods of production of animal products;

16. calls on the European Commission to ensure that the European Rural Agenda is implemented across all policies and has ambitious and concrete political objectives to strengthen the innovative dynamics of rural territories, organise smart inter-territorial cooperation, and stimulate citizen action in local development strategies;

#### *Digital transition and industry*

17. calls on the Commission to integrate digital cohesion as a complementary dimension to the economic, social and territorial cohesion concept and thereby prevent a 'double digital divide' caused by a lack of infrastructure, lack of access to electronic devices and lack of digital competencies;

18. asks the Commission to take into account regional and local differences and related indicators in the eGovernment benchmarking report, as the urban-rural divide in terms of the use of e-government services is widening;

19. calls on the Commission to provide for a structured dialogue with Europe's cities and regions on how to strengthen regional industrial ecosystems, clusters and interregional alliances during the implementation of the industrial strategy, taking into account the Smart Specialisation Strategies, as the place-based approach is largely missing in the Communication on 'Updating the 2020 Industrial Strategy';

*Cross-border cooperation and mobility*

20. welcomes the Commission's commitment to come up with a Single Market Emergency Instrument and calls for the creation of legislation that ensures minimum European standards and procedures guaranteeing open internal borders, also during crises;

21. underlines the need for an EU policy framework to allow for the efficient establishment and management of cross-border public services; also encourages the European legislator, Member States, regions and local authorities to further develop and promote tools for participatory cross-border democracy that contribute to the involvement of citizens in the European integration process on the ground;

22. deeply regrets that the discussions between Member States on the proposed European Cross-Border Mechanism (ECBM) failed; as legal and administrative obstacles place serious limits on cross-border cooperation and on the quality of life in border regions, the CoR calls for a new Commission proposal for a ECBM regulation;

23. calls on the European Commission to follow-up with concrete guidelines on the new urban mobility framework, which will make urban mobility more sustainable and reduce its impact on people's health;

24. welcomes the inter-institutional agreement on the Connecting Europe Facility (CEF). Hopes that co-financed projects on the trans-European transport network (TEN-T) and trans-European energy infrastructure (TEN-E) will contribute to eliminating missing links, especially in cross-border regions, and reminds the Commission of the need to dedicate a sufficient budget to the co-financing of projects on the comprehensive network;

*Migration and social protection*

25. suggests establishing a regional social scoreboard in order to capture the full extent of the social challenges in the EU and to ensure that the European Pillar of Social Rights (EPRS) is implemented at all levels;

26. calls on the Commission to support and monitor Member States' implementation of the European Child Guarantee and facilitate the exchange of best practices in this regard;

27. expects the Commission to come up with an ambitious proposal on Improving Working Conditions for Platform Workers that respects national labour market models and the EU's decision-making competence;

28. invites the Commission to feed the CoR's recommendations into the Initiative on Long-term Care, given its strong link with severe skills shortages in this field and demographic change, which are especially acute in regions with an ageing population;

29. commits to play an active role in the European Platform on Combating Homelessness, which should be complemented by a Commission proposal for an EU framework for national homelessness strategies;

30. calls on the Commission to pay special attention to reinforcing the recovery and resilience of the cultural and creative sectors in light of the COVID-19 pandemic and to address the precariousness of artists' working conditions by facilitating mobility and the mutual recognition of their status;

*Migration and integration*

31. calls on the Commission to ensure progress towards establishing a European framework for migration and asylum management, under the New Pact on Migration and Asylum; reiterates that the local and regional dimension of migration and integration should be taken into account and supported by the new partnership between the CoR and the Commission on integration;

*Security*

32. calls on the Commission to include the CoR as a full partner in the EU Pledge on Urban Security and Resilience, and in the new Cities against Radicalisation and Terrorism initiative;

*Health, civil protection and tourism*

33. reminds the Commission that any review of the Schengen legal framework must take into account the views and needs of the cities and regions close to the internal borders; asks to be consulted at an early stage, in accordance with Protocol No. 2 on the Application of the Principles of Subsidiarity and Proportionality;

34. urges the European Commission to lead a fast procedure aimed at reaching a satisfactory and permanent solution to the problem of the humanitarian crisis in the Mediterranean, firstly focused on protecting migrants' life, but also on ensuring the respect for human rights and fundamental freedoms. The CoR and the LRAs offer their deepest cooperation;

35. calls on the Commission to present bold proposals for the development and production of essential medicines in the EU, in order to ensure the EU's strategic autonomy by reducing dependency on third countries; expects the Commission to also propose concrete and robust measures to stimulate access to generic and biosimilar medicines and also to ensure access to pharmaceuticals in times of crisis;

36. supports a review of the European Union's role in public health policy in the context of the Conference on the Future of Europe, bearing in mind that health policy is a primary competence of the Member States and is often dealt with at the subnational level;

37. expects its opinion on the rights of patients in cross-border healthcare, as well as the results of the 3rd RegHub consultation to be reflected in the 3rd report on the operation of the Directive due in 2022;

38. looks forward to contributing to the Commission's proposal for a European vaccination calendar and card to ensure all Europeans have the right to — and proof of — protection offered through inoculation, regardless of where they live;

39. urges the Commission to move ahead with the establishment and development of Union disaster resilience goals in the area of civil protection, as non-binding objectives to support prevention and preparedness actions, while emphasising that this needs to be done in cooperation not only with national governments but also with local and regional authorities; is also looking forward to the full implementation of the Union Civil Protection Knowledge Network and urges the Commission to include disaster management expertise that is also available at subnational level. Furthermore, expects a clear plan for long-term commitment and financial reinforcement of the EU Civil Protection Mechanism and its instruments, such as rescEU and the European Medical Corps;

40. reiterates its call for a new strategy for European tourism and asks the Commission to present a European Tourism Agenda 2030/2050, including a first draft of it before the end of the first half of 2022, in order to support the ecological and digital transitions of the European tourism ecosystem strengthen its competitiveness and promote the recovery of local and regional employment linked to this activity;

*External cooperation*

41. regrets that the Trade and Cooperation Agreement signed on 24 December 2020 between the EU and the UK does not provide for any specific or structured involvement for local and regional authorities; however, the CoR will, in particular through the political work of the CoR-UK Contact Group, reflect on ways to ensure the continuity of our cooperation with the UK's devolved administrations and local governance; also calls on the Commission to closely monitor the involvement of local and regional authorities in the implementation of the Brexit Adjustment Reserve;

42. calls for the establishment of sustained and structured support by the Commission for peer-to-peer cooperation between local authorities in the Western Balkans and their counterparts in the EU Member States, in close cooperation with the CoR, and in particular through its joint consultative committees with Montenegro, North Macedonia and Serbia, as well as the working group for the Western Balkans;

43. welcomes the decision to launch the Eastern Partnership Academy for Public Administration, and the local and regional authorities' reinforced role in the implementation of Eastern Partnership policies, strategies and flagship initiatives;

44. when implementing the renewed partnership with the Southern Neighbourhood, urges all the EU institutions to consider local and regional authorities as key partners for sustainable development and programming, in order to create new dynamics for decentralisation reforms;

45. calls on the Commission to recognise the role that local and regional authorities can play in contributing to peace and prosperity in third countries, with initiatives such as the Nicosia Initiative — a concrete example of peer-to-peer cooperation, which has been contributing to creating trust and keeping an internal dialogue open among regional and local authorities;

*Subsidiarity and future of Europe*

46. reiterates its call on the Commission to step up its work and its engagement with citizens and local and regional authorities in the framework of the Conference on the Future of Europe and beyond, and to provide the appropriate tools to follow up on the recommendations from the Conference; invites the Commission to step up cooperation between its representation offices in the Member States and the CoR on organising local dialogues beyond capitals;

47. calls on the Commission to follow up on the legislative and non-legislative measures outlined in the European Democracy Action Plan, while including in their scope regional and local elections, local media and countering disinformation at the regional and local levels;

48. remains committed to implementing the recommendations of the Task Force on Subsidiarity, Proportionality and 'Doing Less More Efficiently' and the concept of 'active subsidiarity'; calls for the systematic use of the Subsidiarity Assessment Grid;

49. instructs its President to forward this resolution to the EU institutions and the Presidencies of the Council of the EU.

Brussels, 30 June 2021.

*The President*  
*of the European Committee of the Regions*  
Apostolos TZITZIKOSTAS

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## Resolution of the European Committee of the Regions on a vision for Europe: The Future of Cross-border Cooperation

(2021/C 440/02)

THE EUROPEAN COMMITTEE OF THE REGIONS

1. firmly believes in the high added value of cross border cooperation as an essential element of the European Union project and policies as it aims at enhancing territorial cohesion as well as links, exchanges and collaboration between territories and citizens across land and maritime borders;
2. is worried by the biggest setback for cross-border cooperation in past decades, which comes as a result of the COVID-19 pandemic; calls in light of the debate on the Future of the Europe on the European Union to put cross-border cooperation back to the top of the EU's policy agenda so that it can contribute to the recovery from the crisis;
3. following public consultations by the CoR on the future of cross-border cooperation, and after having consulted members of the European Cross-border Citizen's Alliance, proposes the following vision of cross-border cooperation over the coming years;

*Emergency services, healthcare and future crises*

4. calls on the European Commission to present a proposal for maintaining land and maritime cross-border cooperation and cross-border life in the event of an EU-wide or regionalised crisis. This proposal should envisage that internal EU borders will be kept open, ensuring the free movement of people, the delivery of cross-border public services and guarantee the full and smooth functioning of the single market and the Schengen area;
5. highlights that the European Union and its Member States should always timely consult local and regional authorities before considering border closures, or any type of action that might impact on citizens' lives; furthermore, any such action needs to respect the principle of proportionality and must not go beyond what is necessary to achieve the legitimately and transparently defined policy objectives;
6. underlines the need for residents in the European Union to get the quickest possible access to emergency and healthcare services; encourages the Member States to consider measures that would allow for the free passage across borders of personnel and vehicles working in the emergency services and healthcare;
7. suggests that Member States take account of cross-border cooperation when making changes to the activities of health and emergency services, or when planning or implementing new national, regional or local health plans. Moreover, EU health plans could be implemented and adhered to, as far as possible and depending on the cause of the emergency;
8. calls on Member States to create Joint Cross-Border Emergency Plans per border, or even per parts of the border, to ensure better preparedness and response in case of emergency. EU border regions, and specifically Euroregions, working communities, the European Groupings of Territorial Cooperation (EGTCs) and the other cross-border structures should be consulted when drafting such plans, with the possibility, where appropriate, of them being in charge of implementing or co-managing them;
9. pleads for a strong cooperation with the European Centre for Disease Prevention and Control (ECDC) and competent regional authorities, notably through the establishment of local or regional cross-border health observatories;

*For more integrated cross-border regions*

10. calls on the European Union, in cooperation with its Member States and local and regional authorities, to promote the development of functional living areas in land and maritime cross-border areas of the Union and neighbouring countries, including in outermost regions, and consequently focus its future funding opportunities and policies on those areas;
11. calls on the European Commission to take the cross-border phenomenon into account based on a cross-cutting approach when drawing up its policies;

12. calls on the European Commission, and in particular EUROSTAT, as well as the relevant national Statistical Offices, to systematically gather statistical data on life in cross-border areas, mapping out cross-border flows and interdependencies in all relevant policy areas and public life, in order to provide concrete evidence for future policy-making;

13. requests Member States to look into establishing joint strategies for integrated cross-border areas and foresee dedicated resources for the development of cross-border projects, spatial planning, infrastructure, economic strategies and an integrated labour market. Funding for the development and implementation of these strategies would be provided as part of INTERREG under the 2021-2027 Multiannual Financial Framework;

14. considers that all European Commission services should be aware of the existence of EGTCs. The European Committee of the Regions accordingly calls on the European Commission to ensure that EGTCs are acknowledged as legal entities and are eligible for all EU calls for projects;

15. stresses that environmental health (air, soil and water quality) and the health of the inhabitants of border areas should be further protected, in order to avoid pollution and industrial risks generated on the other side of the border;

16. to enable frictionless cross-border life, the CoR urges the European Commission to engage in dialogue with the Member States to find effective ways of mutually recognising the qualifications and rights of individuals and businesses;

*Improving cross-border transport and communication links*

17. calls for support for better cross-border connectivity and intermodality in land and maritime borders through adequate funding and strategic planning. Instruments like the Connecting Europe Facility should always include specific calls for closing cross-border missing links, even beyond the TEN-T core network. Long term investments through the European Investment Bank (EIB) and the national promotional banks and institutions (NPBIs) should also provide funding for cross-border projects and INTERREG should increase its participation in financing these transport bottlenecks in its operational programmes;

18. underlines that all solutions aimed at decarbonising cross-border flows should be promoted more ambitiously in order to reach the climate targets by 2030 and climate neutrality by 2050. This also includes the development of common fare policies or ticketing systems, harmonisation of timetables and making information accessible to passengers;

19. in light of the challenges faced by insular, mountainous, and peripheral areas, also wishes to highlight the importance of cross-border cooperation programmes to ensure territorial continuity and cross border mobility, sustainable management of natural resources and support the decarbonisation of energy system and circular economy in the regions and sea basin concerned;

20. emphasises that more attention and funding should be given to cross-border IT connection projects, access to broadband networks and use of Artificial Intelligence tools which would support economic and social cooperation between cross-border regions, paying particular attention to the needs of rural areas;

*Developing cross-border services*

21. underlines the need for an EU policy framework to allow for the efficient establishment and management of cross-border public services, which would address the needs of EU residents living in border regions, taking into account in particular the needs of residents of cross-border regions facing demographic challenges and in so doing preventing these regions from continuing to become depopulated by giving them access to high-quality public services. Cross-border public services (CPS), for residents and businesses, should be developed in all relevant fields for cross-border life;

22. calls on EU border regions, and specifically Euroregions, working communities, EGTCs and other cross-border structures, to proactively look across borders to find synergies, possible economies in terms of resources, and complimentary services in order to create an attractive offer for citizens and tourists on both sides of the border;

23. underlines the need for improved access to, and distribution of, audio-visual content by limiting geo-blocking in particular in border regions, which would also benefit linguistic minorities;

24. stresses that the reduction of administrative burden is particularly relevant for businesses operating in border regions and commits therefore to prioritising the issue within the Fit for Future platform with relevant proposals in areas such as public procurement and digital-procurement tools and processes; highlights the importance of digitalisation in the development of the cross-border provision of public services, taking into account in this regard three key aspects: the productive fabric, public administrations and bodies that provide services to citizens, and citizens themselves;

25. calls on the European Commission to draft a legislative framework to facilitate the adoption by border States of statutes for cross-border workers;

*Developing integrated cross-border labour markets*

26. underlines that in very interlinked cross-border regions, co-development is needed to ensure cohesion and sustainable growth. This requires an integrated territorial strategy, a fair distribution of the incomes generated by cross-border work and cross-border funding of the cross-border infrastructure and public services needed to ensure the functioning of the cross-border region;

27. requests improved promotion and better facilitation of cross-border cooperation on mobility for the purposes of education, training and employment. For individuals, this type of mobility improves employment prospects, contributes to openness to the world and strengthens European citizenship;

28. stresses that education systems, including at universities, adult and vocational education institutes in border regions, should offer opportunities to learn neighbouring languages as early as possible and in the concept of 'lifelong learning', with curricula adapted to meet the current and future needs of the labour market;

*Strengthening cross-border governance*

29. asks that cross-border structures, such as Euroregions, working communities and cross-border EGTCs, be given a more prominent role in managing cross-border areas and that they be consulted regularly on all aspects of cross-border life. Member States and LRAs should establish working methods to enable different cross-border structures, so as to ensure this;

*Developing a common sense of identity across borders*

30. highlights that cross-border cooperation is not only about economic cooperation but also about living in border regions and developing a sense of common identity. A culture-based approach should be developed that highlights the richness of the heritage — both tangible and intangible — shared by cross-border regions, offering citizens an opportunity to interact regularly and socialise with their neighbours, building mutual trust, which remains a key obstacle to cross-border cooperation. In this respect, people-to-people projects, in particular to strengthen intercultural exchange, are extremely important as they enhance neighbourly cooperation, which is what matters most to citizens as it is part of their everyday lives. Special attention should also be given to the diversity of the population, and appropriate means should be sought to apply an inclusive approach;

31. supports the creation of an 'EU-Digital Cross-border Service Card' and reminds the co-legislators that the initial idea behind the services e-card is to reduce the administrative complexity and costs for cross-border service providers, and particularly SMEs, when fulfilling administrative formalities;

32. calls on the European Union, Member States and LRAs to support the organisation of regular cultural, educational and sporting cross-border events and festivals; stresses that youth volunteering and youth involvement in cross-border and European cooperation initiatives should be further developed, completing the INTERREG Volunteer Youth (IVY) initiative and the European Solidarity Corps;

33. is of the opinion that the European Union should encourage the development of universal automated translation devices, which are particularly useful in cross-border areas;

*Better regulation for stronger border regions*

34. emphasises that the European Union has adopted many pieces of legislation and treaties that have the potential to significantly improve lives of citizens living in border regions, but their implementation and follow-up is deficient; urges the European Commission to review the implementation of existing legislation and to strengthen follow-up capacity, with a view to ensuring that it is properly implemented at all levels;

35. asks the European Commission to propose an instrument for coordination between Member States during the transposition of EU directives, so as to prevent the creation of new legal obstacles at borders;
36. calls on the European Commission and Member States to carry out cross-border territorial impact assessments on all relevant legislative proposals with potential cross-border impact, in order to avoid creating new obstacles in cross-border regions;
37. calls on the European Commission to propose revisions or clarifications to the Schengen Agreement, especially the provisions that allow Member States to close borders or introduce additional administrative requirements for their crossing;
38. deeply regrets that the discussions between Member States on the proposed European Cross-Border Mechanism (ECBM) failed, as the proposal included considerable progress for cross-border cooperation. As the cross-border legal and administrative obstacles put serious limits to cross-border cooperation and to the quality of life in border regions, the CoR calls for a new Commission initiative revising the ECBM regulation taking into account issues raised earlier by Member States. The CoR volunteers to organise the discussions prior to this new regulation proposal with the European Commission, the European Parliament and the Member States, regional and local authorities and all other stakeholders interested in the topic;
39. asks the European Commission and the Member States to recognise the role played by Euroregions as a key tool in European integration and cohesion by forging a Euroregional identity, adopting joint strategies, working to eliminate the associated costs and through neighbourly cooperation. Therefore, calls for the role of Euroregions in cross-border cooperation to be developed and promoted by giving them greater financial support;

#### *Improving European Territorial Cooperation*

40. calls on the European Union to revise the Multiannual Financial Framework during its mid-term review by dedicating considerably more funding to the INTERREG programmes and European Territorial Cooperation;
41. requests a considerable continued simplification of the INTERREG projects and underlines that they should be flexible enough to address the real needs of cross-border areas; calls on the Programme Management Bodies of INTERREG programmes to further avoid any gold plating. Unnecessary administrative procedures and some controls and audits that occur too frequently should be abandoned, as the current burden makes cross-border projects unfeasible or undesirable for many LRAs and other entities;
42. for the 2021-2027 period, all the geographical areas of cross-border cooperation need to remain as they were in the 2014-2020 period, with no territories disappearing that are eligible for the various cross-border cooperation programmes without justification;
43. calls on EU border regions and INTERREG programmes to invest more resources in people-to-people (P2P) projects or microprojects — which can be managed through regular calls or by creating a ‘Small Project Fund’ — in the border regions in order to increase the possibilities for encounters and mutual trust-building activities and suggests also a closer interaction and cooperation of cross-border, transnational and interregional cooperation;
44. underlines the importance of synergies and complementarities between cross-border cooperation actions and European funding programmes under direct, indirect and, notably, shared management;
45. points out that, as part of the INTERREG programmes, the Union should finance the further training of officials working in border regions on the basis of cross-border cooperation, and offer Erasmus-like exchange and language-learning programmes for civil servants in cross-border regions in order to strengthen cooperation across-borders;
46. stresses the CoR’s commitment to cooperate with Member States EU institutions and relevant stakeholders in delivering on the proposals outlined in this Resolution;
47. emphasises that the proposals made in this Resolution aim to contribute to the discussions at the Conference on the Future of the Europe; invites, in this respect, local and regional authorities of border regions to organise cross-border citizens’ dialogues and permanent consultation mechanisms where citizens could provide contributions for the Conference on the Future of Europe;

*The external dimension of cross-border cooperation*

48. recalls the important role that cross-border cooperation, and permanent cross-border structures such as Euroregions, working communities and EGTCs, can play in achieving sustainable development across external borders, contributing to stronger EU cooperation with its neighbours, supporting local and regional governments, promoting enhanced security and improving socio-economic development. Local and regional authorities along the EU's external land and maritime borders should intensify cooperation with their neighbours in non-EU countries for the benefit of both sides, by developing common infrastructure, strengthening socio-economic cooperation and intensifying cultural exchange, as well as enabling the establishment of joint services that would benefit citizens in that border area;

49. calls for consideration of cross-border cooperation between European, national, regional and local authorities as a key element in the long-term resolution of humanitarian crises in Europe and in its neighbourhood;

50. highlights the key role of the cross-border PEACE programme at the Irish-Northern Irish border in the peace process and regrets the decision of the UK government to withdraw from the participation in other programmes of European Territorial Cooperation. Building on successful work carried by INTERREG programmes covering the North Sea area, the CoR sees the promotion of future cross-border projects and structures as an important step towards maintaining strong links with UK cities and regions, even without formal involvement in EU cooperation programmes;

51. points out that the EU's external borders extend to the Caribbean, the Indian Ocean and the west coast of Africa, as there are European outermost regions in these areas. These areas are very exposed to risks and emergencies related to migratory movements, illicit trafficking, natural disasters, health crises, and so on. Unlike other external borders in its neighbourhood, the EU has not developed joint strategies for these areas; calls on the EU to take this further and draw up action plans for each of these areas, strengthening cooperation with neighbouring countries and taking advantage of the strategic potential of the presence of European outermost regions in these areas.

Brussels, 1 July 2021

*The President*  
*of the European Committee of the Regions*  
Apostolos TZITZIKOSTAS

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## OPINIONS

## COMMITTEE OF THE REGIONS

INTERACTIO – HYBRID – 145TH COR PLENARY SESSION, 30.6.2021-1.7.2021

**Opinion of the European Committee of the Regions — Sustainable and Smart Mobility Strategy**

(2021/C 440/03)

<b>Rapporteur:</b>	Robert VAN ASTEN (NL/RENEW E.) Alderman of the Municipality of The Hague
<b>Reference document:</b>	Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions Sustainable and Smart Mobility Strategy — putting European transport on track for the future COM(2020) 789 final

**POLICY RECOMMENDATIONS**

THE EUROPEAN COMMITTEE OF THE REGIONS,

**General comments**

1. welcomes the EU's Sustainable and Smart Mobility Strategy. With this Communication, the European Commission is establishing a link between the sustainability agenda from the EU Green Deal, the Digital Agenda and the role of mobility in the recovery from the COVID-19 crisis;
2. mobility connects people, cities and regions and is a prerequisite for a well-functioning economy. However, in Europe, mobility is also responsible for a quarter of all CO<sub>2</sub> emissions; therefore supports the European Commission's overall approach to making mobility more sustainable, improving access to sustainable alternatives and implementing the right incentives, including price incentives;
3. stresses, however, that making mobility sustainable must be combined with related challenges such as accessibility, affordability, road safety, health, spatial planning, the actual existence of alternatives to private transport and demographic change. The strategy lacks concrete measures to make these challenges mutually reinforcing;
4. notes that, in cities and regions, mobility is the link between living, health, working, knowledge, commercial supplies and free time. The mobility transition is mainly taking place at regional and local level. The strategy should better take into account cities and regions' knowledge and experience of making mobility sustainable. The transition to sustainable and smart mobility requires a joint approach involving all levels of government (multilevel governance), in line with the principle of active subsidiarity;
5. this is not just a question of making transport more sustainable (towards zero-emission vehicles), but rather of reducing distances and the amount of travel — where possible — and changing and sharing modes of mobility (towards more sustainable active forms such as walking, cycling and buses and trains), and sharing modes of mobility (e.g. through smart pooling of transport needs using digital tools (ride-pooling), including in rural areas);

6. points out that the mobility transition requires a change in behaviour, to which users are key. More attention should be paid to social innovation geared towards effective incentives that cities and regions can use to promote active mobility, such as promotion of cycling by institutions, building bicycle parking areas, monitoring cycle and pedestrian lanes to ensure they are used properly, and taking all the necessary steps to improve accessibility for everyone, among other measures;

7. regrets that the strategy does not represent a vision of a holistic European mobility policy, covering all modes of transport in a joint and balanced manner. Stresses, in this regard, that the Commission should put more emphasis on other sustainable modes of transport, such as the bus, which is set to play a key role in the transition towards sustainable, safe and accessible mobility;

8. believes that the EU, its members states, regions and cities need to start considering public spaces as a common good, particularly in cities in the context of the design and urban planning, as well as climate and energy planning. That could help change the use of public space from mainly private cars to a common good for citizens;

9. calls on the Member States, their regions and cities to significantly increase their efforts to increase the share of walking, cycling, public transport and other collective sustainable transports options in urban, intermediate and rural areas;

10. regrets that the European Commission's proposal focuses in its proposal mainly on individual vehicles, thereby neglecting their impact on congestions and their other negative externalities (noise, air pollution, accidents, greenhouse gases, barrier effects, etc.). This is particularly relevant in transit regions and cities. Moreover, in some Member States the number of journeys is increasing as the population moves away from city centres to outskirts and suburbs;

11. welcomes the important role of the sustainable urban mobility plans (SUMP). These plans are being used by an increasing number of cities in Europe but the surrounding areas should also be included as a daily urban system<sup>(1)</sup>. This system may vary from one city or region to another and may include both peri-urban and surrounding rural areas;

12. stresses that EU Horizon programme missions, in particular the 100 Climate-neutral Cities by 2030 mission, have made a crucial contribution to meeting the major societal challenges set out in the EU strategy, and are integrated, bringing together many different areas;

13. good connections are important for economic, social and territorial cohesion in the EU; notes, in particular, the absence from the mobility strategy of concrete initiatives from the European Commission for rural, isolated and outermost areas, building on the important role of mobility in ensuring the provision of services of general interest in rural areas with sparse infrastructure. About two thirds of the European population lives outside large cities. Public transport services face particularly significant challenges in more sparsely populated areas and in island, outermost and mountainous regions. European funds and regulatory measures should help to improve the mobility of citizens everywhere;

14. reminds that regions and cities themselves often also either provide or commission public transport services and defines public service obligations (PSO) in the field, for instance of health transport and public regular road passenger transport. In this sense, asks the European Commission to better take into account the sustainable dimension of transport in its review of the interpretative guidelines on the Land PSO Regulation, particularly to allow local and regional authorities to be more prescriptive in their demands;

### **The role of the local and regional authorities (LRAs)**

15. cities and regions face diverse challenges. Some regions with large cities, as well as transit regions, have high levels of congestion, air pollution and environmental noise. In other regions, especially more sparsely populated ones and the suburbs of large cities, a lack of good connections is a major problem, jeopardising accessibility. Finally, some regions have

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<sup>(1)</sup> Daily urban system refers to the area around a city, in which daily commuting occurs. It is a means for defining an urban region by including the areas from which individuals commute.

to cope with seasonal influxes that as much as treble their population. Large regions can experience all of these types of problem together;

16. acknowledges the EU hydrogen strategy, and highlights the potential offered by hydrogen produced from renewable energy sources and e-fuels derived from it to decarbonise those areas of transport where electrification is not appropriate or likely, such as heavy goods traffic, shipping and aviation. Green hydrogen can also be a useful alternative in local public transport and for special-purpose municipal vehicles <sup>(?)</sup>;

17. mobility is inextricably linked to spatial planning, such as the design and location of building developments for housing, workplaces, services and cultural activities, as well as of footpaths, cycle paths, public transport stops, parking spaces, etc. Structural plans and land use allocation guide mobility facilities and lay down the criteria for their construction. By only focusing on making all existing forms of mobility more sustainable, the EU is not sufficiently acknowledging the spatial dimension;

18. in particular, mobility in rural areas is one of the essential aspects of spatial planning, permitting connectivity between the population centres and the main country town or administrative centre where all the essential public services are located. This is why rural mobility — through the most efficient modes of transport with the most extensive networks and reach — gives people access to basic services (education, health, social services, etc.) equal to that enjoyed by people in the urban or peri-urban world;

19. in order to reduce emissions from fossil fuel mobility, it is recommended that essential services such as housing, work, schools, health centres, businesses, leisure <sup>(?)</sup> and commercial supplies be located in the immediate vicinity of each residential area. At the same time, the COVID-19 pandemic and online working are making people's place of residence less dependent on their place of work, which in the long term could likewise reduce the volume of traffic. The European Committee of the Regions therefore defends, when possible and taking into account the different realities of European municipalities, the concept of the '15-minute city', where all of the things people need and many that they want are located within a travel distance of 15 minutes. While motor vehicles may be accommodated in the 15-minute city, they cannot determine its scale or layout;

20. points out that account must be taken of the constraints on the outermost regions, where the construction, planning and maintenance of collective transport networks to serve the population is more difficult and costly, and where, without alternatives, individual vehicles remain the main means of transport;

21. cities and regions stimulate active mobility by having good infrastructure for pedestrians, cyclists and public transport. This should include enabling those living on the outskirts of cities and village centres in rural areas to change modes of transport easily and safely during journeys, allowing passengers to take their bicycles with them and providing good and affordable connections. In this regard, it is regrettable that the strategy does not present a clear vision for collective public transport. It is also necessary for the proposed strategy to provide for different mobility needs to be allocated to the modes of transport that are more efficient, sustainable and most geared to the public in each case;

22. good connections are important for economic, social and territorial cohesion in the EU. They connect all regions and cities within the single market and ensure that no one is left behind. This applies not only to metropolises in economic centres but also to medium-sized cities, rural areas, mountain areas, peripheral areas, outermost regions and islands;

### **Sustainable urban mobility plans (SUMP)**

23. sustainable urban mobility plans (SUMP) are central to the strategy. This voluntary policy instrument from 2013 is intended for the mobility management of cities and the connections between cities and the surrounding (peri-urban) areas. There are now 1 000 cities in Europe with a SUMP. In recent years, the EU <sup>(\*)</sup> has published guidelines on issues including low-emission zones, cycling and shared mobility, promoting e-mobility, and climate planning for rural public spaces, covering a wide range of aspects;

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<sup>(?)</sup> CoR/2020/549

<sup>(?)</sup> A good example of this is the 15-minute city. This means that residents are 15 minutes away (density) by foot or bicycle (design) from everything they need: shops, offices, schools, healthcare, sport, culture and leisure (diversity).

<sup>(\*)</sup> <https://www.eltis.org/mobility-plans/sump-guidelines>

24. in some Member States, regional mobility plans are used, which better reflect the scale of the challenges and are in line with regional daily urban systems. Functional urban regions are currently used as a basis, but the current Eurostat definition does not adequately correspond to the structural and functional realities of polycentric regions with transport flows between them. Regional sustainable mobility plans should also be an instrument to ensure transport in the most depopulated rural regions in an efficient and sustainable way;

25. SUMP must be flexible enough to reflect the diversity between cities and regions and the principle of subsidiarity. It is important to financially support the development of SUMP and implementation of measures they provide for, so that LRAs can gain experience with the methodology and learn from each other by implementing new policy concepts and experimenting with behavioural change;

26. the importance of rural, mountain and remote areas, islands and outermost regions must be taken into account in sustainable mobility plans to ensure good connections and accessibility. This requires mobility models to be developed based on efficient and sustainable systems such as on-demand transport. These plans must also include rural localities that are dependent on the main urban hub in order to ensure proper connections to scattered settlements and remote and hard-to-access areas;

### **Financial instruments**

27. stresses that collective public transport must continue to be the cornerstone of the SUMP, which must also include school transport in order to take vehicles out of circulation and reduce negative externalities; calls on the Commission to recognise this form of transport as the backbone of sustainable mobility in the new Urban Mobility Framework and to ensure sufficient support for its expansion;

28. many of the investments required for the mobility transition must be made using national, regional and local funds in the coming years. This means that the EU has to make room within the Stability and Growth Pact and State aid rules for investments reducing the environmental impact of transport and reaching the objective of the European Green Deal;

29. notes, however, that additional EU funding is needed in order to make investments, especially to implement measures provided for in SUMP for liveable cities and regions. Such measures include better collective public transport services and pedestrian and cycle networks, and the construction of sound infrastructure such as publicly accessible charging points for electric and hydrogen fuel cell vehicles, shared mobility systems and smart applications. For less developed regions with less financial capacity, funding should be made available for initial investments and for the long-term operational costs of transport services. Because of the strict requirements in the use of EU funding and the intricate budget structure in the Member States, access to these funds is sometimes made more difficult for local and regional authorities compared with other funding options.

Regions with a strong economic focus on the automotive manufacturing and supply industries are facing major challenges due to the restructuring of the sector. The manufacture of electric and hybrid vehicles is much less labour-intensive throughout the value chain, from production to servicing. New technologies require completely different skills. Regions where the automotive industry accounts for a significant share of the economy and jobs must receive the extra support needed through European funds, in order to minimise the risks and compensate for the negative effects on their economy and employment levels that may result from the transition that the EU is calling on this industry to make;

30. the Commission indicates that it intends to actively support LRAs, but there is no integrated approach in its strategy. It would help if LRAs could receive support through better information, one-stop shops and technical assistance when applying for grants, or advice in order to share expertise and adapt it to the regional context;

31. for the mobility transition, LRAs can make use of funds from the Cohesion Fund, the Just Transition Fund (JTF), the European Regional Development Fund (ERDF) and the EU Recovery and Resilience Facility (RRF); notes, however, that these funds are not nearly enough to enable LRAs to fulfil their role in making mobility more sustainable and therefore calls for a minimum percentage of these resources to be reserved for them, in accordance with their responsibilities;

32. deploras, also, that, even if the Common Provision Regulation (CPR) and ERDF regulations voted by the European Parliament and the Council of the European Union, allow cohesion policy's investments in mobility transition, these investments are sometimes blocked by the services of the European Commission during the negotiation of the ERDF Operational Programmes;

33. Interreg also provides funding for local investments. This programme is important for LRAs because it enables them not only to invest but also to learn from each other. It is vital to exchange good examples at local and regional level, for example, on cycling policy. In this sense, macroregional strategies could play an important role;

34. the abovementioned EU funds should prioritise a modal shift from private vehicles to more sustainable modes of transport, such as collective passenger transport, which will play a key role in the energy transition;

35. supports the proposal to extend funding from the budget for the Connecting Europe Facility (CEF) for the trans-European transport networks (TEN-T) to first/last-mile solutions, including multimodal hubs, park and ride facilities and safe active infrastructure for walkers and cyclists; stresses that TEN-T funding should also support public and collective transport infrastructure projects such as renovation of railway and bus stations, the reopening and electrification of railway lines or solutions to promote intermodal transport; accepts that a mandatory SUMP should be drawn up for this purpose;

36. in order to switch to sustainable and renewable fuels (in TEN-T networks) on a large scale, connection to the energy network (in TEN-E networks) is required to enable the (fast) charging of and support for the deployment of electric and hydrogen-powered vehicles or vehicles powered by other alternative fuels across all modes of transport. System integration is essential in this regard;

37. stresses that expanding the TEN-T network will require urban nodes to play a bigger role. These nodes currently receive only 1 % of CEF funding and need to be better defined so that they can be eligible for co-financing. Urban nodes are part of a broader network of connections. The supporting role nodes play in active mobility and public transport and LRAs' role in governing TEN-T must be documented and supported. Thus local authorities representing urban nodes should be routinely involved in meetings of the 'corridor forums' of the TEN-T core network where they are located. The European Commission should also better define investment that will be eligible in the urban nodes under the 'railway lines' and 'multimodal passenger hubs' priorities of CEF calls for proposals. Finally, the list of urban nodes of the TEN-T network should be extended during the planned revision of the network in autumn 2021 because it drastically limits the potential to mobilise funding;

38. welcomes the Horizon Europe programme with its 'Climate, Energy and Mobility' and 'Digital, Industry and Space' clusters, and supports the 100 climate-neutral and smart cities mission. The mobility transition requires innovation, room to experiment and the opportunity to exchange knowledge. Cities and regions can serve as testing grounds for both the technical aspects and the inclusive component, such as dealing with active mobility. The missions with their new innovative financial instruments can help LRAs with their tasks and set predefined objectives;

39. draws attention to the InvestEU programme, in which 'sustainable infrastructure' is one of the four policy 'windows'. However, these are financial instruments, where it must be possible to recoup the investments. This is by no means possible for all investments. It is therefore important for the InvestEU Advisory Hub to consider the wide-ranging needs of cities and regions and develop genuine financial engineering from the EU;

### **Policy instruments**

40. the EU strategy envisages many policy instruments that can help cities and regions with the mobility transition, but on a number of points, the Committee would like to see concrete policy proposals;

41. EU legislation in the field of harmonisation, standardisation and interoperability is necessary for a level playing field. Proper data standardisation, protection and exchanges and high standards for emissions and road safety can only be regulated at EU level;

42. considers it important to stop subsidising fossil fuels and instead to promote alternative, clean propulsion methods and, where possible, to give the advantage to new technologies so as to accelerate rather than slow down the transition. This can be achieved by applying the 'polluter pays' and 'user pays' principles and ending tax benefits for fossil fuels. At the same time, the Committee notes that tax systems in many places strongly favour the provision of company cars with internal combustion engines, which runs counter to the EU's long-term and medium-term climate goals;

43. supports the European Commission's project to include road transports in the Emissions Trading System. However, is concerned that this inclusion would hit vulnerable consumers. Insists therefore that the product of this new tax should finance a massive public investment programme within the future cohesion policy in order to allow local and regional authorities to develop decarbonised offers of transports for all EU citizens, wherever they live, particularly to connect rural and remote areas with urban centres;

44. various incentives are needed to bring about a modal shift. These include positive incentives such as the expansion of local public transport, tax incentives for the purchase of zero-emission vehicles (bicycles, scooters and cars), and efficient, reliable and affordable rail transport. They also include toll systems, a location and time-based congestion charge, that encourages the use of sustainable collective transport, kerosene taxation for the aviation sector, an extension of the emissions trading system to aviation and shipping and a broader eco-tax to tackle road transport and pollution, for example in the Alpine countries or other border regions that are particularly prone to congestion due to transit traffic;

45. notes that, during the COVID-19 crisis, many cities and regions (re)discovered active mobility. Cycling and walking are not only healthy and resilient ways to travel; they are also good for the climate. It is therefore necessary for the EU to put active mobility higher on the political agenda;

46. points out that the revision of the Energy Taxation Directive offers a unique opportunity to decarbonise transport, to encourage the use of the most energy-efficient means of transport, such as collective passenger transport, and to boost the internalisation of transport costs;

47. adds that the promotion of collective transport must be accompanied by measures to make it easier for all users to use, in terms of both pricing — including setting low prices for users or even making it free for some groups — and the possibility of combining it with cycling, in order to facilitate mixed mobility models;

48. points out that, depending on regional and local circumstances, renewable biofuels, e-fuels, hydrogen and other innovative fuels and propulsion systems may present sustainable solutions and must not be placed at a disadvantage;

49. public-private solutions can play a role in reducing unsustainable mobility through agreements with businesses on working from home, location policy or urban distribution. The EU can ensure that these public-private solutions become more widespread;

50. cities and regions are trying to limit car and freight traffic through low-emission and zero-emission zones; requests that LRAs have access to the EUCARIS<sup>(?)</sup> system and its vehicle registration data from other Member States to ensure proper enforcement;

51. welcomes the proposals for zero-emission vehicles (CO<sub>2</sub> standards and post-Euro 6/VI standards), but points out that the regulations must be implemented in such a way that they can keep pace with the necessary expansion of renewable energy production, transmission networks, regional and local distribution networks, and fuelling and charging infrastructure. The new standards must leave sufficient room for innovation, and be technology-neutral. They should apply not only to passenger cars and buses but also, in the context of zero-emission city logistics, to clean delivery vans and lorries; also calls for EU legislation for polluting mopeds/scooters and inland waterway vessels. Stricter rules for tyres and brakes as well as emissions are important for reducing particulate matter, which contributes to air pollution. Care must

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<sup>(?)</sup> EUCARIS is an intergovernmental application for a network of national vehicle registration databases. It is currently used for Directive (EU) 2015/413 on the exchange of information on road traffic offences.

always be taken to ensure that vehicles are also subject to other requirements (in particular with regard to range and charging/refuelling time) that are essential for functional passenger and delivery services, in particular local public transport;

52. advocates a clear EU framework for light electric vehicles (LEVs) such as electric scooters, speed pedelecs and other forms of micromobility in Regulation (EU) No 168/2013; welcomes the intention of the European Commission to issue guidelines to support the safe use of micromobility devices still in 2021;

53. urges the European Commission to do more to encourage the purchase of electric, low emissions and hydrogen cars or bicycles, by providing incentives, which will increase the volumes of production and create appropriate infrastructure, thus leading to the reduction of their cost, which is currently very high and makes them unaffordable to a large number of consumers. Also, this could involve revising the VAT Directive so that Member States can encourage the purchase of electric bicycles by means of a lower tax rate;

54. recognises that Mobility-as-a-Service is an important concept for many cities and regions, enabling them to promote door-to-door transport. To that end, it is important that the EU focus on multimodal tickets and integrated information about all possible types or combinations of transport <sup>(6)</sup>;

55. endorses the new proposals that the European Commission will make to promote charging infrastructure and hydrogen points <sup>(7)</sup>. This is important because of the speed of technical developments (towards fast charging, charging hubs and hydrogen) and from the point of view of fire safety. Agreements must be made at EU level on technological standards and requirements for charging stations and on uniform payment options. The current lack of robust infrastructure is hampering private investment in the market;

56. multimodal hubs in municipalities mean good connections to interurban and international transport links but also transshipment or other opportunities regional freight logistics and for smaller urban distribution. The timely expansion of the European TEN-T corridors must be accompanied by the development of multimodal logistics and transshipment facilities;

57. the Commission intends to make scheduled collective transport under 500 km within the EU carbon-neutral by 2030, with the planned doubling of high-speed transport — as an alternative to aeroplanes — playing a key role in this regard. Rail freight transport should be far more than doubled by 2050, and aviation, shipping and inland waterway transport should be made considerably more sustainable. The European Commission should favour clean transport alternatives wherever possible;

58. rules for rail and waterway transport need to be better harmonised to increase sustainability and competitiveness. Multimodal freight loading points must also be created or expanded, both along transport corridors and in the regions. Moreover, international rail traffic consists not only of connections for high-speed lines, which are prioritised, but also of normal (cross-border) connections. The EU should continue to use the CEF to close gaps in cross-border rail connections, which are essential to link regions in Europe with each other. For these connections, there is still a lot to be gained from increasing the speed to 160-200 km/h. After all, for short and medium distances, people need to be persuaded to choose travelling by rail or bus not just over air travel but also over travelling by car; therefore, supports the European Year of Rail;

59. underlines the successful cooperation between the European Commission and the European Committee of the Regions in the framework of the European Year of Rail. Notes with satisfaction the great interest generated among local and regional authorities by the Commission's call for event proposals aiming at promoting rail as the most sustainable, energy-efficient and safest form of transport;

60. the mobility transition is also a social transition. Some jobs will disappear and others will change, while many new ones will also be created. It is important to ensure that workers are upskilled and reskilled in good time, particularly in the automotive industry. A large proportion of the added value of electric vehicles rests in their batteries, which are currently largely manufactured outside Europe in places with different environmental and social standards. It must be ensured that

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<sup>(6)</sup> By revising the EU Directive on Intelligent Transport System (ITS).

<sup>(7)</sup> By revising the Alternative Fuels Infrastructure Directive (AFID) and the Energy Performance of Buildings Directive (EPBD), specifically provisions related to charging infrastructure in the built environment.

the transition does not lead to jobs and added value being shifted to regions of the world with lower climate and environmental ambitions. Sustainability needs to be looked at globally and through the entire lifecycle. The mobility transition will also have consequences for the aftermarket, independent garages and the trade in spare parts. Restructuring in the aftermarket sector must be supported and its social impact mitigated;

61. autonomous vehicles could fundamentally change the way we use the environments in which we live. In view of Europe's demographic development, autonomous vehicles offer opportunities for rural and urban areas. This development in rural areas can make it possible to set up 'public transport on demand' for small municipalities in sparsely populated areas. This offers regions development opportunities, social innovation potential and ways of countering rural depopulation. In urban areas, autonomous vehicles can increase traffic efficiency and improve capacity utilisation. This can help address congestion, air pollution and environmental noise in cities;

62. to gain public trust, there is a need for cooperation and exchanges of experience between research, industry, legislation, municipalities and regions. Improving road safety must be one of the key starting points for the development of transport automation. Automation should contribute to achieving Vision Zero for road safety. Local and regional authorities with different structures should form pilot projects for autonomous mobility. Autonomous vehicles must function without restriction on all transport routes, including in rural areas and on narrow urban and municipal roads. When developing and managing autonomous transport, it must be borne in mind that promoting, and ensuring the road safety of, walking and cycling in built-up areas are the overriding priorities.

Brussels, 1 July 2021.

*The President*  
*of the European Committee of the Regions*  
Apostolos TZITZIKOSTAS

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**Opinion of the European Committee of the Regions — Renewed partnership with the Southern Neighbourhood — A new Agenda for the Mediterranean**

(2021/C 440/04)

<b>Rapporteur:</b>	Vincenzo BIANCO (IT/PES), Member of Catania Municipal Council
<b>Reference documents:</b>	<p>Joint Communication to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions — Renewed partnership with the Southern Neighbourhood — A new Agenda for the Mediterranean</p> <p>JOIN(2021) 2 final; SWD(2021) 23 final</p> <p>Joint Staff Working Document on Renewed Partnership with the Southern Neighbourhood and the Economic and Investment Plan for the Southern Neighbours Accompanying the document Joint Communication to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions — Renewed partnership with the Southern Neighbourhood — A new Agenda for the Mediterranean</p> <p>JOIN(2021) 2 final; SWD(2021) 23 final</p>

**POLICY RECOMMENDATIONS**

THE EUROPEAN COMMITTEE OF THE REGIONS

**(a) General remarks**

1. points out that, historically and culturally, the Mediterranean Sea has, over the centuries, been a natural unifying force rather than a dividing line for peoples from different continents;
2. welcomes the Commission's initiative to renew its partnership with the EU's Southern Neighbourhood in the interests of peace, stability and prosperity in the region; supports the prospect of post-COVID recovery outlined by the Commission in the Joint Communication as a rare opportunity to focus the Mediterranean agenda on people;
3. welcomes the fact that for the first time the EU is addressing a specific communication to its southern neighbours, as this demonstrates the importance of the relationship for both sides;
4. firmly believes that delivering tangible results through cooperation is crucial for a more prosperous, fair, sustainable and safe future for the Mediterranean;
5. calls on the EU and its partner countries to make specific and appropriate use of local and regional authorities as drivers for territorial development close to the people. The benefits of cooperation must extend beyond capitals. The huge subnational disparities within neighbouring countries must not be increased, but reduced by new initiatives. In this respect, the development of cross-border projects that strengthen relations between regions on the three shores of the Mediterranean — providing added value by responding to global problems from a local perspective — should be paid particular attention. Given the crosscutting dimension of the SDGs and their potential to bring about change, the EU should build regional strategies to recover from the COVID 19 crisis and speed up the transitions to sustainability in the Mediterranean over the next ten years around a Mediterranean macro regional governance framework that includes the different levels of government;
6. notes that the European Committee of the Regions and the local and regional associations active in this context set up the Euro-Mediterranean Regional and Local Assembly (ARLEM) in 2010 to give local and regional authorities (LRAs) a voice in the Euro-Mediterranean process;
7. highlights that efforts will continue to enhance regional, sub-regional and inter-regional cooperation, with the Union for the Mediterranean (UfM) as a focal point and its Agendas as common reference;

**(b) Human development, good governance and rule of law**

8. stresses the need to strengthen existing instruments to protect human rights, as, although positive, what the EU has actually done in this respect is not yet sufficient. Would welcome, in this connection, that all nationals of non-EU countries who are members of the partnership benefit from an upward convergence of rights and responsibilities in the area of equality and with regard to all forms of discrimination;

9. also proposes that the process for a Mediterranean Charter of Human Rights open to signature by the members of the partnership be set in motion. Incorporating the content of the EU Charter of Fundamental Rights, this would be the basis for a substantial convergence with the EU in terms of human rights. In this regard, points out that some of the countries that were originally signatories to the Barcelona Declaration are now EU Member States (Cyprus and Malta);

10. proposes that ad hoc forums for dialogue and multilevel exchange be set up between representatives of local, regional and national authorities and representatives of civil society from European and Southern Neighbourhood countries or that existing multilateral forums be promoted, such as the Three Cultures of the Mediterranean Foundation, in which entities from the three shores of the Mediterranean Basin take part, in order to promote good governance and involvement in decision-making processes;

11. is committed to promoting women's empowerment and gender equality, in terms of rights and opportunities, as an essential resource to promote regional stability and socio-economic development. Women and girls should participate equally in leadership positions, both in the public and private sphere, to achieve a fully functioning democracy and economy, and to fulfil human rights for all. The conditions need to be created for increasing participation and leadership by women in politics and public life in the region and in local, regional, national and international decision-making. Any legal or other barriers to women being politically involved in electoral processes and represented in election results, including leadership positions, must be removed to combat gender inequalities and help build more inclusive societies that have a more equal and sustainable social fabric in cities and regions in the Mediterranean Basin;

12. points out, in this connection, that promoting the role of women in the sphere of public policy must go hand in hand with legal frameworks to eradicate all gender-based violence, recognition of civil liberties and an end to the gender pay gap. A holistic approach is needed reconciling work and family life in order to improve the current situation;

13. calls on the EU to strengthen the economic and social rights and to empower women and girls so that they have equal access to education and everyone, in all their diversity, has equal opportunities and access to decent employment while ensuring equal pay for equal work. Furthermore, women and men should equally share care responsibilities and have access to adequate social protection services. Overall, action should contribute to reducing labour market segregation, boosting women's leadership and increasing their bargaining power while creating an enabling environment for their economic empowerment;

14. welcomes all efforts made in partnerships and cooperation, such as the recently launched Monitoring Mechanism on Gender Equality in the Euro-Mediterranean Region, which aims to gather gender disaggregated data on the four priority areas of the 2017 Ministerial Cairo Declaration. This follow-up mechanism, backed up with indicators to monitor progress, aims to evaluate the gender gap and provide data for scientific-based recommendations to decision-makers, in order to monitor women's quality of life and role in our societies;

15. calls on the EU to make it easier for citizens in the Southern Neighbourhood to be involved in EU programmes involving exchanges in the areas of research, innovation, culture and education;

16. calls on the EU to strengthen the role of local and regional authorities in promoting digitalisation and e-government services, as they are in a position to connect better with the local private sector, helping to make central government programmes more effective and efficient;

17. calls on the EU to advocate policies to reduce the number of young people leaving school in non-EU countries that are members of the partnership, also targeting groups of young people with an immigrant background and, in particular, districts and schools with highly complex situations, giving these young people a second chance to receive education and training and promoting labour market integration programmes;

**(c) Resilience, prosperity and digital transition**

18. welcomes the new agenda's approach of placing people, particularly young people, at the heart of the new European political agenda, given that almost 50 % of the population in the Southern Neighbourhood are under the age of 25; in this regard, highlights its specific contribution to youth entrepreneurship, especially in areas such as the digital transition — which opens up prospects for increasing efficiency, innovation, growth, competitiveness and inclusive and sustainable development — and to creating a local ecosystem conducive to entrepreneurship with the launch of the ARLEM *Young local entrepreneurship in the Mediterranean Award*; highlights the key role that innovation ecosystems<sup>(1)</sup> can play in fostering economic recovery after the devastating socio-economic consequences of the COVID-19 pandemic through a green, digital and inclusive transition;

19. calls for an EU initiative to facilitate job creation by improving the local business environment, stimulating entrepreneurship and attracting investment to promote sustainable economic development in the Southern Neighbourhood; the Euro-Mediterranean partners should step up their efforts to improve the ecosystem for Mediterranean SMEs: harmonising legislation, sharing good practice, encouraging new SME start-ups and improving access to funding;

20. stresses that economic development must go hand in hand with inclusive and sustainable social development facilitating implementation of the Agenda 2030 Sustainable Development Goals in order to help build resilience in the population and overall stability;

21. continue to address the structural barriers, including persisting stereotypes, that underpin the digital divide to work towards an inclusive digital transformation, promoting gender-responsive programmes that support partner countries' fair digital transformation;

**(d) Peace and security**

22. considers peace and security to be prerequisites for achieving all the other objectives set out in the agenda and considers it necessary to address the factors that counteract stabilisation: poverty, inequality, corruption, climate change, poor economic and social development and lack of opportunities, in particular for young people;

23. advocates synergy between the instruments provided for in the United Nations Charter and the EU Strategy for the Security Union, to bring about a secure environment sufficient for the needs of the future to tackle the developing threats (protection from terrorism and organised crime);

24. recalls the Nicosia initiative<sup>(2)</sup> of cooperation with Libyan municipalities as a concrete example of city and peer-to-peer diplomacy where local and regional authorities can make a key contribution to addressing long-term international challenges in a sustainable way;

**(e) Migration and mobility**

25. with regard to migration, considers that the positive measures recently adopted by the EU in this area are not yet sufficient. In the absence of further joint instruments at European level, including an appropriate distribution mechanism to relocate migrants, the burden of managing the migrant emergency falls primarily on the local and regional authorities of the European countries on the front line, in particular the border regions and communities in the south of the EU, which are under greater pressure from migratory flows in the Mediterranean; at the same time, considers local and regional authority involvement and EU support to be essential for the EU to raise European public awareness on issues such as solidarity, tolerance, and respect for legality and dialogue, in order to improve the way migrant-related issues are perceived;

26. stresses that it is crucial to pursue a balanced approach which takes into account all relevant aspects of migration. To this end, welcomes the new agenda's proposal to bring all relevant EU policies and instruments to bear to support these comprehensive, balanced and mutually beneficial partnerships with its southern neighbours in the area of development cooperation, visas, trade and investment, employment and education;

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(1) The CoR is carrying out a study in this regard for the ARLEM report on 'Innovative ecosystems and start-ups in the Mediterranean as a means of recovering from the COVID-19 crisis' which is currently being drawn up.

(2) Launched in 2015 it will enter a new phase in 2021, with different and substantial new projects funded mainly by the EU starting for capacity-building for municipal staff, local economic development as well as local governance. (more info; <https://cor.europa.eu/en/our-work/Pages/Libya.aspx>).

27. welcomes the European Commission's efforts to reform the Common European Asylum System set out in the new Pact on Migration and Asylum and recognises that the external dimension of this pact is a key aspect of the new Agenda for the Mediterranean. Calls on the European Union to allocate sufficient funds for regional and local authorities to roll out their integration and inclusion policies. Welcomes the Commission proposal to provide financial support to third countries which are countries of origin or transit countries that are ready to develop joint policies on migrants;

28. stresses the need to combat human traffickers and create safe routes to the EU for people entitled to protection status under international law, and calls for special protection for potential victims of trafficking (women, young people, children);

29. considers that EU cooperation on migration with third countries, in particular its southern neighbours, needs to be stepped up, and welcomes the intention to support migration and asylum policies, including partner countries' border management capacities. Moreover, calls for the European Union to allocate sufficient funds to the regions and local authorities to enable them to develop their own integration and inclusion policies; suggests encouraging cooperation with third countries of origin or transit with a view to the acceptance of returns of irregular migrants, albeit with the exception of access to international protection for refugees who need it;

30. welcomes assistance aimed at creating socio-economic opportunities for migrants, people who have been forcibly displaced and host communities, including in the context of COVID-19 recovery, with a particular focus on marginalised regions, and reiterates its readiness to facilitate dialogue and cooperation with local and regional authorities in migrants' countries of origin and transit countries;

**(f) Green transition: climate resilience, energy, and environment**

31. stresses that the European Neighbourhood is one of the main hotspots in the world as regards climate change and environmental degradation, and therefore calls on the European institutions to supplement the European Green Deal as soon as possible in the EU Southern Neighbourhood to cooperate on a large Mediterranean Green Deal and increase funding for climate-related objectives under the Neighbourhood, Development and International Cooperation Instrument (NDICI), including with initiatives to rediscover and protect the Mediterranean Sea, which is the marine area most affected by pollution, biodiversity loss, sea level rise, floods and rising water temperatures and whose potential for economic development in the field of the environment is huge: in this regard, points out that in 2016 the blue economy accounted for 1,3 % of EU GDP <sup>(3)</sup>;

32. points out that in the Mediterranean region, concrete local and climate action is particularly needed as national policies do not respond to the hot-spot challenges and where actions should be originated and tailored to local circumstances and the need of resident constituencies. To this aim, suggests to build upon the successful Clima-Med project and invites the South Mediterranean mayors to continue joining the Covenant of Mayors <sup>(4)</sup> and to promote twinning between EU and non-EU cities located in the Mediterranean countries as part of the Interreg MED Programme;

33. looks forward to building a strong partnership of LRAs towards the UNFCCC COP26 in Glasgow, UK, and the UNCBD COP15 in Kunming, China, with a view to enhancing LRA's role within the global governance for a better implementation of UN SDGs, lowering GHG emissions and raising climate ambition;

34. considers, therefore, that depollution and mostly pollution prevention together with the responsible use of the Mediterranean Sea represent a further development opportunity for all countries which border on the Mediterranean; notes that nature-based solutions are to be promoted to address these major challenges and believes that there is an urgent need to promote initiatives on sustainable production and consumption, resource efficiency, and waste management, including food waste and marine litter, to support biodiversity protection and restoration, including creation of effective and well-managed networks of coastal and marine protected areas as well as preservation of wetlands as cost-effective nature-based solutions, watersheds and transboundary basins;

35. calls for regional policy networks to be set up to strengthen social and economic ties based on the fundamental principles of the blue economy. In addition, advocates encouraging the creation of Mediterranean biospheres with a view to improving the relationship between economic activities and nature conservation, and working towards introducing

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<sup>(3)</sup> See the Report on the *Blue economy for local and regional authorities in the Mediterranean*, adopted by the ARLEM plenary session on 23 January 2020.

<sup>(4)</sup> 62 signatory cities have already joined via the previous CES-MED project and over 250 are on the list to join.

regional monitoring systems for assessing the health of marine and coastal ecosystems and the impact of different industries on the Mediterranean biosphere, as well as developing initiatives aimed at raising public awareness of the importance of improving the situation of our marine and coastal ecosystems, understanding the benefits this brings to the present and to future generations;

36. calls for greater efforts to promote and advance a sustainable agenda for tourism, which is a key economic sector for the region, in order to reduce its harmful impact on the environment. This should be achieved mainly by means of planning instruments which are designed to manage human activities in natural areas taking into account ecosystems and landscapes in their interactions, and using the COVID-19 crisis as an opportunity to reinvent the sector and link its prosperity to conserving the Mediterranean area;

37. hopes that the support for the European Green Deal will bring particular benefits to agriculture, a sector which is essential for the economies of the majority of the non-EU members of the partnership, especially through those countries applying the strict standards laid down in European legislation on the subject; invites to support, in line with the objectives of the Farm to Fork Strategy<sup>(5)</sup>, the design, investment in, and implementation of sustainable food systems, from production to consumption, paying particular attention to food safety, plant and animal health and welfare, as well as with a view to ensure regional food security;

38. points to the recommendation made by ARLEM in its report on agriculture and food security in the context of climate change in the Mediterranean and, consequently, calls on the European Union and the Union for the Mediterranean to consider the development of a joint strategy for food security and food sovereignty in the Mediterranean, to promote an agro-ecological transition to practices that preserve soil and agro-biodiversity, and to consider introducing a 'Mediterranean products' or 'Mediterranean diet' label as part of a broader macro-regional strategy for the whole of the Mediterranean;

39. stresses that the necessary phasing-out of fossil fuel-based energy must be accompanied by support for a transition to alternative energy sources; moreover, it is essential to provide targeted assistance to support large-scale investments in renewables and clean hydrogen production for both domestic consumption and export, investments which are compliant with the 'do no harm' principle and safeguard green areas and biodiversity. Notes that cities and regions have an essential role to play in this context, as they are responsible for implementing the various policies related to the SDGs: urban growth, climate change, socio-economic inequalities, energy, green and digital transitions, and good governance;

#### **(g) Implementation and Investment Plan**

40. welcomes the Commission's proposal for an Economic and Investment Plan for the Southern Neighbours in order to support the implementation of the themes highlighted in the new Agenda for the Mediterranean; focusing on the element to build resilience in the most fragile sectors such as water, environment, energy and promote for renewable resources' investment plans including water reuse and water recycling using renewable energy;

41. welcomes the identification of 12 indicative flagship initiatives in priority areas intended to strengthen resilience, build prosperity and increase trade and investment in order to support competitiveness and sustainable and inclusive socio-economic growth;

42. welcomes the Commission's proposal to channel up to EUR 7 billion into implementing the agenda. By including European Fund for Sustainable Development guarantees and blending under the Neighbourhood Investment Platform, up to EUR 30 billion of private and public investment in the Southern Neighbourhood could be leveraged;

43. welcomes the agreement reached by the Council and the European Parliament on the Regulation setting up the Neighbourhood, Development and International Cooperation Instrument (NDICI) — Global Europe in the context of the 2021–2027 Multiannual Financial Framework (MFF), whereby setting aside EUR 79,5 billion in current prices will enable the EU to support and promote its values and interests worldwide effectively, while supporting global multilateral efforts;

44. agrees that at least EUR 500 million of the total amount earmarked for EU cooperation with neighbourhood countries under the geographical pillar of the NDICI — Global Europe should be awarded to local and regional authorities; calls for these measures and resources to be sufficiently increased. Flexible funding should be promoted through local and

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<sup>(5)</sup> See CDR-594-2020.

regional authorities playing an active role, specifying the needs of the regions according to their relevance. Calls for an increase in funds dedicated to climate-related objectives under the Neighbourhood, Development and International Cooperation Instrument (NDICI);

45. in view of the strengthened geographical approach and in line with the priorities set out in the agenda, urges all the EU institutions to consider local and regional authorities and their associations as key factors for sustainable development and partners in programming;

46. local and regional authorities in the Mediterranean and their cooperation networks, such as the Mediterranean Cooperation Alliance, can play a key role in seeking greater coordination between existing transnational frameworks and laying the foundations for implementing policies and funds on the ground, while helping to inform higher levels of governance about local situations. Moreover, this makes different levels of support and more efficient initiatives possible.

Brussels, 30 June 2021.

*The President*  
*of the European Committee of the Regions*  
Apostolos TZITZIKOSTAS

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**Opinion of the European Committee of the Regions — Stepping up Europe's 2030 climate ambition towards COP26**

(2021/C 440/05)

<b>Rapporteur:</b>	Vincent Chauvet (FR/RE), Mayor of Autun
<b>Reference document:</b>	Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions: Stepping up Europe's 2030 climate ambition — Investing in a climate-neutral future for the benefit of our people  (COM(2020) 562 final)  Own-initiative opinion

**POLICY RECOMMENDATIONS**

## THE EUROPEAN COMMITTEE OF THE REGIONS

**Stepping up the EU's emission targets to effectively achieve climate neutrality by 2050**

1. remains deeply concerned about the current world's climate emergency and fully engaged to effectively achieve irreversible climate neutrality in the EU by 2050; welcomes the realistic pathway set out by the European Climate Law, which should provide a gradual emission reduction path that is fair for future generations and will shape the EU's green recovery from the COVID-19 crisis and its aftermath, avoid carbon lock-in, ensure territorial resilience and set a framework for more ambitious climate change policies should build on the positive and negative experiences from previous decades;
2. recognises that the EU has a leading voice on international climate negotiations and should set a positive example on how climate change could be tackled, by building on multilevel governance;
3. fully supports the agreement reached between the European Parliament and the Council on the Climate law, updating the target to 'at least 55 % reduction' in greenhouse gas emissions by 2030, compared to 1990 levels and requesting a proposal for a 2040 target at the latest six months after the first global stocktake of the Paris Agreement; nevertheless, takes note that some stakeholders consider it still not sufficient to reach net climate neutrality on time and regrets that the new framework is focused mainly on CO<sub>2</sub> while other greenhouse gas emissions are ambiguously addressed not taken sufficiently into consideration; in this connection, expects the Commission to address all remaining relevant greenhouse gases in order to make the EU the first climate neutral continent by 2050;
4. urges the EU institutions and the Member States to ensure pricing of fossil emissions through emissions trading and taxation, in order to combat emissions cost-effectively and free up resources for transition. This needs to be addressed in the reviews of the EU's emissions trading system (ETS) and its Energy Taxation Directive (ETD) in the upcoming Fit for 55 legislative package. In this light, welcomes also the upcoming proposal of the European Commission on the Border Adjustment Mechanism, as there is a need for effective action to avoid carbon leakage, reflect more accurately the carbon contents of the imports, and ensure that the EU's green objectives are not undermined by production relocation to countries with less ambitious climate policies;
5. stresses the importance of enabling and promoting a variety of different solutions, taking into account technological development and the different circumstances in the EU's regions in terms of climate, geography, infrastructure, energy systems, etc. The EU's regulatory framework should, as far as possible, be technology-neutral in relation to emission reduction and sustainability, and avoid overregulation and heavier administrative burdens for sustainable solutions;
6. notes, on the other hand, that the specific nature of some regions means that meeting the new targets will be a particular challenge for them. The energy and economic transition of these regions must take place in a just way, hence the important role of the Modernisation Fund and the carbon border adjustment mechanism;

7. recognises that, as put forward in the impact assessment to the Commission's *Stepping up Europe's 2030 climate ambition. Investing in a climate-neutral future for the benefit of our people*, all sectors will have to contribute to the EU climate policy. In this light, welcomes the Green Deal as the Growth strategy and the Green Oath as an essential tool, aimed at ensuring this goal is reached;

8. stresses that, in Europe and abroad, many cities and regions have shown themselves to be more climate ambitious than Member States. In some cases like Japan, locally determined contributions from local and regional authorities have even pushed national governments to update their Nationally Determined Contributions (NDC). We therefore consider it would be highly beneficial, in order to achieve effective multilevel governance, to incorporate contributions decided at local and regional level into the process of drawing up national contributions;

#### **Achieving the 55 % target means including local and regional authorities actively in climate policymaking**

9. points out that local and regional authorities implement 70 % of all EU legislation, 70 % of climate mitigation measures and 90 % of climate adaptation policies <sup>(1)</sup>. In addition, European cities and regions with net-zero targets today cover over 162 million people (36 percent of the EU population) <sup>(2)</sup>. Therefore, local and regional authorities are and will be in charge of handling and executing most European Green Deal strategies on the ground;

10. sees that delivering the target of at least 55 % of CO<sub>2</sub> emissions by 2030 is going to radically change the way we organise cities, regions and communities of people. The COVID-19 outbreak, the new climate targets and the ongoing consequences of climate change will bring structural changes to European societies that will pose challenges to LRAs as they are the closest administrations and public authority to both people and territories;

11. acknowledges that LRAs have a double role as opinion leaders and as access points for citizens' priorities; the COVID-19 crisis has shown how local and regional authorities are at the frontline of people's lives. Involving stakeholders, businesses and citizens in the decision-making process of climate policies is particularly important for ensuring trust and the acceptability and success of these policies, including the impacts of the climate neutrality transition. Potential negative impacts have to be anticipated and managed, including plans for upskilling or reskilling the local workforce, especially in rural communities and less developed regions. Locally elected politicians are the most legitimate to anticipate and accompany these concerns;

12. stresses that most of the main sectors targeted by the stepping up of 2030 climate ambition have direct connections with local or regional competences; after the first large emissions reductions from closing coal power stations and cleaning up the energy-intensive industry, transport, agriculture and buildings — particularly important at local and regional levels in both urban and rural areas — are next in line for emission reduction;

13. acknowledges that conventionally powered cars will need to gradually be replaced by low-emission and zero emissions vehicles with low emissions over their lifecycle and a greater use of sustainable collective transport services, which implies regional coordination and locally the expansion of publicly accessible charging facilities for alternative fuels, as well as high-quality infrastructure for public transport such as bus and rail, so that the path to zero-emission mobility is attractive and affordable for the public;

14. is concerned that, in the agricultural sector, the decline of emissions has stagnated over the past years and in some cases emissions have increased. Combined with carbon removals and sinks management, this puts farmers and forest managers at the frontline in the fight against climate change, while their activities which are also strongly affected by its effects, are essential to food production and for the region both socially and economically. Thus calls on the Commission to take the necessary investment into the CO<sub>2</sub> neutrality transitions of the agricultural sector into consideration in the implementation and possible revision of the Common Agricultural Policy, while not overlooking the economic profitability of farms and their essential role as a food supplier to European society, as demonstrated during the pandemic and, making agricultural land uses compatible with those intended for renewable energy generation on degraded rural land that can be developed and regenerated and stresses the need to reinforce climate-friendly land-use systems. Moreover, highlights that in

<sup>(1)</sup> CoR Resolution — *The Green Deal in partnership with local and regional authorities*, December 2019.

<sup>(2)</sup> According to information published by the New Climate Institute, December 2020.

some Member States, LRAs are major public owners of forests and play a direct role in this economy; against this backdrop, the development of carbon sequestration certification to provide direct incentives for individual farmers or forest managers is to be welcomed;

15. considers that, in the energy sector, large-scale deployment of renewables must be backed up by ambitious expansion targets and measures in the near future and that this requires both large-scale and decentralised infrastructure planning. This implies specific management by LRAs, e.g. of projects, and infrastructure acceptance by populations at a local level, as well as raising awareness and encouraging citizen participation in shared projects, for example, through local energy community schemes;

16. is aware that, in the building sector, the forthcoming Renovation Wave will launch a set of actions to increase the depth and the rate of renovations at single building and district level, the latter specifically implying monitoring and investment by LRAs; they also have a crucial role to play in ensuring that the renovation of buildings adheres to land use and town planning rules, promotes policies to combat depopulation and meets the criteria of social justice and respect for the environment;

17. points out that all regions and cities are not equal in the path towards climate neutrality: some have already reduced their emissions, some are in the process, some are struggling. Therefore, territorial specificities such as isolated energy systems, historic or environmental protected areas, carbon-intensive regions, islands status, etc. need to be taken into account in climate policymaking to ensure a just transition acceptable to all European citizens and regions. Strongly believes that tools such as the European Regional Scoreboard <sup>(3)</sup> or the European Climate Neutrality observatory <sup>(4)</sup>, as already called upon by our institution, are key instruments to achieve this;

18. welcomes the creation of the European Islands Facility — NESOI (New Energy Solutions Optimised for Islands) and the Clean Energy for EU islands Secretariat, as part of a process to take into account territorial specificities;

19. reiterates its call for strong inclusion of local and regional authorities in European climate policymaking in general and the design, implementation and monitoring of the Fit for 55 package, in particular to ensure it is effective, accurate and accepted on the ground, as they do not represent specific interests but have the mandate to work for the common interest of citizens;

### **Multi-level governance and subsidiarity are key to delivering climate neutrality and involving EU citizens in the process**

20. stresses the importance of active subsidiarity <sup>(5)</sup> for climate policies, taking timely into account the local and regional level and not solely focusing on a dialogue between the EU and national levels;

21. points out that European cities and regions have gained momentum as actors involved in climate policymaking and stresses that they have sometimes gone further at EU level compared to the national one, through movements such as the Covenant of Mayors and other active initiatives involving the local and regional level. Thus reiterates its call for a functioning, inclusive multi-level dialogue with the aim of mainstreaming climate objectives in sectoral policies;

22. supports the initiatives and efforts of the Covenant of Mayors to better include subnational, sectoral and topical associations of mayors in the Covenant's activities; calls for an increase of the CoM's embedment and visibility at national, regional and local levels;

23. welcomes the initiative to include the CoR in the European Covenant's Political Board, and stands ready to ensure a stronger link between the EU-level management of the Covenant and the 2nd chamber of the Covenant of Mayors, in order to provide political support for the initiative, promote the Covenant and assist dialogue with national bodies and ensure cohesion and coherence for the local and regional authorities' assistance and representation at the European level, in a landscape already quite complex for most of them;

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<sup>(3)</sup> The impact of climate change on regions: an assessment of the European Green Deal.

<sup>(4)</sup> A Clean Planet for all — A European strategic long-term vision for a prosperous, modern, competitive and climate neutral economy.

<sup>(5)</sup> Active Subsidiarity should be understood as defined by the European Commission Task Force on Subsidiarity, Proportionality and 'Doing Less More Efficiently'.

**Giving local and regional authorities the tools to deliver climate neutrality**

24. stresses that access to information and funding for climate initiatives and projects is still considered difficult by many local and regional authorities. Difficulties concern the following points:

- lack of knowledge of the available funding and existing initiatives that are best suited for the city or region's project,
- complexity of the European and national landscape and confusion around the different existing platforms and initiatives,
- lack of technical competence at a local level to apply, manage and monitor the funds,
- lack of competitiveness with the private sector to attract and keep experts,
- ambiguous signals sent to the market for energy communities and local projects,
- lack of absorption capacity by local authorities and businesses.

25. is worried that the difficulties mentioned in the previous points could create a reluctance among LRAs to embrace local green deals and commit to 2030 pledges;

26. asks the Joint Research Centre to conduct a study to map (up to level 3 of the Territorial Units for Statistics) the absorption capacity of local and regional authorities and business, with regard to the significant new funding made available by the Green Deal and the Recovery Plan and stands ready to contribute with tools available to the CoR, such as the Regional Hubs;

27. alerts the Commission that LRAs are extremely challenged by the current health crisis management and find it difficult to allocate financial and human resources to climate neutrality initiatives and paths; therefore, calls for sufficient resources to be allocated to support LRAs in this challenge for the decade to come and taking into account the whole life-cycle of projects (including monitoring);

28. points out the need to improve the implementation capacities of LRAs and the importance of having enough and skilled staff especially at the municipal level and in rural areas. The necessary workforce must be systematically provided for the coordination of the many fields of work and areas of responsibility associated with the implementation of climate action goals;

29. welcomes the European Climate Pact and the local approach of a Just Transition Platform, as key tools to support and accelerate the transition to climate neutrality, together with other existing initiatives. Calls however on the European Commission to create an umbrella platform, potentially through the European Climate Pact, promoting their integration and complementarity, guiding LRAs in the choice depending on their characteristics and ensuring coherence, easy access to information, non-competing pledges and simplifying and unifying (to the degree possible) access to the initiatives;

30. calls the European Commission to acknowledge the fact that the role of LRAs goes beyond the role of other non-state actors and call for a recognition of this specificity in the frame of the umbrella platform;

31. supports the creation of local Climate Pacts to ensure climate neutrality pathways are participative, well accepted and supported by the population, and inclusive of European citizens' concerns and needs;

32. recognises the important role semi-formal institutions, such as citizens' city councils, local consultative bodies, and citizens' conventions drawn by lot have on creating the right momentum and accelerating the energy transition. Calls therefore for every municipality of at least 10 000 inhabitants to consider creating, as part of their local governance structure, citizens' parliaments that would look at the concrete means to reduce greenhouse gas emissions and adapt to climate change;

33. stresses that most cities and regions do not know their current and past level of CO<sub>2</sub> emissions, which makes it difficult for them to quantify their efforts and design efficient pathways towards climate neutrality. Urges the Commission to help provide the necessary technical and competence aid to assist LRAs in their emission evaluation, in particular by fully using local and regional energy agencies, local and regional authorities working in the field of climate change and other

relevant counterparts. It is also recommended that local authorities employ a 'Climate Manager' to promote the Climate Pact in the municipality and to coordinate and implement the sustainable climate and energy action plans (SECAPs). This manager may be shared by smaller authorities;

34. supports in this light the Common Reporting Framework by the Global Covenant of Mayors as a step towards the harmonisation of local and regional voices;

35. reiterates its support for a system of Regionally and Locally Determined Contributions (RLDCs) to formally acknowledge, monitor and encourage the reduction of carbon emissions by cities, local governments and regions globally; the European Commission 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 and be officially recognised as a complement to NDCPs;

36. welcomes the initiatives on Race to Zero and Race to Resilience at a global level<sup>(6)</sup> and calls on the UNFCCC to cooperate with the CoR and other relevant counterparts from the Local Governments and Municipal Authorities Constituency (LGMA) towards the formal recognition of the contribution from subnational governments to climate action and to create a specific dialogue with subnational governments;

37. stresses that LRAs have a particular potential for both social and technical climate innovation and often participate in research and innovation projects. To ensure this potential is fully developed and used as a tool to find new solutions towards carbon neutrality, calls on the Commission to pay due attention in the Fit for 55 package to creating a flexible framework that would guarantee innovation and experimentation initiatives at a local level, resulting in bottom-up and place-based solutions;

38. stresses that freedom in the choice of the decarbonisation path at a local level must be ensured, from technological, policy and democratic perspective; exogenous decisions create reluctance to enforce them;

### **Bringing local and regional authorities' voice to the COP26**

39. acknowledges that, though NDCs are the primary vehicle to hold states accountable, society at large must be involved in emission reductions in order to achieve a climate-neutral and resilient area;

40. stresses that the voice of local and regional authorities has become stronger in international negotiations and initiatives on climate change and welcomes existing initiatives of LRA networks such as CPMR, ICLEI, C40, Under2Coalition, Regions4, Climate Alliance, FEDARENE United Cities and Local Governments(UCLG) and the Global Covenant of Mayors and their input to the UNFCCC Non-State Actor Zone for Climate Action (NAZCA);

41. sees the UNFCCC's COP26 as a crucial milestone in cementing the EU at the forefront of global climate action and stresses that ongoing activities and commitments by regions and cities should have a strong role in the preparation for, and gain official visibility at, COP26;

42. calls for global and European actors to invest in gender-analysis and sex-disaggregated data to understand fully the impact of climate change on all vulnerable groups, implement gender-budgeting techniques and ensure equal access to representation in policy making for all genders and all levels. In this light, supports the call for enhancing the gender balance in national delegations, as well as within the COP26 senior management team and welcomes the work of UNFCCC on the connection between gender and climate policies<sup>(7)</sup> and calls on the European Commission to work in the same direction;

43. considers the Edinburgh Declaration on biodiversity as the strongest ever document in recognition, engagement and empowerment of local and regional governments in any UN process; suggests that a similar approach must be replicated and extended to other UN bodies and calls on our partners in the UNFCCC to establish a Memorandum of Understanding with the European Committee of the Regions, as the institutional representative of European cities and regions;

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<sup>(6)</sup> <https://racetozero.unfccc.int/race-to-resilience/>.

<sup>(7)</sup> <https://unfccc.int/gender>

44. calls for a more intensive multi-level policy dialogue on climate change mitigation and adaptation in sectors where governance is already strongly including LRAs and where powers are already devolved in several parts of the world, such as energy supply and demand, transport, agriculture and building;
45. calls for a more intensive multi-level policy dialogue on climate change mitigation and adaptation in sectors where climate actions must take into account other environmental issues, such as the preservation of biodiversity or food production, clean water, sustainable agriculture and forestry concerns. Spatial strategy regarding compatibilities in land use is especially concerned and critically involves local and regional authorities; it also concerns the decision on implementing the strategies that the Commission is adopting and that affect the agricultural sector, which must undergo an impact assessment to evaluate their consequences;
46. welcomes initiatives from the European Commission and the Covenant of Mayors to better present LRAs' activities and involvement in climate neutral policies' design and enforcement at upcoming COPs and to promote leadership in the vertical integration of climate action. In this light, calls the Commission to cooperate with the CoR to organise a thematic day on local Climate Action in the EU, as an opportunity to showcase the different EU initiatives;
47. calls on CoR members to organise local and regional COPs in their communities prior to COP26, aimed at spreading awareness of the climate emergency, but also at gathering the views of citizens and businesses on their needs and their best practices that could accelerate the green transition and reaching the Paris Agreement goals;
48. recalls that the EU has set itself to be a leader in COP negotiations and must thus deliver impactful actions towards its target, which implies co-creation and cooperation with LRAs: in this sense, it calls on UNFCCC to cooperate with the CoR to further promote the frontrunner experience of local and regional COPs.

Brussels, 1 July 2021.

*The President*  
*of the European Committee of the Regions*  
Apostolos TZITZIKOSTAS

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**Opinion of the European Committee of the Regions — European democracy action plan**

(2021/C 440/06)

<b>Rapporteur:</b>	Aleksandra DULKIEWICZ (PL/EPP), Mayor of Gdańsk
<b>Reference document:</b>	Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions on the European democracy action plan COM(2020) 790, 3 December 2020

**POLICY RECOMMENDATIONS**

## THE EUROPEAN COMMITTEE OF THE REGIONS

**Background**

1. considers that, while the EDAP focuses on short-term defence mechanisms for safeguarding democratic processes, it should be followed up by a longer-term and more strategic approach for promoting European democracy at all levels and both in its representative and participatory democracy dimension. Such an approach could build on existing legislation and best practices already applied in the Member States at national, regional and local level and lead to the drafting of a European Charter for Democracy;
2. reiterates that under Article 5 of the Treaty on European Union (TEU), which defines the principle of subsidiarity, 'in areas which do not fall within its exclusive competence, the Union shall act only if and insofar as the objectives of the intended action cannot be sufficiently achieved by the Member States';
3. welcomes the initiative on the European democracy action plan (EDAP). Threats relating to populism, nationalism, manipulation of society, disinformation, hate speech and conspiracy theories are on the rise in the European public and political realm. This is leading to polarisation, aggression, intolerance and serious shortcomings in public solidarity. The overall objective of empowering citizens and creating more resilient democracies across the EU is key to developing activities to strengthen our Community;
4. stresses that the European Union is a body that resembles a structure of interconnected organisms. The deterioration of civil rights and freedoms in one Member State has a real, negative impact on democracy across the whole European family and is a threat to our shared values;
5. underlines the need to create a catalogue both of threats to democracy and of innovative good practices for citizen participation. Regional and local authorities are best placed to do so; invites the Commission, the Parliament and the Council to take note of the recommendations of the 2021 EU Annual Regional and Local Barometer, which will be published in October 2021;
6. agrees with the view set out in the opinion on the *Action Plan against Disinformation* that raising public awareness is a lengthy and complex process, involving development of media literacy skills, including how to deal with new ways of accessing and disseminating information. These skills must go hand in hand with critical analysis of information and its sources;
7. underlines that local and regional authorities are well placed to take part in the war on disinformation and the dangers it poses;
8. notes that EU membership not only comes with a set of freedoms and financial resources; it also means respect for fundamental values. Specific legal instruments are needed to enable swift and effective action with a positive impact on encouraging and, in extreme cases, forcing members of the European community to apply the principles of a democratic state and the rule of law. There are currently no such legal instruments. The upshot is that the action taken by the European

Commission to deal with problematic decisions in some Member States is not very effective as outlined in the European Parliament resolution of 10 June 2021 on the rule of law situation in the European Union and the application of the Conditionality Regulation 2020/2092, to which the CoR fully subscribes; questions whether Article 7 of the Treaty on European Union responds adequately to these challenges;

9. calls for strategic action and legislation as soon as possible to effectively tackle problems in some EU countries, e.g. with regard to election security at all levels;

10. stresses that European democracy is at risk not only from external aggressors seeking to destabilise the EU, but also from internal factors attacking what is most important in the EU — the community;

11. believes that the EDAP should pave the way for relations and contacts with non-EU partners who do not accept democratic standards, in violation of fundamental human and civil rights. An example could be the EU's policy towards countries such as Russia, Belarus and China and the work of the East StratCom Task Force; notes the need to support democratic movements among neighbours, including through the Eastern Partnership;

12. points out that efforts must be made to find a balance between the fight with pandemic-related risks and protection of civil liberties and freedoms (e.g. the issue of data protection or of preventing the restriction of the freedom of assembly and demonstration);

13. highlights the fact that attacking the media undermines European values and puts us on the path towards authoritarianism. Without a free media, there can be no real public oversight. The lack of established journalistic standards creates a climate for spreading conspiracy theories, disinformation, populism and hate speech; warns against moves towards renationalising the media in some EU countries;

14. notes that the EDAP does not devote enough attention to the issue of access to public information. The free flow of information and ideas is at the heart of democracy and respect for human rights. The information collected by the public authorities belongs to the citizens, and authorities at every level hold the data on their behalf<sup>(1)</sup>; stresses that local and regional authorities, which use tools enabling citizens to access information and to participate directly in the exercise of power, are good examples of public authorities' openness and accountability<sup>(2)</sup>;

15. points out that a democratic EU must uphold its commitment to protecting the EU's values, as well as integration and equality in all respects, regardless of gender, race, ethnic origin, religion, belief, disability, age or sexual orientation and Member States must also make efforts in this direction;

16. underlines that the EDAP makes no direct reference to the activities of local and regional authorities;

### Priorities

17. calls for steps to be taken to strengthen the EU's and Members States' authority, the credibility of public rule of law institutions, education and the role of local and regional authorities as incubators of democracy;

18. stresses that the trust of EU citizens in the work of the EU's most important bodies is an essential precondition for the development of a democratic European community. The predictability and credibility of the central institutions in the Member States requires those countries to respect the rule of law. The smooth functioning of independent institutions and national legislation in line with democratic values form the cornerstone of the Community;

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<sup>(1)</sup> In Resolution 59 of the UN General Assembly adopted in 1946, as well as in Article 19 of the Universal Declaration of Human Rights (1948) and Article 10 of the European Convention on Human Rights (1950), the right to information is an integral part of the fundamental right to freedom of expression.

<sup>(2)</sup> Examples of such local government tools include: open data, citizens' budgets and citizens' panels.

19. highlights the key role of local and regional authorities in strengthening citizenship. Local and regional authorities are the authority closest to citizens and the one that is most trusted <sup>(3)</sup>. Giving regions and cities a bigger role, for example by creating financial instruments where funds are awarded exclusively according to substantive criteria, is gaining in strategic importance;

20. calls for emphasis to be placed on the education of Europeans who are responsible, tolerant, capable of compromise and able to seek peaceful resolution to conflicts. The coexistence of different views and attitudes provides a true 'vaccine' against fanaticism, racism and ethnic conflicts;

### **Civic education — critical thinking and media literacy**

21. underlines that local and regional authorities can play an important educational role, creating the conditions for local communities to develop good democratic habits;

22. warns against the radicalisation of society and the rise to power of populists who use disinformation. In order to fight disinformation, the target groups most vulnerable to its negative effects must be identified. Special protection should be given to young people, older people, national and ethnic minorities, immigrants and those who are digitally excluded. The European Commission should pay attention to regions and groups that are particularly susceptible to disinformation, both external and internal;

23. takes note of the guidelines presented by the European Commission on 26 May to remedy the shortcomings of its Code of Practice on Disinformation. It is welcome that the Commission calls for 'stronger and more specific commitments in all areas of the Code' and for improved monitoring methods in particular, and that it invites other platforms operating in the EU, private messaging services, and other players in the online advertising ecosystem to join the Code. However, the Commission's difficulty in verifying the veracity of the monitoring reports provided by the platforms and the absence of any sanction mechanism significantly hamper the effectiveness of this Code and call for further regulatory action at EU level;

24. proposes, in this context, drawing up a non-compulsory and non-binding for the Member States, Europe-wide curriculum for civic education, critical thinking and media literacy, which, along the lines of the CIVIS programme in Finland as a best practice, would be subject to public consultation and then adapted to respond to regional and local needs. This should cover school education, training of civil servants, lifelong learning and public campaigns. The CoR would like to play an active role in drafting this curriculum and calls on the European Commission to work closely with Member States and civil society organisations, taking into account the principle of subsidiarity and the allocation of competences;

### **Fight against disinformation and hate speech**

25. believes that a European agency <sup>(4)</sup> should be set up, in close cooperation with the European Parliament's INGE Committee, tasked with carrying out preventive measures to tackle disinformation, hate speech, intolerance, violence against specific social groups and the spread of conspiracy theories;

26. finds it regrettable that local authorities play a secondary role in combating the spread of fake news, often due to lack of expertise, skills and resources; calls for the creation of a coherent funding mechanism to tackle disinformation;

27. welcomes the Security Union Strategy, with its focus on hybrid attacks by state and non-state actors, cyber-attacks, damage to critical infrastructure, disinformation campaigns and radicalisation of political narratives;

28. sees a need for debate on freedom of expression and what this means in relation to the internet; highlights the Paweł Adamowicz Award <sup>(5)</sup> for promoting social inclusion, equal opportunities and respect for human rights and civil liberties and for tackling prejudice and xenophobia, jointly launched by the Committee of the Regions, the International Cities of Refuge Network ICORN and the City of Gdańsk as a concrete step in this direction;

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<sup>(3)</sup> <https://cor.europa.eu/en/our-work/Pages/EURegionalBarometer-2020.aspx>

<sup>(4)</sup> e.g. linked to the CoR.

<sup>(5)</sup> He was also the creator behind two Gdańsk concepts dedicated to these ideals: the Immigrant Integration Model and the Model for Equal Treatment.

29. alongside local and regional authorities and civil society, the media must also be involved. Due to their practical and professional experience, people active in the infosphere have a keen awareness of disinformation;

30. underlines the importance of the Digital Services Act (DSA) as an instrument that can be used to make the digital environment more transparent and increase the accountability of online platforms;

31. highlights the need to ensure full consistency between the EDAP, the Media and Audiovisual Action Plan and legislative discussions on the DSA;

32. calls for a directive on digital services, proposing a horizontal framework for regulatory oversight of online space and rules to ensure platforms' accountability in how they manage content, advertising and micro-targeting;

### **Safety of journalists and support for local media**

33. stresses the role of reliable journalism, not least at local level, in building public trust. Independent media form one of the key pillars of democracy, with a real impact on the level of public debate;

34. condemns the use of SLAPPs (Strategic lawsuits against public participation) against the independent media, and calls on the Commission to put forward a proposal to protect journalists and civil society;

35. warns against marginalising the independent press through the monopolisation and politicisation of the media, especially if this is done using European funds; calls for better monitoring of funds dedicated to such activities; supports the involvement of the regions in the distribution of EU funds; supports the creation of complementary legislative measures — while respecting Member States' competences — aimed at strengthening the EU's ability to intervene to ensure that freedom and plurality of independent media continue to be a pillar of our democracy;

36. stresses that attacking freedom of expression narrows the public debate; draws attention to the right to freedom of expression in academic, research and artistic work. Intimidation, smear campaigns, political pressure, financial restrictions and obstacles in accessing public funds threaten the activities of researchers, the media and NGOs, making it impossible to carry out their role of oversight; warns against attempts by some governments to limit the independence of research activities and resort to the use of sanctions based on vague and controversial criteria;

### **Strengthening citizen participation**

37. stresses that the Conference on the Future of Europe (CoFoE) should be organised in as many European regions as possible and run from the bottom up, enabling diverse groups of citizens to take part in the debate and to participate; recommends that citizens' panels be recognised as a form of participation in the EU decision-making process;

38. calls on the EU institutions to build effective, transparent and inclusive channels for reaching out to citizens, especially those discouraged from engaging in public and social life; underlines the key role of young people in this process;

39. is aware that the CoFoE is a unique opportunity to involve citizens. This innovative and Europe-wide experience of participation will provide a possibility to jointly decide on the future, shape and priorities of a democratic Europe. The CoR is committed to fully involving local and regional authorities in the conference in order to review best practices and give a voice to citizens and local and regional authorities;

### Free and democratic elections

40. stresses that the concern for free and democratic elections referred to in the EDAP should apply in equal measure to European, national, regional and local elections;

41. notes that political campaigns are increasingly taking place online. There is therefore a need for rules ensuring transparency of sponsored political content and guaranteeing guidelines for political parties and Member States; calls for account to be taken of the specific features of local elections, which are often overlooked when drawing up EU-wide legislation;

42. notes that the EDAP makes insufficient reference to the periods between elections. Disinformation, propaganda, manipulation and attempts to change people's attitudes occur most frequently at this time;

43. stresses that the EU Structural Funds should be used to finance civil society activities and build the institutional and administrative capacity and structures needed for active public participation in political life. Access to funds should be as straightforward as possible, with funds managed as much as possible by the regions;

44. welcomes the fact that the European Commission launched on 19 April a public consultation open until 12 July <sup>(6)</sup> with a view to presenting in the last quarter of 2021 updated directives aimed at supporting EU citizens who reside in another EU Member State with the right to vote and to stand as candidates in both municipal and European elections. Indeed, as also raised by the European citizens' initiative (ECI) on Voters without Borders <sup>(7)</sup>, while over 14 million mobile EU citizens are eligible to vote, turnout rates and the number of mobile EU citizens standing as candidates continue to be lower than for comparable groups nationally and they still face difficulties in the exercise of their electoral rights;

45. warns that the pandemic has illustrated the challenges of conducting fully democratic elections against the backdrop of restrictions that limit them. The organisational and technological challenge, including in terms of cyber-threats, is ensuring the security of the postal and/or electronic voting process;

### Conclusion

46. calls on the European Commission to look for long-term instruments that will help the EU face new threats. The 'democratic vaccine' we are looking for should be effective, innovative and efficient, and should strengthen our democratic infrastructure now and in the long run;

47. stresses that full participation in public life is the cornerstone of a pluralist and democratic community, but this can only be achieved with citizens' trust in state institutions. There can be no participation without trust and this will not be possible without educating the public. The CoR sees an important role for local and regional authorities in this respect;

48. finally, points out that democracy and the rule of law will remain robust only if political leadership at all levels is accompanied by informed citizens.

Brussels, 30 June 2021.

*The President  
of the European Committee of the Regions*  
Apostolos TZITZIKOSTAS

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<sup>(6)</sup> Public consultation on participation in European elections (<https://bit.ly/3goNYin>) and on participation in municipal elections (<https://bit.ly/3gmIR2l>)

<sup>(7)</sup> <https://eci.ec.europa.eu/013/public/#/screen/home>

**Opinion of the European Committee of the Regions — Delivering on the Sustainable Development Goals by 2030**

(2021/C 440/07)

<b>Rapporteur:</b>	Ricardo RIO (PT/EPP), Mayor of Braga
<b>Reference document:</b>	Delivering on the UN's Sustainable Development Goals — a comprehensive approach Annual Sustainable Growth Strategy 2021

### **POLICY RECOMMENDATIONS**

#### THE EUROPEAN COMMITTEE OF THE REGIONS

1. considers the achievement of the Sustainable Development Goals (SDGs) as essential for all 194 countries that have adopted the United Nations Agenda for Sustainable Development, and believes that the ongoing pandemic and its expected health-related, economic, social, environmental and cultural consequences provide fresh impetus for meeting this objective; therefore urges European leaders to be ambitious and consistent in their domestic and foreign policy agendas and to declare with one clear purpose that, in the context of the UN Decade for Action on Sustainable Development, the European Union must be a leader and visible champion in the implementation of the SDGs at all governmental levels;
2. believes that this opinion must be seen as encouragement for the European Commission to reinforce the SDGs as an integral part of European core values and identity, and thus give it an appropriately high profile in its overarching narrative and priorities;
3. welcomes the political leadership of the European Commission to implement the SDGs through the European Green Deal and the refocusing of the European Semester on SDGs, as well as the Commission's approach to promoting an ambitious agenda concerning a more sustainable, competitive and cohesive Europe, open to the world and fit for the challenges of the 21st century, which has been reinforced by the additional Next Generation EU funds to create a greener, more digital and more resilient Europe;
4. continues to support, however, the request of the Council, the European Parliament, the CoR and the former EU multi-stakeholder platform on sustainable development to formulate an overarching strategy for the sustainable development goals, replacing the Europe 2020 strategy and realising the shared vision of the sustainable development model that we would like to promote for and from the European Union, enabling all local and regional authorities to share the same objectives and targets through the same language;
5. points out that the EU's trade policy review aims to promote greater sustainability in line with its commitment to the UN Sustainable Development Goals; only a sustainable and coherent trade model, that meets the fundamental values of the European Union, can contribute to the well-being and prosperity of all, both within the EU and in other parts of the world;
6. regrets moreover that the SDGs have progressively lost ground in the EU narrative, with a lower profile in EU policy-making, which is jeopardising their chances of implementation by 2030;
7. considers that the communication and peer-learning capacity around SDGs is a crucial element for raising awareness and commitment from all counterparts, which requires a stronger alignment between the EU's governance systems in economic, social and environmental matters, such as the European Semester, the European Green Deal and the implementation of the European Pillar of Social Rights and sustainable development goals;
8. notes that links between the listed initiatives and the SDGs sometimes appear tenuous. Stresses in this connection that the Commission should involve all relevant Commission departments and avoid 'silo initiatives';

9. welcomes the European Commission's Staff Working Document on Delivering SDGs by 2030 as a useful report on implementation, but regrets that it merely lists initiatives labelled under SDGs;

10. for instance, the updated new Industrial Strategy <sup>(1)</sup> presented in May 2021, does not mention SDGs, and therefore cannot be part of a broader, extensive effort of policy coherence and sustainable development. This limits the Staff Working Document's usefulness for SDG implementation;

11. welcomes the commitment expressed in the 'Communication on Better Regulation' of 29 April 2021 <sup>(2)</sup> to mainstream the SDGs across all policies as well as to identify relevant SDGs for each proposal and to examine how the initiative will support their achievement, thereby echoing the CoR's previous request <sup>(3)</sup>. Moreover, the CoR considers transparent and broad-based ex-ante impact assessments as especially important for proposals' sustainability-check;

12. welcomes the focus of the staff working document on the importance of stakeholders' participation and on the recognition of the role and work of both the European Committee of the Regions and local and regional authorities. Also points out the important role of national, European and international associations of regions and cities;

13. notes that the previously announced means for further exchange and dialogue via conferences and periodic events held by the European Commission have not yet materialised and is calling for closer collaboration between the European Commission, the Council, the European Parliament and the European Committee of the Regions on the implementation of SDGs at EU level;

14. underlines that the COVID-19 pandemic has demonstrated the importance of sustainable development and that SDGs can help move towards a coherent, holistic vision within the NextGenerationEU and in the establishment of the National Recovery and Resilience Plans (NRRPs) as part of the Recovery and Resilience Facility (RRF), in particular;

15. considers that the lack of involvement of local and regional authorities in some Member States and the lack of a meaningful consultation process in the formulation of NRRPs, through the designation of priorities and planned action, is compromising the success of the plans in these Member States, as the regional perspectives of far-reaching economic, social and environmental transformation are only partially reflected. There is a clear urgency to support the localisation of the SDGs in order to build back in a better and fairer way;

16. stresses that there are two crucial subsidiary approaches: more cohesive coordination between the SDGs and the main policies of the European Union and a new push to implement the SDGs at local and regional levels. This must be done with clear incentives for all stakeholders. In this regard, greater interaction between the EU institutions and the local and regional levels would benefit all parties;

### **The governance of SDGs and European institutions**

17. welcomes that the present European Commission has taken a strong political commitment to implementing the SDGs. However, this should be accompanied by specific internal governance arrangements within the European Commission, such as regular coordination meetings of the President's cabinet with other Commissioners' cabinets on SDG mainstreaming;

18. declares that the EU Multi-stakeholder platform on SDGs was a good step for including civil society and local and regional authorities in decisions on SDGs at European level; the Platform's recommendations to implement the SDGs in the EU should be used for further actions <sup>(4)</sup>;

19. recognises the European Climate Pact as a step to encourage more people to take action, but only focusing on green areas topics and dedicated to encouraging stakeholders to take action, whereas the platform was covering all SDGs and acted as a structure for dialogue to support and advise the European Commission on their timely implementation;

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<sup>(1)</sup> 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 'Updating the 2020 New Industrial Strategy: Building a stronger Single Market for Europe's recovery', 5 May 2021, [https://ec.europa.eu/info/sites/default/files/communication-industrial-strategy-update-2020\\_en.pdf](https://ec.europa.eu/info/sites/default/files/communication-industrial-strategy-update-2020_en.pdf)

<sup>(2)</sup> [https://ec.europa.eu/info/files/better-regulation-joining-forces-make-better-laws\\_en](https://ec.europa.eu/info/files/better-regulation-joining-forces-make-better-laws_en)

<sup>(3)</sup> Point 42, Opinion of the European Committee of the Regions — Sustainable Development Goals (SDGs): a basis for a long-term EU strategy for a sustainable Europe by 2030, Arnoldas Abramavičius.  
<https://webapi2016.cor.europa.eu/v1/documents/cor-2019-00239-00-00-ac-tra-en.docx/content>

<sup>(4)</sup> [https://ec.europa.eu/info/sites/info/files/sdg\\_multi-stakeholder\\_platform\\_input\\_to\\_reflection\\_paper\\_sustainable\\_europe2.pdf](https://ec.europa.eu/info/sites/info/files/sdg_multi-stakeholder_platform_input_to_reflection_paper_sustainable_europe2.pdf)

20. recommends the use of the report presented at the end of mandate of the previous platform to prepare any further structured dialogues. Also advocates that future structured dialogues should remain as representative as possible of the wide range of SDGs stakeholders from civil society organisations, the private sector, trade unions, academia, regional and local governments and minority or vulnerable groups, who represent the four dimensions of sustainable development (economic, environmental, social, governance) and have a proven track record and experience working on SDGs at EU level. In exchange, stakeholders should be held accountable to their 'constituencies', collecting inputs and reporting back to them;

21. stresses the importance to mainstream gender equality and equal opportunities for all in the EU policies and programmes implementing the SDGs, as highlighted by the recent report by the European Court of Auditors on gender mainstreaming in the EU budget <sup>(5)</sup>;

22. therefore asks the European Commission to renew the SDG platform or create another dialogue platform with clout and structured follow-up to foster expertise from all the different stakeholders from public and private institutions regarding the 2030 Agenda and to advise the EC directly;

23. renews calls from different sectors and particularly the European Committee of the Regions as a champion of subsidiarity in action, for the EU's concerted actions to be more grounded in the sharing of best practice, impact assessments and a better link-up with the so-called quadruple helix (science, policy, industry and society). The greatest impact comes from integrating knowledge and experience across disciplines, policy sectors, and all SDGs. The EC Intelligent Cities Challenge is an excellent example to encourage and develop in other DGs and policies, as is the smart specialisation strategy (S3) platform for the SDGs, which could be used more by European regions;

24. believes the EC should select a few indicators of social, economic and environmental data at local and regional level, indicators where the local and regional level can have an impact, to examine the evolution of the 2030 Agenda across the EU and when possible, the impact at international scale. In this regard, the efforts already made to that end in some countries should be taken into consideration;

25. insists that monitoring and data are key communication tools to interact with citizens and civil society at local and regional level. The CoR and local and regional authorities are committed to the 'localisation' of SDGs and are important collectors of data. For instance, the CoR works with the OECD and periodically gathers data on local and regional engagement on SDGs and believes this is an exemplary case of partnership founded on evidence-based research;

26. calls on the European Commission to increase the robustness of its Eurostat SDGs monitoring report, by including levels of achievement of the SDGs that can be easily quantified and determined in a non-bureaucratic way. The Commission should, in the framework of the European Semester, make further use of these reports and enrich them with data and best practice from local and regional authorities, as the current monitoring includes no NUTS-2 level data;

### **The role of SDGs in the European Semester for a sustainable recovery**

27. pays tribute to the major work undertaken by the European Commission to incorporate the SDGs into the European Semester in the 2020 Semester cycle. The progressive incorporation of SDGs into the Annual Sustainable Growth Strategy (ASGS), the Country Reports and the National Reform Programmes has shown a genuine commitment by the EU to a change of paradigm in the direction of sustainable development;

28. supports the European Green Deal and calls for a more synergistic interpretation of the SDGs in tackling climate change and here highlights the utility of the SDGs and in particular SDG 13 and the opportunity to work on trade-offs and policy coherence with the SDGs framework;

29. considers it is necessary to better align the priorities of all funding programmes in order to mainstream the SDGs universally. For instance, 100 Climate Neutral Cities in 2030 is a move to accelerate the SDGs. Investment in social issues is beneficial for the climate as well;

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<sup>(5)</sup> <https://bit.ly/3fXlaF>

30. therefore encourages the European Commission to reintegrate SDGs explicitly into a reformed European Semester, leading to a place-based sustainable recovery, which should fully involve local and regional authorities and complement reforms and investments in the Member States, which should be SDG-proofed and of European added value;

31. reiterates against this background the need for the European Commission to provide a definition of 'structural reforms' within the context of the European Semester. Such a definition is required in order to ensure that these reforms would be limited to policy areas, which are relevant for the implementation of the EU Treaty objectives and the overarching policy strategies of the European Union, including the SDGs, and which, with due respect to the principle of subsidiarity, relate directly to EU competences<sup>(6)</sup>;

32. asks the Commission to consider contributions to meeting the SDGs to be a common and crosscutting objective for all EU funding programmes under direct and indirect management;

33. therefore, believes its recommendations to improve the accountability of the European Semester are all the more relevant now, with an urgent need to involve regions, cities, rural municipalities and stakeholders in the process and make the governance more democratic and transparent. Notes that the Staff Working Document on Delivering the UN's SDGs also points in this direction by reaffirming the need to involve stakeholders to implement SDGs;

34. repeats its call for the adoption of a European Code of Conduct to involve local and regional authorities and their representative associations in the European Semester and notes that the European Commission should lead by example and create structured dialogue with stakeholders on the European Semester, especially after the gap left by the non-renewal of the EU high-level multi-stakeholders' platform on SDGs;

35. proposes as a first step in this direction the organisation of a stakeholders' conference on the European Semester with the support of both consultative Committees, and/or the consultation of the committees ahead of the publication of the next Annual Sustainable Growth Strategy;

36. stresses that the promotion of the twin transitions and the implementation of the European Pillar of Social Rights (EPSR) and its attendant Action Plan, in the NRRPs is insufficient to cover the SDGs in a coherent, consistent way in order to provide a clear path leading to the achievement of milestones and headline targets. The current crisis has shown that the EU needs the SDGs as a broader approach which also includes and links up with other policies such as biodiversity and health to avoid future crises;

37. calls on the European Commission, since Europe is at a crossroads, to use the next Annual Sustainable Growth Strategy 2022 to formally reintegrate SDGs into the European Semester, better link SDGs and the RRF and explicitly affirm SDGs as a way for the EU to shape a sustainable recovery;

38. believes that keeping the focus of the European Semester as the framework for EU countries to coordinate their economic policies is possible with the integration of the SDGs and that SDGs should be reintegrated into the European Semester at the earliest opportunity;

39. encourages the European Commission to start such reintegration during the assessment of the NRRPs by mapping SDGs in the NRRPs presented by Member States; emphasises that such visualisation would be carried out by the European Commission's departments as regards how the plans contribute to the SDGs. This would give a useful overview of the comprehensiveness of these plans, while not representing a further administrative burden on reporting;

40. calls on the Commission to consider establishing a simple, non-bureaucratic environmental scoreboard, which would complement the social scoreboard under the European Semester and prepare for the formal reintegration of the SDGs into the next European Semester cycle;

41. calls on the Commission to come forward with proposals to better align corporate responsibility requirements with the implementation of the Agenda for Sustainable Development. This could include consideration of a simple, non-bureaucratic European corporate responsibility passport for large companies, setting out requirements relating to the sustainable development goals in terms of industrial relations, gender equality, supply chain management, taxation and financial transparency;

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<sup>(6)</sup> See CoR opinion 3764/2018 on The Reform Support Programme <https://webapi2016.cor.europa.eu/v1/documents/COR-2018-03764-00-00-AC-TRA-EN.docx/content>

42. considers that the Commission's proposal for a revision of the Stability and Growth Pact, to be presented in the final quarter of 2021, should pave the way for sustainability-based reform of the EU's budgetary and macroeconomic surveillance mechanisms, with a view to ensuring a sufficiently high level of high-quality public investment in the sustainable transformation of the European Union. This should include proposals to integrate simple and non-bureaucratic indicators into the fiscal framework which reflect the path towards achieving the SDGs more effectively than GDP;

### Local and regional contribution for the SDGs

43. points out that the OECD estimates that 65 % of the 169 targets of the 17 SDGs cannot be reached without involvement of, or coordination with, local and regional authorities <sup>(7)</sup>;

44. notes that local and regional authorities were responsible for 53 % of total public investment in 2018 on average in the EU <sup>(8)</sup>. Most of these investments relate to infrastructure for basic services, for which cities and/or regions have core competences, and which are sometimes the subject of dedicated SDGs such as education, health, social infrastructure, drinking water, sanitation, solid waste management, energy, transport and housing. Also notes that an entire SDG — the eleventh one — is devoted to cities and local communities;

45. considers that local and regional governments are key to triggering local, regional and, consequently, national policies in important fields related to the SDGs, such as the environment, public services, education, health, and economic and territorial development, and they contribute to many other goals, such as gender equality, sustainable consumption, employment, innovation, inclusive societies, good governance and partnerships. Therefore, it is important to reinforce the existing consensus to upscale territorial priorities within the framework of EU policy. Many networks have established task forces in which members share information and experience on the implementation of the SDGs in their respective countries — in some cases with peers in partner countries and advocate their goals to the European Commission and at international fora. It is also important for local and regional authorities to be able to exercise at EU level the powers they have in their respective countries as this will make it easier to encourage public policies promoting the SDGs at all levels;

46. welcomes the preliminary results of the CoR-OECD survey on SDGs and recovery <sup>(9)</sup>, showing that despite the pandemic, local and regional authorities are still mobilised for the implementation of the SDGs with 60 % of local and regional respondents indicating their conviction that the SDGs can help take a more holistic approach to recovery, and 43 % having a specific governance structure to implement them;

47. pays tribute to the work of international and European associations and organisations to support the localisation of SDGs at European and international scales through decentralised cooperation and calls for more efforts to foster such partnerships <sup>(10)</sup>;

48. encourages the further development of the UN initiative 'Localising the SDGs' to accelerate and scale up efforts to reach the SDGs by 2030. Pledges to cooperate with the UN and the European Commission to stimulate an increasing mobilisation of cities and regions for the localisation of the SDGs and the drafting of Voluntary Local/Regional/Subnational Reviews which ultimately can contribute to Voluntary National Reviews;

49. stresses the need to go local in measuring progress towards SDGs. The EU should help cities and regions to monitor their progress towards reaching SDGs based on their own situation <sup>(11)</sup>;

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<sup>(7)</sup> The OECD quoting the UN Sustainable Development Solution Network in 'A Territorial Approach to the Sustainable Development Goals: A role for Cities and Regions to leave no-one behind' (2017) — OECD.

<sup>(8)</sup> 2019, Key Data on Local and Regional Governments in the EU — OECD.

<sup>(9)</sup> CoR-OECD survey: SDGs as a framework for COVID-19 recovery in cities and regions. Ran from 10 May until 18 June 2021.

<sup>(10)</sup> Like the OECD and its pilot project on a territorial approach to the SDGs; the Council of European Municipalities and Regions (CEMR) and its work to help national associations of regions and cities to draft the Voluntary Subnational Reviews covering whole countries; the Assembly of European Regions (AER) for its work regarding the implementation of SDGs at local and regional level; Regions4 and its community of practice on SDGs; EURO CITIES and its taskforce on SDGs; PLATFORMA and UCLG and their training for the trainers on SDGs; the EU URBACT SDGs; the City Mayors Foundation for the promotion of sustainability; and the ICLE, a leading network for cities all around the world for sustainability programmes, to name but a few.

<sup>(11)</sup> Like, for instance, as is happening now in Portugal with the CESOP Local projects by the Catholic University of Portugal and ODS Local by the University of Lisbon.

50. asks the Joint Research Centre to continue its work on Voluntary Local Reviews in the form of handbooks and to integrate this into smart specialisation mechanisms to support cities and local governments in using cohesion and other financial instruments. In addition, the EC should create incentives for cities and regions to localise the SDGs at local and regional level. The CoR should coordinate this broad process;

51. notes there is also a need to strengthen capacity-building at local level on implementing SDGs. The CoR considers it is fundamental to jointly develop strategic management models and specific management tools for sustainable development and to offer training courses to the decision-makers and staff of local governments and local stakeholders. The EU could support European networks for joint development and such training opportunities. The CoR also believes that research — scientific and technological as well as humanist — has a key role to play in achieving the SDGs and that knowledge and innovation generation centres should therefore receive adequate funding;

52. notes the need to accelerate a culture of collaboration across all sectors and levels implementing SDGs;

53. therefore requests that the EC create direct incentives for local and regional authorities to cooperate directly with the private sector and civil society to advance the SDGs;

54. highlights the crucial role of regions to design and implement SDGs on the ground as fundamental partners of national and local entities in the spirit of collaboration embodied in SDG 17. Regions' financial and technical support is essential to help and build local capacities to localise SDGs and guarantee that sustainable rural and peri-urban areas interact with cities in a sustainable way;

55. strongly supports the share of local and regional best practice and believes it is fundamental to promoting the SDG agenda, for example through the recently created Urbact Network pilot of cities localising SDGs. Nevertheless, the EU must create a new programme for the exchange of good practice between cities and regions across the EU, including cities from other continents, to identify global good practices and promote bilateral agreements;

56. notes the CoR is committed to joining forces with other European institutions to organise 'Science meets regions' events and action projects on SDGs — piloting, experimenting, prototyping and scaling up; in particular, harnessing the experience of regions whose policies are guided by the SDGs, and then promoting their replicability and scalability;

57. asks the EU to create incentives to promote participatory measures from the public and local organisations to implement the SDGs. These incentives should improve the dissemination of the 2030 Agenda and promote the SDGs among the general population, both in Europe and beyond through multi-level and multi-stakeholder partnerships;

58. reaffirms the commitment of the CoR to step up its partnerships with the OECD, EUROCITIES, AER, CEMR — PLATFORMA and Regions4 to accelerate the localisation of SDGs and advocate the SDGs as an overarching EU core value; commits to concluding other partnerships to further support SDGs' localisation in Europe and beyond;

59. refers to its opinion on *Sustainable Development Goals (SDGs): a basis for a long-term EU strategy for a sustainable Europe by 2030* <sup>(12)</sup>, which presented the CoR's political views on the Reflection Paper entitled *Towards a Sustainable Europe by 2030* and which still holds true as regards its calls for the 'European Commission to take a leading role in setting up multi-level, multi-stakeholder and cross-sectoral governance, enabling the mainstreaming of all dimensions of the SDGs in all EU policies'.

Brussels, 1 July 2021.

*The President*  
*of the European Committee of the Regions*  
Apostolos TZITZIKOSTAS

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<sup>(12)</sup> Rapporteur: Arnoldas Abramavičius (LT/EPP), adopted 26 June 2019, COR-2019-00239.

**Opinion of the European Committee of the Regions: Forging a climate-resilient Europe — the new EU Strategy on Adaptation to Climate Change**

(2021/C 440/08)

<b>Rapporteur:</b>	Markku MARKKULA (FI/EPP), Chair of the Espoo City Board
<b>Reference document:</b>	Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions Forging a climate-resilient Europe — the new EU Strategy on Adaptation to Climate Change COM(2021) 82 — final

## **POLICY RECOMMENDATIONS**

THE EUROPEAN COMMITTEE OF THE REGIONS

### **Main general remarks**

1. welcomes the European Commission's call in the new EU Strategy on Adaptation to Climate Change for cities and regions, along with the CoR, to pave the way to a higher level of ambition on climate resilience and to commit to better integrating EU measures into national, regional and local legislation and activities;
2. states with concern that the economic losses caused by extreme weather conditions amounted to over EUR 436 billion from 1980 to 2016, and they will increase to at least EUR 170 billion per year if global warming reaches 3 °C above a pre-industrial level;
3. reiterates that the urgency of tackling climate change in line with the Paris Agreement requires committed political leadership at all levels of governance, driving forward an action-oriented and well-defined transition to a climate-neutral Europe, underpinned by a bottom-up perspective in which adaptation and mitigation are well integrated;
4. highlights the fact that the role of cities and regions has changed from an administration-focused authority-centric style to a service- and collaboration-driven one, which includes citizens, academia, businesses, and the third sector. The CoR urges cities and regions to analyse and renew their role, collaboration, and innovation policies to boost broad-scale societal and technology-assisted innovations. This will enable them to tackle the major societal challenges and safeguard the right conditions for welfare societies;
5. calls for demand-based policies, carbon footprints and handprints to be used as the criteria for sustainable public procurement, to accelerate transformation to circular economy and increase demand for sustainable and climate-friendly products and services;
6. emphasises the crucial importance of local awareness and commitment to action; to encourage this, new innovative ways to create high-quality support to local level action are needed. The CoR will cooperate with the European Commission to develop operational action models under the title Green Deal Going Local for municipalities of different sizes and at different stages of development, adapted to their local situations;
7. notes the critical importance for the objectives set of ensuring that the latest research knowledge is used, modified and applied to potential operational needs much more rapidly than so far; therefore urges the European Commission to set up ERA Hubs so that they focus on promoting innovations needed at local and regional level from the point of view of society and work to develop ecosystems for academia, businesses, society and individuals;

8. showcases, via the CoR Green Deal Going Local political and communication campaign, how the cities and regions can accelerate the just and sustainable transition using local, regional, national and EU public and private financing, along with other supporting initiatives. The CoR is committed to cooperating and to reaching breakthrough solutions together with the European Commission, EU Missions, the EU Innovation Council, the network of regional ERA Hubs and other initiatives of relevant stakeholders;

9. points out that around 40 % of EU cities with more than 150 000 inhabitants have adopted climate adaptation plans <sup>(1)</sup>; encourages all cities to join and regularly update research, development, and innovation (RDI) knowledge and best practices. The CoR calls on cities and regions to join forces with local and international industry, forming partnerships to adapt to and mitigate climate change, and calls on the Commission to disseminate positive results;

10. strongly supports the strategy's approach of achieving resilience in a fair and just manner. Climate change is becoming increasingly problematic, especially for people living in vulnerable situations, older, sick and low-income people. The strategy must pay particular attention to these groups;

11. stresses its readiness and commitment to co-creating a Europe-wide adaptation system with cities and regions, as well as a well-functioning multilevel governance structure with clear responsibilities. The aim is to enable action and to create effective regional and local adaptation and mitigation mechanisms based on joint collaboration between the public, private and third sectors, and to improve knowledge, capabilities, and the use of financial resources;

### **The Adaptation Strategy in the framework of the European Green Deal**

12. believes that, within a year of this regulation entering into force, the Commission should adopt guidelines establishing common practices and principles for identifying, classifying and properly managing physical and material climate risks when planning, developing, carrying out and monitoring plans, programmes and projects;

13. suggests that synergies should be established between adaptation guidelines and the Directives on Environmental Assessment;

14. notes that local and regional authorities are responsible for more than 70 % of climate change mitigation measures and up to 90 % of climate adaptation actions, therefore no adaptation policy will be successful unless it takes into account the needs, views and expertise of regions and cities;

15. calls for high levels of engagement from cities and regions in preparing their climate roadmaps and Green Deal Going Local action plans, as the bedrock of efforts to tackle climate change — and with a view to preventing the unadaptable and adapting to the unpreventable;

16. calls for the strengthening of regional cooperation of parties on climate adaptation plans and measures on the ground. The local and regional level is where measures, together with citizens and business, have to be effectuated;

17. recognises that the EU's outermost regions face stark adaptation challenges as a result of their specific vulnerabilities, which make them particularly susceptible to the effects of climate change; welcomes all efforts to mitigate these effects, such as the exchange of best practices and global and regional adaptation solutions, to be fostered and supported by the Commission and the Member States;

18. highlights the importance of the joint development of suitable adaptation methods and instruments, to underpin the co-creation of societal innovations, cross-border cooperation, exchanges of experiences and resilience capacities; actions under Specific Objective 2 of Interreg 2021-2027 could make a significant contribution in this regard;

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<sup>(1)</sup> Report on the implementation of the EU strategy on adaptation to climate change, COM(2018) 738 final.

19. underlines that there is a growing solid base of evidence showing that in some Member States women are disproportionately vulnerable to climate change because of entrenched social norms and socio-economic structures that deprive their access to resources, decision-making, information, education, occupation, etc.; considers, therefore, the EU policies including the European Green Deal, to overcome these barriers and boost the full potential of women and girls' skills, knowledge and qualifications to ensure the effectiveness and sustainability of climate change adaptation and disaster risk reduction;
20. stresses the importance of fast-track access to expert advice on using EU knowledge and financing instruments;
21. underlines the need for nature-oriented climate adaptation of forests and forestry enterprises. Forests and forest owners play an extremely important role in climate protection, but are themselves affected by climate change; expects the announced EU Forest Strategy to take into account special forest characteristics in different parts of Europe and to be closely linked to the EU Strategy on Adaptation to Climate Change and the EU Biodiversity Strategy, as well as EU measures to support the adaptation of semi-natural forests to climate change and strengthen their carbon capture capacity;
22. calls for swift and ambitious implementation of the measures announced in the strategy to promote nature-based adaptation solutions, including new and innovative financing approaches and products. This concerns in particular the protection and restoration of wetlands and peatlands and the greening of cities. Such solutions contribute both to increasing climate resilience, healthy living and to the achievement of other goals of the Green Deal;
23. considers large-scale public-private investment in developing and implementing new innovative solutions to be essential. An example of existing knowledge is the report 'Net Zero by 2050: A Roadmap for the Global Energy Sector' published by the International Energy Agency (IEA) in May 2021, which demonstrates the roadmap based on over 400 interim milestones to guide the global journey to net zero by 2050. It is important for such investment to also increase economic growth and prevent premature deaths;
24. highlights the collaborative effort with the Joint Research Centre (JRC) and other Commission Directorates General to develop the concept of local scientific platforms on climate change (existing 'local IPCCs'), with a view to encouraging cooperation with scientists and supporting local elected officials' decision-making;

### **Carbon handprint — a new approach to calculating climate impact**

25. welcomes the Commission's intent to coordinate between the different policy areas, as to utilise synergetic effects;
26. advocates reducing the carbon footprint by minimising the negative impacts of products, generated waste, services, and organisations; and calls for focus on the carbon handprint, by showing the positive impact that climate-friendly products and services create in terms of sustainability, based on the United Nations' Sustainable Development Goals;
27. welcomes the intention to link climate adaptation to the Energy Performance of Buildings Directive, the Construction Products Regulation and the Ecodesign Directive;
28. calls on European industry to initiate and invest in carbon handprint business development, such as improving energy efficiency, reducing the use of materials, introducing climate-friendly raw materials, reducing the amount of waste, expanding product lifespans, and enhancing product usability;
29. urges the public sector to use their role and assets in many ways to help industries speed up the process of creating new carbon-neutral handprint solutions: shifting the use of public procurement to accelerate demand for and the development of sustainable new products and services, open data to analyse problems and develop climate-friendly solutions, crowdsourcing to create innovation and start-up platforms and networking to develop and disseminate new concepts and solutions to increase sustainability;

### **Carbon pricing — an integral part of the green transition**

30. takes the view that both public and private sectors should more carefully assess needs in their procurement procedures in order to avoid surpluses and then meet actual needs using sustainable products and services;
31. urges the Commission to pay special attention to ensuring an effective CO<sub>2</sub> pricing system, since this is one of the most efficient measures for combating climate change. To attract the investments needed, the price of CO<sub>2</sub> should be predictable and at an appropriate level, and take into account the true costs of damage from CO<sub>2</sub> emissions to encourage energy and other companies to invest in climate-friendly solutions;
32. stresses that the pricing system for CO<sub>2</sub> is likely to include a carbon border adjustment mechanism to create an international level playing field, which is transparent to eliminate free riders;
33. suggests market-based solid incentives to attract the development of new carbon sinks and sustainable substitutions of material from a high to low carbon footprint. RDI should be given support to develop new CO<sub>2</sub>-reduction technologies and measurement methods;
34. calls for a combination of appropriate market mechanisms, taxes, funding measures, legal provisions and voluntary public-sector commitments to attract climate change investment to the non-ETS sector, in order to deliver emission reductions cost-effectively;
35. calls for further improvements in the emissions trading system (ETS), and especially in relation to heating, cooling, land use and transport and forestry (LULUCF); In taking the systemic steps to developing the ETS, national energy and climate taxation should be integrated into the global ETS system;
36. is convinced that accelerating effective measures to gradually end direct and indirect subsidies to fossil fuels — for example, the existing tax exemptions for aircraft-fuel — are necessary as soon as possible to create an effective level playing field for renewable energies. They will also encourage behavioural change and generate the resources required to support a just transition;
37. calls on the EU to take a strong lead globally to develop the necessary CO<sub>2</sub> pricing and budgeting systems at the latest by 2030 and to negotiate similar elements with its global trading partners;

### **Financing for tackling climate change**

38. recognises the enormous upfront investment needs, including energy-related investments, which alone, according to the European Commission, are estimated to be EUR 350 billion more annually during the years 2021–2030 than during the previous decade<sup>(2)</sup>. The CoR stresses the crucial importance of partnerships, in which public funds should focus on accelerating the pace;
39. calls for the assistance to cities and regions to find the right combination of public and private funds for adaptation action, from international, European, national, and local sources; calls for red tape to be reduced and access to EU funding to be simplified;
40. calls on the EU and other actors to develop ways to measure the potential impact of climate-related risks on public finances, to develop tools and models for climate stress testing, and to take climate change into account in reporting and fiscal frameworks;
41. highlights the urgency of updating the national energy mix by using new advanced technologies in order to best serve reaching the goals of the EU decarbonisation strategy, as well as to fully encompass and benefit from the contributions of 'prosumers', local energy communities and new technologies; highlights the importance of the reliable low and medium-voltage electricity grid and the need to increase the share of renewable energies in the base-load power, in particular by developing storage and management technologies and expanding energy networks to better connect new small-scale producers to the low and medium-voltage grids; calls on the Commission to better represent smart grid projects in the list of projects of common interest (PCI) within the new proposed TEN-E framework;

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<sup>(2)</sup> Stepping up Europe's 2030 climate ambition, COM(2020) 562 final.

42. points out that closing the climate protection gap requires strengthening dialogue between policymakers and their stakeholders, especially industry and investors, including insurers and pension funds;

43. welcomes the new level of commitment from the European Investment Bank (EIB) to raising the share of finance dedicated to climate action by 2025 and the development of the Climate Bank Roadmap <sup>(3)</sup>; welcomes the introduction of the EIB Climate Risk Assessment system (CRA) for systematic assessment of physical climate risks;

#### **The European Climate and Health Observatory — integrating health into climate targets**

44. welcomes the establishment of a European Climate and Health Observatory under Climate-ADAPT. Through this observatory data, tools, and expertise can be pooled and connected in order to communicate, monitor, analyse and prevent the effects of climate change on human health, based on a 'One Health' approach; but considers it desirable that the scope be expanded, to include the effects of urbanisation and aging;

45. underlines the need to continue collecting examples of good practice tested on the ground and to make them publicly accessible and easily searchable in a repository set up by the Climate-ADAPT portal and/or the catalogue of Benchmarks on the Covenant of Mayors website; emphasises that knowledge transfer shall also be facilitated through city-to-city cooperation and appropriate peer-to-peer and mentoring activities shall be identified, promoted and financed;

#### **Digitalisation, data, and space**

46. emphasises the importance of innovative digital technologies, 5G technology, the Internet of Things, Artificial Intelligence and data analytics that improve the digital and green transformation of cities and regions; furthermore a sufficient glass fibre supply is especially important for rural areas;

47. underlines that, to be successful, all climate action, including adaptation, needs to be rooted in the best available knowledge and innovation and is entirely dependent on citizen buy-in;

48. highlights the importance of using preventive systematic and comprehensive information systems such as Galileo and Copernicus in community-based hazard and risk assessments, based on regional and local data mining solutions and the use of satellites and sensors with GIS-aided tools to map the vulnerabilities associated with different climate-related risks; encourages the LRAs to use the Copernicus Climate Change Services (C3S);

49. expects information obtained from satellite-based monitoring systems such as Galileo and Copernicus concerning leaks of methane and other greenhouse gases to be used to eliminate such leaks as quickly as possible by means of national, European and international action;

50. calls for a regional game change in climate adaptation policy and agrees with the Climate Adaptation Mission board that cutting-edge climate data services provided by Copernicus, Climate-Adapt, the Disaster Risks Management Knowledge Centre and other tools and sources, such as earth observation satellites and in situ sensors (including ground stations, airborne and seaborne sensors) are needed;

51. highlights the need to further invest in space technology to provide relevant information on climate risks and related adaptation measures and to co-operate with the Commission, the JRC, and the EEA to bring these closer to local and regional authorities;

#### **Horizon Europe Missions**

52. calls for faster adaptation and implementation of the planned Horizon Europe Mission on 'Adaptation to Climate Change' and other adaptation-relevant missions, including those on soil, health, climate-neutral cities and oceans, once they are endorsed;

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<sup>(3)</sup> <https://www.eib.org/en/about/partners/cso/consultations/item/cb-roadmap-stakeholder-engagement.htm>

53. stresses the crucial importance of the two climate-focused missions, 'a climate-resilient Europe' and '100 climate-neutral cities by 2030'; and calls on cities and regions representing the full geographical, social, and economic diversity of the European territories to cooperate to meet the EU climate neutrality objective;

54. suggests that the Joint Research Centre (JRC) of the EU could develop and organise research and learning activities in collaboration with the CoR to support EU mission activities under the heading 'Science Meets Regions'. This would boost the impact of the missions and the results achieved would be promptly shared for application across Europe;

55. underlines its commitment, in line with the Joint Action Plan signed by Commissioner Gabriel, to implementing the EU Missions together with DG RTD. The CoR underlines that the EU Missions need an effective multilevel governance system, regional place-based innovation ecosystems and Smart Specialisation Strategies to reach their targets;

56. contributes to EU Missions through active local level engagement and provides support for the establishment of ERA Hubs by actively contributing to experiments, rapid prototyping, testing, demonstrating and scaling-up of the mission research and innovation outcomes;

57. stresses the importance of integrating Horizon Europe, joint demonstrating and delivery instruments, local level public-private partnership innovation initiatives, and MLG financing instruments to regional smart specialisation strategies;

58. stresses the vital importance of partnership contracts between the EU and the demonstrating cities and regions in Smart City and Climate Adaptation Missions to reach the European-wide influence, forerunner climate targets, and broad-scale results;

59. proposes the following three-step approach to the climate-related missions: 1) an open interactive process to get regions and cities involved in different ways in the mission; 2) signing the required number of forerunner communities up for testing the innovative mission solutions in real-life settings and 3) agreeing on the contribution of demonstrator communities to the large-scale deployment of innovative solutions and to the scaling-up of the best solutions for European-wide use;

60. proposes cooperation between the Climate Adaptation Mission and the Covenant of Mayors to engage as many cities and regions as possible, with the objective of developing a good understanding of, preparing for and managing climate risks; the CoR covenant ambassadors can play an active role in this process;

61. strongly supports the creation of a Policy Support Facility aimed at providing direct technical assistance to help develop and implement their adaptation strategies and plans; considers that this instrument should include an adaptation helpdesk, hands-on workshops, and other instruments to be created in synergy with the Covenant of Mayors, and stands ready to support the design and implementation of this facility;

### **Key partnerships and COP26**

62. highlights the UNFCCC's COP26 as a crucial milestone in securing the EU's place at the forefront of global climate action, and stresses that ongoing activities and commitments by regions and cities should have a solid and visible role at the COP26;

63. calls on the UNFCCC to strengthen the visibility and recognition of subnational governments in global climate diplomacy and activities, with international communities and network organisations, such as ICLEI, Under2Coalition, Regions4, Climate Alliance, and UCLG United Cities and Local Governments;

64. recommends increasing the role of cities and regions in the Climate Adapt Platform<sup>(4)</sup> and is keen to deepen cooperation, especially with the European Environment Agency, the EIT Climate KIC, and the Joint Research Centre; recommends that they provide regular updates on scientific knowledge and projects relating to climate change, its impact and vulnerability in the main biogeographical regions in Europe;

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(4) <https://climate-adapt.eea.europa.eu/>

65. calls on the Commission to strongly recommend that the Member States involve subnational governments in drafting their adaptation strategies and in promoting the development of regional and local strategies, as well as a regional breakdown of national strategies; the CoR stands ready to organise multilevel energy and climate dialogues for this purpose.

Brussels, 1 July 2021.

*The President*  
*of the European Committee of the Regions*  
Apostolos TZITZIKOSTAS

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**Opinion of the European Committee of the Regions — Strategy to strengthen the application of the EU Charter of Fundamental Rights in the EU**

(2021/C 440/09)

<b>Rapporteur:</b>	Jean-Luc VANRAES (BE/Renew Europe), Member of Uccle Municipal Council
<b>Reference document:</b>	Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions — Strategy to strengthen the application of the Charter of Fundamental Rights in the EU  COM(2020) 711 final

## POLICY RECOMMENDATIONS

### THE EUROPEAN COMMITTEE OF THE REGIONS

1. welcomes the new Strategy to strengthen the application of the EU Charter of Fundamental Rights, as it specifically acknowledges the role of local and regional authorities (LRAs) as central stakeholders in promoting and protecting Charter rights;
2. calls for continuous involvement of LRAs, a fundamental level of democratic legitimacy, in promoting Charter values and monitoring compliance with the principles associated with it;
3. agrees that the EU should continue to encourage the exchange of good practice and experience between all levels of government (national, regional and local) and the development of more targeted guidance and training on the Charter;
4. underlines the importance of the targeted guidance for explaining why fundamental rights are important for LRAs, partly by providing examples of how authorities can make use of the EU Charter;
5. encourages cooperation with the Council of Europe with a view to strengthening the application of the EU Charter of Fundamental Rights;
6. welcomes the Commission's intention to draw up an annual report, from 2021 onwards, on the application of the Charter of Fundamental Rights in the Member States, and calls on the Commission to present in the report the good practices and experiences of cities and regions in applying the Charter, placing the emphasis on proactively communicating with cities and regions. Cooperation with the CoR is important here;
7. notes the important role that national and European associations of LRAs can play in this context, and is committed to step up its cooperation with them in order to raise LRAs' awareness and understanding with regard to the EU Charter;
8. acknowledges the importance of setting up contact points and a network, which will facilitate the flow of information on the Charter between different levels of government and the sharing of best practices, and can also provide guidance for LRAs on how to shape their policies in full compliance with the Charter;
9. welcomes the funds allocated by the European Commission through the Rights and Values Programme to help municipalities and associations to work together on issues of common interest, enabling the exchange of good practice, and to develop networks of towns;
10. acknowledges that all EU Member States need to appoint local coordinators with a clear mission statement on the implementation of the Charter, as proposed by the European Commission;
11. considering the key role played by LRAs in ensuring the application of the Charter of Fundamental Rights, believes that the participation of the CoR is essential in the inter-institutional dialogue concerning the Charter;

12. underlines that the European Commission should systematically perform a cross-check against the application of the Charter prior to granting EU funds, using a clear and transparent procedure. Compliance with Article 2 TEU, which encapsulates the Union's values, should constitute a conditionality for eligibility for EU funds. Regulation (EU) 2020/2092 of 16 December 2020 on a general regime of conditionality for the protection of the Union budget<sup>(1)</sup> recalls that 'in its conclusions of 21 July 2020, the European Council stated that the financial interests of the Union are to be protected in accordance with the general principles embedded in the Treaties, in particular the values set out in Article 2 TEU'. The same regulation stipulates that whenever Member States implement the Union budget, respect for the rule of law, which is intrinsically linked to respect for democracy and for fundamental rights, 'is an essential precondition for compliance with the principles of sound financial management enshrined in Article 317 of the Treaty on the Functioning of the European Union (TFEU)'.
13. calls for the Fundamental Rights Charter to be suitably discussed and so made better known on the occasion of Europe Day (9 May) and in connection with the Conference on the Future of Europe, and asks its members to promote local activities that are fully accessible and inclusive, explaining and stressing the paramount importance of fundamental rights and the European Charter for our democracies and for our citizens;
14. fully supports the accession of the European Union to the European Convention on Human Rights and Fundamental Freedoms;
15. Recommends that a body be set up to monitor the proper application of the Charter of Fundamental Rights of the European Union;
16. Calls for programmes targeting young people and children such as Euroscola, eTwinning and the European Solidarity Corps, among others, to focus permanently on funding actions related to the Charter of Fundamental Rights in order to educate them about it;
17. Also recommends that the European Union sign up to the European Social Charter in order to ensure the highest level of protection for all fundamental rights;
18. believes that its achievement will constitute a major milestone in strengthening the application of the EU Charter of Fundamental Rights in the European Union and at the same time, that this will further strengthen the EU's position on trying to make human rights a core component of its external action.

Brussels, 1 July 2021.

*The President*  
*of the European Committee of the Regions*  
Apostolos TZITZIKOSTAS

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<sup>(1)</sup> <https://eur-lex.europa.eu/eli/reg/2020/2092/oj>

## Opinion of the European Committee of the Regions on the future of regional airports — Challenges and opportunities

(2021/C 440/10)

**Rapporteur:** Władysław ORTYL (ECR/PL), President of the Podkarpackie Region

### POLICY RECOMMENDATIONS

THE EUROPEAN COMMITTEE OF THE REGIONS

#### The state of play of regional airports

1. underlines that there is no commonly agreed definition at EU level for the term 'regional airport'. For the purpose of this opinion, it is understood that this term refers to airports that are not airport hubs and whose main catchment area is not the capital of the country concerned. The term should, however, be clarified by the European Commission on the basis of criteria such as the type of connections offered, the number of passengers and the number of connections to other airports. Therefore, the Committee calls on the European Commission to establish criteria defining the different categories of regional airports (those in specific peripheral, island, outermost or less developed regions), and the funding rules and competition policy that should be applied to these categories;
2. points out that the aviation sector has been one of the worst affected by the COVID-19 pandemic, and the situation facing regional airports is particularly worrying. More than 6 000 routes which were served from Europe's airports in 2019 were still not restored nine months into the COVID-19 crisis <sup>(1)</sup>. Smaller regional airports have recorded the greatest decline in direct flight connections, particularly in passenger flights. For example, Treviso (Italy) lost 95 % of its connections, Vaasa (Finland) 91 %, Quimper (France) 87 %, and Burgas (Bulgaria) 82 %, however, Europe's major cargo airports, e.g. Liège (Belgium) saw an increase in cargo flights of 10,7 %;
3. notes that, according to estimates by organisations such as Eurocontrol <sup>(2)</sup>, in 2020 airlines, airports and air navigation service providers made net losses of EUR 56,2 billion, passenger numbers fell by 1,7 billion, the number of flights was down by 6,1 million (often falling by 50 % at best) and there were 191 000 direct job losses in Europe. ACI estimates <sup>(3)</sup> that the sudden drop in passenger traffic significantly reduced the revenues of European airports in 2020 by about EUR 33,6 billion (– 68,8 %); Eurocontrol predicted that in the most optimistic scenario, air traffic would return to 2019 levels in 2024, and in the worst-case scenario in 2029;
4. notes that, according to ACI Europe's analysis, in the medium-term, airports may lose a further EUR 25 billion in revenues in 2021 compared to 2019;
5. highlights that the sharp drop in revenues has put some airports in such a difficult position that they risk insolvency without external support. In October 2020, as many as 193 airports in Europe were facing insolvency in the coming months <sup>(4)</sup>. These are mainly regional airports serving local communities. Together, they account for 277 000 jobs and generate EUR 12,4 billion of GDP. Their bankruptcy would have a dramatic impact on employment and the economies of the regions where they are located;

#### Linking aviation to the European Green Deal

6. notes that the European Commission has set out its vision for the decarbonisation of aviation in its Sustainable and Smart Mobility Strategy <sup>(5)</sup>, the result of which should be a 90 % reduction in greenhouse gas emissions relating to transport by 2050. Aviation and airports have to help meet the European Union's decarbonisation objectives. The European Green Deal emphasises that air quality should be improved near airports by tackling the emissions of pollutants by aeroplanes and airport operations, including by gradually increasing the share of alternative fuels that are climate-neutral, becoming

<sup>(1)</sup> Airports Council International (ACI) — Airport Industry Connectivity Report.

<sup>(2)</sup> EUROCONTROL Think Paper #8 — Impact of COVID-19 on European Aviation in 2020 and Outlook 2021.

<sup>(3)</sup> ACI Advisory Bulletin: The impact of COVID-19 on the airport business, 8 December 2020.

<sup>(4)</sup> Airports Council International (ACI) forecast, 27 October 2020 — Europe: Airports Council International Europe | ACI EUROPE — Media (aci-europe.org).

<sup>(5)</sup> Sustainable and Smart Mobility Strategy.

multimodal mobility hubs and creating zero-emission airports. Regional airports could be ideal pioneers of green innovation, as their inherent characteristics include being smaller, more flexible, and more adaptable to newer, greener types of aircraft;

7. stresses that, owing to the additional costs of island location, building infrastructure to convert to zero-emission airports on islands will be much more costly than the same type of project in a region on the mainland; calls on the Member States to ensure specific financial support for regional authorities and/or companies to promote the shift towards zero-emissions airports on islands;

8. notes that airports are unevenly distributed across Member States and regions. In some regions, like the Benelux countries, Germany or Northern Italy, they are very densely distributed, in others, like Central Eastern Europe, relatively very few regional airports are operating. This encapsulates a broader problem of inequity in the access to transport, both for citizens living and businesses based outside the centrally located areas of the European Union; Steps should therefore be taken to reduce these disparities and reduce the number of regions without a regional airport;

9. notes that aviation is the second biggest source of transport-related greenhouse gas emissions after road transport and also has an impact on the climate through the release of non-CO<sub>2</sub> elements (e.g. water vapour and sulphate at high altitudes). These effects are estimated to be as significant as those of CO<sub>2</sub> emissions alone<sup>(6)</sup>. Despite the fact that fuel efficiency has improved recently, the environmental benefits have been offset by a steady growth in air traffic (increasing by 60 % between 2005 and 2017 and projected to triple by 2050). The very sharp fall in traffic density associated with the COVID-19 crisis is expected to be temporary;

10. would like to point out at the same time that, according to a policy brief from the European University Institute (EUI)<sup>(7)</sup>, airports can directly influence, through their operations, only about 2 % of overall global emissions from aviation;

11. underlines that the White Paper, which was revised in 2011 and is a key document for EU transport policy, aims to reduce European transport's dependence on oil imports, improve its efficiency and to lower CO<sub>2</sub> emissions. The document also stresses the importance of intermodality and co-modality through the efficient use of different modes of transport, on their own and in combination with other modes, leading to an optimal and sustainable use of natural resources; stresses, in this context, the need for a continuous exchange of experience between Member States and local and regional authorities on deepening integration between transport modes, particularly air and rail, for example with regard to introducing combined air-rail tickets, or checking in and registering baggage at the railway station, even before arriving at the airport; in the long term, it should be considered whether stopping short-distance flights and replacing them with investments in rail connections and in high-speed trains is appropriate;

12. Stresses that in order to facilitate inter-modality and co-modality, attractive train connections, including high speed and freight trains to airports need to be systematically constructed in the near future, and as a service to the passengers, airlines, train and bus companies should be required to sell joint tickets, enabling passengers to purchase one ticket for a combined trip; questions in relation to missed connections need to be dealt within the passengers' rights regulation;

13. stresses the positive impact of aviation on the economic development of regions, including the tourism sector; highlights its 2020 opinion entitled *Towards more sustainable tourism for EU cities and regions*, which calls for ways to increase the connectivity of Europe's cities and regions, by supporting the less polluting options and improving inter-modality in line with the ultimate objective of the European Green Deal;

14. recommends to assess the experiences made during the pandemic and to evaluate the impact of the reduced air traffic on the environment and the climate, but also on the economic development of regions and cities, providing evidence for further discussions and decisions in relation to future, sustainable tourism strategies and the future of regional airports;

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<sup>(6)</sup> Study by the European Aviation Safety Agency (EASA), November 2020.

<sup>(7)</sup> Policy brief 2021/02, January 2021.

15. In order to mitigate their emissions, airports can modulate the airport charges paid by airlines based on environmental criteria, for example, by reducing airport charges for aircraft producing less noise and emitting fewer air pollutants. They can also favour airlines with higher load factors, to reduce emissions per passenger. Moreover, airports can use incentives to support new fuel use or noise reduction, by prohibiting take-offs after a certain hour in the evening, or by introducing night bans for planes other than the latest generation. Finally, they can introduce slot limitations on the basis of plane types and other objectives;

16. insists that a condition for public investments in regional airports (through European funding or state aid schemes) should comply with the objectives of the European Green Deal and the principle 'no harm for the environment';

17. welcomes the European Commission's increased efforts to cut aviation emissions and Member States' support for the Carbon Offsetting and Reduction Scheme for International Aviation (CORSA);

### **The importance of regional airports**

18. draws attention to the fact that, in 2018, aviation in Europe accounted for 25,9 % of global passenger traffic. This directly and indirectly provided over 13,5 million jobs and contributed USD 991 billion to the economy. It is estimated that some 1,7 million people are directly employed by airport operators and institutions/companies that work with airports <sup>(8)</sup>;

19. stresses that regional airports are key to ensuring the accessibility of transport in regions that are far from the principal transport hubs, are relatively underdeveloped economically and are peripheral or island regions, and thus make an important contribution to economic development and job creation in these regions. They provide momentum for development that helps meet the objectives of cohesion policy in its spatial, economic and social dimensions;

20. notes that regional airports also provide professional and comprehensive ground handling services for aircraft in the General Aviation (GA) sector, which plays an important role, particularly with regard to aviation training;

21. wishes to point out that regional airports form an especially crucial element of critical infrastructure, vital for the security of a country and its citizens. They play a crucial role for air ambulance services (emergency or planned), for fire monitoring and firefighting flights, and also in emergencies (natural and other disasters, floods), thus helping to ensure the smooth functioning of rescue services, public administration, institutions and businesses;

### **Sustainable development of a region depends on its accessibility**

22. furthermore, recognises that the rate at which regions develop depends to a large extent on the quality of their connectivity, and that regional airports play a prominent role in EU territorial cohesion, even more so in the case of archipelagos, where regional airports are essential for the internal cohesion of regions that do not have alternatives such as railways or roads, and in the case of sparsely populated, peripheral and outermost or less developed regions, when they lack other convenient and environmentally friendly means of transport;

23. reiterates that territorial cohesion is an objective of the European Union, recognised by the Lisbon Treaty as the third dimension of the cohesion objective, alongside economic and social cohesion;

24. welcomes, in this respect, the agreement on the future Regulation on the European Regional Development Fund, which, in line with the European Committee of the Regions' recommendations in its opinion on the ERDF <sup>(9)</sup>, recognises the specific situation of remote regions and regional airport. The Regulation excludes EU investment in airport infrastructure except for remote regions and existing regional airports, provided that the investment supports targeted measures to mitigate environmental impact, ensuring security and safety;

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<sup>(8)</sup> Air Transport Action Group, *Aviation Benefits Beyond Borders*, October 2020.

<sup>(9)</sup> COTER-VI-046, opinion of the European Committee of the Regions on the *European Regional Development Fund and Cohesion Fund*.

### **The future of regional airports**

25. believes that now is the moment to assess the relevance of regional airports in Europe. The assessment needs to consider their role in relation to their connectivity for their citizens, the regional economic development, including tourism and the transport of goods, take into account the experience and the impact of the COVID-19 pandemic, and their contribution to the EU's ambitious climate policy;

26. expects coordinated action by the European Commission, the Member States, regions, the research community and business with a view to propose a new comprehensive transport system in Europe, maintaining the aviation mode of transport and putting it on a path to sustainable growth. These measures should lead to a more resilient aviation sector in crisis events, closer connections between it and other transport modes, particularly rail, and its inclusion in efforts to meet the obligations arising from the Paris Agreement;

27. stresses the importance of striking a balance between compliance with the environmental requirements aimed at decarbonising the aviation sector and the dependence of certain peripheral, island or outermost regions on their regional airports, for which there are no viable alternatives;

### **State and EU aid**

28. considers that, as a first step, Member States could be required by the European Commission to present short- and long-term strategic plans for regional airports, including the development of dedicated support instruments to mitigate the climate impact of the aviation industry and support its ecological transition;

29. notes that under the European Commission guidelines on State aid rules and public service obligations, and rules applicable to the air transport sector during the COVID-19 outbreak, Member States can support, under certain conditions, companies affected by the COVID-19 pandemic, including regional airports;

30. stresses, however, that regional airports, particularly those located on islands and sparsely populated, peripheral and outermost or less developed regions, are to a large extent structurally unable to cover capital and operating costs and therefore need additional resources. Such airports operate at a competitive disadvantage which prevents them from compensating for fixed costs due to the narrow scope of their activities;

31. calls on the European Commission, therefore, to develop, as part of the legislative process, even more flexible and more effective public aid rules that enable Member States to provide regional airports with the financial assistance in line with the relevant ERDF and RRF provisions for investment in regional airports located in peripheral, island or outermost or less developed regions where a more efficient and sustainable alternative (for instance, rail) does not exist;

32. suggests also that Member States should be able to apply a comprehensive approach to regional airports with regard to environmental requirements, taking account of the measures taken both by regional airports themselves and by the stakeholders that directly work with them locally;

### **The place of aviation in the new EU financial perspective for 2021-27**

33. calls on the European Commission, in the context of cohesion policy for 2021-27 and in accordance with the abovementioned restrictions, to permit investment funding to provide aid for regional airports, funding that directly supports processes relating to decarbonisation and the low-carbon circular economy model;

34. also calls on the European Commission to introduce new rules on state aid for small regional airports not in competition with other airports and with an average annual traffic of up to 1 million passengers, exempting them from the obligation to provide notification of public aid for investment (where they are unable to generate 25 % of their own contribution) and operating aid;

35. urges the European Commission to allocate adequate European funds to the development of infrastructure for safety and security, and for the use of innovative technologies and digitalisation of airports, helping to meet the objectives of the European Green Deal;

36. considers that, with a view to creating a greener air transport system, it is essential to ensure that European funds support the introduction and application of results of research and development work relating in particular to the reduction of noise levels and emissions of aircraft engines through the use of alternative fuels;

37. stresses that the Recovery and Resilience Facility[1] <sup>(10)</sup> foresees intervention fields relating to ‘security, safety and air traffic management systems for existing airports’ and ‘support to airports in outermost regions’ under the condition that these measures ‘fully respect the climate and environmental standards and priorities of the Union and the principle of “do no significant harm” within the meaning of Article 17 of Regulation (EU) 2020/852’. Member States, in cooperation with the European Commission, should therefore carefully assess the extent of possible support for regional airports under the national recovery and resilience plans;

38. furthermore, expects that the European Commission will ensure that regional airports in the outermost regions are encouraged to make use of EU funding under the country/regional programmes to be introduced in the new EU financial perspective for 2021-27 for investments related to environmental protection or accompanied by investment necessary to mitigate or reduce its negative environmental impact;

#### **Role of local and regional authorities**

39. stresses that local and regional authorities are responsible for planning and implementing public transport services on their territories, as well as for promoting regional economic development. A significant number of local and regional authorities own or operate regional airports, provide the necessary infrastructure and other services relevant for their functioning, and contribute to their financing sometimes considerably;

40. underlines that the role of local and regional authorities should be to continuously seek to improve mobility patterns and to choose the most appropriate transport modes, including considerations of pros and cons of access to regional airports. To this end, with regard to climate-neutral transport, support should be provided for projects in particular for collective, but also individual mobility with low or zero emissions, infrastructure for non-motorised traffic, innovative charging stations for public transport vehicles and the integration of collective transport. In particular, where possible, attention should be paid to the need to guarantee residents rail connections to airports, which also leads to lower emissions in the economy;

41. notes that local and regional authorities, in cooperation with the aviation industry, play a key role in developing joint regional communication campaigns to raise public awareness on flight safety, environmentally friendly innovation used in aircraft and airport safety, but also the benefits of multimodality based on air, rail, road and maritime transport;

42. is of the view that airport operators must revise their development strategies without delay, in order not only to adapt them in the context of the changing aviation market as a result of the COVID-19 pandemic, but above all to take into account the need to invest in sustainable development and the contribution of climate-neutral transport;

43. points out that the 2021-30 disability strategy adopted by the European Commission in March 2021 refers to the need to integrate the rights of persons with disabilities into all policies and areas, and therefore transport too; stresses, in this regard, how important it is for regional airport operators to fully adapt such airports to support people with disabilities in order to enable them to have unlimited access to all services on offer;

#### **Swift and coordinated action is the key to economic recovery**

44. calls on the European Commission to put in place solutions that would facilitate the free movement of persons within the European Union during the pandemic. Uniform rules, such as the EU Digital COVID Certificate, will undoubtedly help to restore mobility, including by air transport and the tourism sector closely associated with it, but they must not in any way be discriminatory for passengers and their introduction should not only burden regional airports, including financially;

Brussels, 1 July 2021.

*The President  
of the European Committee of the Regions*  
Apostolos TZITZIKOSTAS

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<sup>(10)</sup> Regulation (EU) 2021/241 of the European Parliament and of the Council of 12 February 2021.

**Opinion of the European Committee of the Regions — Future plan for care workers and care services — local and regional opportunities in the context of a European challenge**

(2021/C 440/11)

**Rapporteur:** Heinrich DORNER (AT/PES), Member of the State Government of Burgenland

**POLICY RECOMMENDATIONS**

THE EUROPEAN COMMITTEE OF THE REGIONS

**Policy priorities**

1. is conscious of the impact of an ageing population <sup>(1)</sup>, shifts in social and family structures, as well as in needs-based care for people with special needs, the demands of the modern world of work and the resulting growing need for formal and informal care, the latter being ensured mainly by family members; recognises at the same time the importance, in the long run, of developing programmes to promote active ageing and halt the early deterioration of elder people's mental and physical health. When developing the corresponding programmes, steps to increase older people's participation in society and to improve infrastructure for them should be taken into consideration. Increasing opportunities for participation empowers people in later years and helps prevent loneliness and social isolation;
2. notes that the impact of population ageing is greater in rural areas, particularly in areas affected by depopulation or regions lagging behind, where care for older and dependent people is less accessible and requires greater support from community-based services. It is important to consider in this context also the negative effects of migration of care workers from less developed regions to more developed ones, resulting in severe staff shortages in the former; recognises the importance of local services in rural and depopulated areas for older and dependent people, offering a range of resources to help people stay in their usual environment, promoting their autonomy and independence in carrying out everyday activities and their social inclusion, through the provision of various technical, material and/or economic support and the promotion of universal accessibility. At the same time, population ageing is becoming clearly noticeable in urban areas too, where the proportion of older people is rising sharply, increasing the need for human resources and new infrastructure (such as care homes or assisted housing);
3. recognises the crucial role that the care sector has played alongside the health sector during the COVID-19 crisis. Urges to this effect for the full respect of fair working conditions and for commensurate remuneration of carers as a primary obligation in recognition of their services;
4. calls on cities and regions to continue, and where appropriate step up, their efforts to tackle the shortage of care workers, in order to address the medium- to long-term threat of staff shortages. Such shortages affect both urban and rural areas, and attention should be paid to areas hit by the demographic decline, remote regions or regions lagging behind, with limited availability of care for older and dependent people. While acknowledging the importance of a life-cycle approach in relation to ageing challenges <sup>(2)</sup>, in the current context of overstretched health services because of the pandemic, the Committee calls on the European Commission to guarantee financial instruments directly accessible to cities and regions to empower them to effectively address care worker shortages;
5. in the context of short-term staff shortages due to COVID-19 crisis-related restrictions on the cross-border mobility of health and care professionals, draws attention to the CoR's previous policy recommendations (such as setting up 'health corridors' between border regions) <sup>(3)</sup>;

<sup>(1)</sup> In 2020, 20,6 % of the EU population was aged 65 or over, 3,0 percentage points higher than a decade earlier. Eurostat, 16.3.2021: <https://ec.europa.eu/eurostat/web/products-eurostat-news/-/ddn-20210316-1>

<sup>(2)</sup> COM(2021) 50 final.

<sup>(3)</sup> CoR opinion on *Implementation and future perspectives for cross-border healthcare* (COR-2019-04597).

6. is committed to the overall objective of enabling people in need to access the care services that are clinically necessary and that meet the preferences of those receiving care;

7. sees the shortage of skilled workers caring for people in need as a potential opportunity to deal with an expected increase in unemployment across Europe, particularly in connection with the effects of the COVID-19 crisis, and thus to take an important step towards preserving the economic and social cohesion of the European Union; points out that creating new care services for older and dependent people leads to new jobs that help invigorate the economy and keep the population in rural and depopulated areas. Local social services in these geographically vulnerable areas play a clear role in revitalising the rural environment and in social and territorial cohesion;

8. notes that the care sector not only needs to be transformed in itself, but also to change by establishing new models: moving from care to prevention and inclusion; from quality of care to quality of life; from institutions to homes; from an approach based on professional care to a system of working together with the family in order to involve them; from a medical to a care and service-based approach; from a one-size-fits-all-approach to one that accommodates different lifestyles; from a system-dominated approach to a client-centred approach; from fear of technology to incorporating it; from the use of traditional solutions to the use of digital solutions that place people first; from the use of critical performance indicators to 'common sense';

9. welcomes the aim of the European Commission's *Green Paper on Ageing*, to launch a broad policy debate on ageing to discuss options on how to anticipate and respond to the challenges and opportunities it brings, and refers in particular to the findings and comments set out in point 5.1 of the Green Paper <sup>(4)</sup>;

10. draws attention to the European Pillar of Social Rights Action Plan, looks forward to the initiative on long-term care planned for 2022, and underlines principle 18 of the Pillar, which states that everyone has the right to affordable long-term care services of good quality, in particular home-care and community-based services <sup>(5)</sup>;

11. reiterates its call to the European Commission 'to consider a care agreement for Europe, similar to the Youth Guarantee, to satisfy care needs as part of a rights-based approach that puts care at the heart of economic activity, increasing investment in health and care, in line with the wellbeing economy strategy. The CoR also asks the Commission and urges the Member States to include the demands made by domestic workers regarding working conditions in ILO Convention No 189' <sup>(6)</sup>. In the same opinion, the CoR called for the revision and further development of the Barcelona targets, making them compulsory, and introducing 'care objectives that go beyond these (Barcelona+) to take account of care needs in ageing societies and recognise that the care sector is largely dominated by women but is not paid in accordance with its social value';

### Statistical background and outlook

12. draws attention to recent projections suggesting that the share of people in Europe aged 65 or over will rise from 20 % today to an estimated 30 % in 2070, and that the share of people aged 80 or over will double to more than 13 % by 2070 <sup>(7)</sup>. This means that the number of over-65s is expected to rise from 87 million to over 150 million, and the number of over-80s from 23 million to 62 million;

13. is aware that the number of people in the EU potentially in need of long-term care is expected to increase from 19,5 million in 2016 to 23,6 million in 2030 and 30,5 million in 2050 <sup>(8)</sup>;

14. notes that, just to maintain the current ratio of five long-term care workers per 100 people aged 65 and over, the number of workers in the sector needs to increase by 13,5 million by 2040 in OECD countries <sup>(9)</sup>. In the period 2018–2030 alone, the EU-27 will need a total of 11 million new health and care workers to meet growing demand <sup>(10)</sup>;

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<sup>(4)</sup> COM(2021) 50 final.

<sup>(5)</sup> COM(2021) 102 final.

<sup>(6)</sup> CoR opinion on *A Union of Equality: Gender Equality Strategy 2020-2025* (COR-2020-02016).

<sup>(7)</sup> COM(2020) 241 final — *Report on the impact of demographic change*.

<sup>(8)</sup> COM(2021) 50 final.

<sup>(9)</sup> OECD (2020), *Who Cares? Attracting and Retaining Care Workers for the Elderly*, <https://www.oecd.org/els/health-systems/who-cares-attracting-and-retaining-elderly-care-workers-92c0ef68-en.htm>

<sup>(10)</sup> JRC121698 — JRC (2021), *Health and long-term care workforce: demographic challenges and the potential contribution of migration and digital technology*.

15. highlights the care sector's enormous potential for the labour market, and in this context draws attention to the fact that there could potentially be eight million job openings in the health and social care sector over the next ten years <sup>(11)</sup>;

16. further underlines that the Silver Economy <sup>(12)</sup>, which encompasses care services for older people, is a powerful tool to address depopulation, providing immediate solutions to the problems of ageing and unemployment in the most disadvantaged rural areas. The Silver Economy creates competitive and cohesion advantages for the regions, generating benefits for all the actors involved (a win-win-win situation). Furthermore, the gradual ageing already afflicting many of our regions is becoming an active resource, generating jobs and wealth, changing stereotypes and approaches, which need to be worked on;

### **Local and regional relevance**

17. considers that, given the threat of staff shortages in the medium to long term, the cities and regions of the European Union need to address the reasons for the shortage of care workers. This particularly applies to those regions whose systems rely on staff from neighbouring countries, which were confronted with short-term staff shortages due to pandemic-related border closures;

18. is aware of the regional differences and priorities within Europe <sup>(13)</sup> regarding formal and informal care, the latter relying mainly on family members, and is committed to maintaining the diversity of services offered and of regional solutions to meeting care needs;

19. supports the networking of regions across Europe and encourages them to press ahead with the joint exchange of experience and the joint, coordinated development of actions; points to the important role played by regions and cities in developing specific care measures for older and dependent people, with a view to bringing local services closer to rural areas affected by ageing and depopulation. This is a strategy for dealing with the necessary care for these groups who live in geographically vulnerable areas and face greater difficulties in accessing essential local services that guarantee proper social and health care in their usual living environment;

### **Involvement of women**

20. stresses, with regard to gender, that 92 % of women in the EU regularly — i.e. more than one day a week — perform unpaid care work, 81 % care for relatives on a daily basis <sup>(14)</sup>, and women make up the majority of workers in the health and care sector <sup>(15)</sup>. This situation is particularly acute for women living in rural and depopulated environments where there are real difficulties in accessing essential, basic services for health and social care;

21. stresses that the vast majority of care work in Europe is carried out by relatives in the home, particularly by women, often with no specialist training or guidance, no commensurate payment and no social protection, which ultimately exacerbates the existing gender pension gap;

22. recognises the need for policies and programmes directed towards relieving women from being burdened with the vast majority of unpaid care work. Both unpaid care workers and their non-contributing family members need to be made aware that care is work and should be treated as such. Unpaid care work is not a women's duty nor obligation and should be evenly distributed among genders, in order to guarantee women's economic independence, as stated in the EU Gender Equality Strategy;

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<sup>(11)</sup> COM(2021) 50 final.

<sup>(12)</sup> According to the European Commission, 'the "Silver Economy" can be defined as the economic opportunities arising from the public and consumer expenditure related to population ageing and the specific needs of the population over 50.'

<sup>(13)</sup> JRC121698.

<sup>(14)</sup> EIGE (2021), *Gender inequalities in care and consequences for the labour market*, <https://eige.europa.eu/publications/gender-inequalities-care-and-consequences-labour-market>

<sup>(15)</sup> JRC121698.

23. highlights the large proportion of women who are willing to provide care services despite the precarious working conditions and low pay, because they come from countries where wages are low. Those women are in most cases immigrants and they should therefore have access to integration services in their mother tongue and to information about their rights and accessible services as immigrant workers. Fully implementing the Posting of Workers Directive and ensuring that this specific group of workers is not excluded from the protection of national statutory minimum wages are of particular importance; stresses to this effect 'the urgent need for "upward convergence" of minimum wages, not least given that low wages remain a feature of employment in the European Union' and that 'women constitute 59 % of minimum wage earners' <sup>(16)</sup>, underlining that the EU must continue to assist Member States in implementing effective and inclusive social and employment policies and in carrying out the necessary reforms to achieve this;

24. stresses the need to address precarious working conditions of 'live-in' care workers in the EU, who are mostly women and often migrants from third countries, some of whom working irregularly as undocumented migrants and some being engaged in circular or temporary migration; joins in this regard the European Economic and Social Committee (EESC) in emphasising that live-in care workers should be treated in a similar way to other care workers and calls for improved safeguards in the Employers' Sanctions Directive (2009/52/EC) to protect labour rights of undocumented workers and for the rigorous application of the Victims' Rights Directive (2012/29/EU) to provide effective support for live-in care workers who are victims of exploitation, regardless of their migration status <sup>(17)</sup>;

### **Recommendations for the relevant stakeholders**

25. stresses the need to improve public information and communication on the existing demand for caring professions, with a view to appealing to a larger segment of job seekers, seeking also to drastically reduce the gender imbalance and ensure that more men work in these professions in future. LRAs could participate in that effort, by organising seminars, workshops and advertising care professions specifically for men, which would fight gender stereotypes and lack of awareness. This should go hand in hand with concerted efforts to improve working conditions in the care sector in order to make caring professions more attractive, including amongst young people and especially in depopulated areas and/or areas with much older populations;

26. points out that, in the context of the current COVID-19 crisis, both jobs and continuity of care can be safeguarded by establishing crisis-resilient employer structures, particularly with regard to ownership structures and use of the profits generated;

27. recognises that a good work-life balance plays a key role in the career choices of potential entrants to the sector. With this in mind, professional care work needs appropriate working time models that allow and promote a balance between family, leisure and work;

28. stresses that, alongside staff's physical health, their mental health is also a decisive factor in establishing and maintaining a healthy working environment, and that staff therefore need professional support (e.g. supervision, targeted training, mental health support), thus also sending a clear signal against the rising burnout rate in this sector;

29. stresses the importance of rethinking new structural requirements for care homes for older people so that they can balance new standards of health and safety, including those addressing infection prevention and control, which will benefit residents as well as workers. The overall aim is to ensure optimal environmental, living and working conditions as well as conditions fostering social contact;

30. considers the use of technical tools to carry out care activities, for efficient and comprehensive documentation and for interdisciplinary communication to be an important form of support to facilitate carers' daily work;

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<sup>(16)</sup> CoR opinion on *Adequate minimum wages in the European Union* (COR-2020-05859).

<sup>(17)</sup> Own-initiative opinion of the European Economic and Social Committee on *The rights of live-in care workers* (SOC/535 — EESC-2016-00941).

31. draws attention to the growing importance of digitalisation in the care sector, as well. Calls to this effect for specific technical assistance to be provided for care homes for older people with a view to promoting telemedicine as a way of managing residents' health more effectively. Furthermore, digital and telecare tools, already used during the pandemic for monitoring and checking up on people who are isolated and without any real family support, will continue to develop, improving people's access to care services. However, this development must be accompanied by measures to close the digital divide in all areas, such as the digital divide between genders, in rural areas or among the older population. Similarly, professionals in the sector must be trained to use these new tools through ongoing training schemes. Furthermore, there is a need to develop a new coordinated and integrated communication system between the health system, the care workers and the families. Access to training in new communication technologies for the care workers in residential facilities and for the residents is crucial;

32. considers financial support during the training period to be an important support measure to make it easier for interested persons to enter the field or change careers;

33. is committed to adequate remuneration for carers, reflecting the social and societal value of their work;

34. recalls principle 9 of the European Pillar of Social Rights on work-life balance, which states that 'Parents and people with caring responsibilities have the right to suitable leave, flexible working arrangements and access to care services'. It points in this regard to the contribution that public support measures for the employment of carers, through subsidies or other forms of funding, can make to safeguarding this principle, which will also help regularise and improve the conditions of workers in the care sector;

35. recommends that EU Member States put in place the key framework conditions for the social protection of relatives acting as carers. This means ensuring both means of subsistence and sickness, accident and pension coverage for this group of people. Relatives acting as carers should not be forced to give up their jobs, public benefits cannot be attached to an unemployment status. Making the decision to care about a relative is always a difficult one, unnecessary sacrifices should not be imposed;

36. stresses the importance of professional support in the field of informal care, mainly provided by family members, in order to equip relatives acting as carers with the necessary skills while ensuring the appropriate quality of care. In addition, there is a need to create respite facilities (e.g. short-term care places) in order to temporarily alleviate the burden on such carers if needed;

37. calls on the EU Member States and relevant stakeholders at local and regional level to conduct regular surveys with the populations concerned in order to use the results and the way they change as a basis for the strategic development of services;

### **Recommendations for the European Commission**

38. calls on the European Commission to update the existing 2012 European quality framework for long-term care services, in order to keep pace with latest developments in long-term care provision and related skills requirements, and with a view to facilitating carer mobility. To this effect, proposes that the European Commission and the Member States implement a European quality label for professional 'carers of older people and dependent persons', both in institutional and non-institutional care settings, in order to safeguard the principle that carers providing this type of service should be appropriately skilled and qualified. Common benchmarks need to be established in the current European context by means of a standardised quality certificate adapted to the needs of each Member State. The Committee underlines that the rights of those cared for and their physical and mental wellbeing must remain the top priority, including preventing and alleviating loneliness;

39. suggests that the European Commission and the EU Member States consider a EU-wide strategy and a common occupational definition of carers (including of live-in carers, whose service should be considered part of the long-term care provision), involving cities and regions and the social partners. This strategy should raise awareness, also through media promotion, in order to contribute towards a lasting change in the image of the health and care professions;

40. further suggests that the European Commission considers proposals for the recognition of and effective support for relatives acting as carers;

41. calls on the European Commission to draw up a proposal for the establishment of an efficient system of comprehensive data collection and analysis, covering also live-in care, which is largely undocumented, in order to provide Member States and regions with a sound basis for future cross-regional coordination;
42. recommends that the European Commission set up a platform for mutual expert exchanges and the opportunity to present examples of best practice in the field of care, as well as of common programmes, such as social care plans or support strategies for relatives acting as carers;
43. welcomes the funding and support options offered by the current and future EU Structural Funds (ESF 2014–2020 with REACT-EU, and ESF+ 2021–2027), and the synergies and complementarities created by the EU4Health programme 2021–2027, and underlines the priority of the actions financed in this way;
44. calls for budgetary prioritisation and targeted allocation of budgetary resources to address the shortage of skilled workers in the health and care sectors, in particular with regard to the European Commission's labour market policy agenda in the European Semester. The European Commission should monitor the implementation and effectiveness of its recommendations.

Brussels, 1 July 2021.

*The President  
of the European Committee of the Regions*  
Apostolos TZITZIKOSTAS

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**Opinion of the European Committee of the Regions — An action plan for the social economy**

(2021/C 440/12)

**Rapporteur:** Mikel IRUJO AMEZAGA (ES/EA), Minister for Economic and Business Development, Regional Government of Navarre

**POLICY RECOMMENDATIONS**

THE EUROPEAN COMMITTEE OF THE REGIONS

The importance of the European Social Economy Action Plan in fostering the social economy's contribution to local and regional development in Europe

1. welcomes the European Commission's commitment to present a Social Economy Action Plan in the fourth quarter of 2021, in line with the requests of the European Economic and Social Committee, the Social Economy Intergroup of the European Parliament, the Expert group on social economy and social enterprises (GECES) <sup>(1)</sup>, a number of EU governments and European networks committed to the development of the social economy, such as Social Economy Europe and REVES <sup>(2)</sup>;
2. considers that EU action to promote the development of the social economy is particularly relevant in the current context in which, due to the economic and social crisis caused by COVID-19, it is essential to harness the full potential of social economy enterprises and organisations to ensure economic recovery, to promote collective entrepreneurship and to create high-quality jobs;
3. notes that, according to the European Economic and Social Committee <sup>(3)</sup>, the social economy represents 2,8 million businesses and organisations in Europe (EU28), employing 13,6 million workers, or around 6,3 % of the EU workforce. The social economy also includes over 232 million members of cooperatives, mutual societies and similar organisations, as well as 82,8 million volunteers;
4. points out that the European social economy is made up of a diverse range of businesses and organisations such as cooperatives — with their enormous wealth of cooperative forms — mutual societies, associations, foundations and various forms of social enterprises, as well as other legal forms specific to each Member State, such as worker-owned companies, enterprises with a social impact, social solidarity institutions, etc.;
5. notes that this diversity of enterprises and organisations, which operate in all areas of activity, share a strong identity based on shared values and characteristics such as the primacy of individuals and the social purpose over capital, gender equality, democratic governance and the reinvestment of most of the profits to achieve the sustainable development objectives of the enterprise or organisation, or in the collective and general interest;
6. underlines the local roots of social economy enterprises and organisations, businesses that never relocate — as they are created in the local area and owned by people based there — and are strongly committed to the economic and social development of the place where they operate; notes the importance of the social economy for rural development, as a catalyst for the development of local resources and in countering depopulation, taking into account the importance of these actors in developing the social economy in rural areas and their links with urban areas, helping to maintain the population and to create greater social cohesion;
7. stresses that social economy bodies are guided by principles and values that enable development compatible with both economic and environmental aspects, and entail a high degree of commitment to achieving the 2030 Agenda. They therefore represent the plural economy, the balance and the sustainability needed from a global perspective to help achieve each one of the Agenda's 17 Sustainable Development Goals;

<sup>(1)</sup> European Commission Expert group on social economy and social enterprises.

<sup>(2)</sup> European Network of Cities and Regions for the Social Economy.

<sup>(3)</sup> <https://www.eesc.europa.beneddeu/sites/default/files/files/qc-04-17-875-en-n.pdf>

8. calls on the European Commission to develop a suitable European legal framework for the social economy, which provides for a common definition, and for the organisation and inclusion of businesses that meet certain organisational and operational criteria, and which would mean crucial support for developing this sector;
9. considers that social economy stakeholders should be steered towards the Sustainable Development Goals;
10. points out that, through the Pact for Skills, the Commission should support the training and life-long learning access of social economy workers in areas such as digitalisation, including media literacy, participatory leadership, resilience and the green transition, in order to support them to enter or remain in the labour market of social economy enterprises. To achieve this objective, the Committee suggests cooperating with the industrial ecosystem of the social economy, which includes in particular public authorities, vocational training centres and universities. Moreover, the Covenant of Mayors for Climate and Energy can support the promotion of training paths geared towards environmental protection and the promotion of the circular economy. Therefore we point out the proposals formulated in the CoR opinion on European Skills Agenda for sustainable competitiveness, social fairness and resilience elaborated with suggestions on the subject from the perspective of local and regional authorities, which is highly important in the matter of social economy as well;
11. calls for the potential of the social economy to be explored in the areas of vocational training and active employment policies, as well as skills and competencies development; while paying particular attention to the groups with the greatest difficulties in entering the labour market, e.g. young people, long-term unemployed persons, persons with disabilities or those living in remote areas with limited access to digital resources;
12. calls on the European Commission to carry out an examination of transfers of enterprises to employees through social economy formulas. This study should be accompanied by an EU platform for exchange of best practice between Member States, local and regional authorities and social economy networks and should also address the social economy's potential for industrial entrepreneurship;
13. underlines the potential of social economy clusters to be incorporated into European value chains, and to build alliances with other business actors, public authorities, vocational training centres, professional schools, universities and research centres in order to achieve strategic objectives and to pool resources;
14. recognises the potential of including the social economy in the European Cluster Collaboration Platform <sup>(4)</sup> to make it easier to build alliances and for these enterprises and organisations to become part of strategic value chains;
15. stresses the importance of including the social economy in smart specialisation strategies as a key lever for economic and social development; further recalls that social economy can successfully take forward social innovation and points out in this respect that 'social economy initiatives, being based on cooperation and civic engagement among the individuals who make up communities, contribute to boosting social, economic and territorial cohesion and to raising the level of trust throughout the EU' <sup>(5)</sup>;
16. highlights the importance of promoting interregional cooperation on the social economy as a key instrument for creating transnational business clusters, for ensuring cross-border synergies and distinct cooperation involving the outermost regions in their respective forums for cooperation with third countries, and for supporting the internationalisation of social economy enterprises and organisations in the single market. In this regard, the Committee points out that, in the context of the European Smart Specialisation Platform, the social economy thematic platform is a useful tool for promoting interregional cooperation, bringing together seven European regions, its experience and tried and tested procedures and should be taken into account in the future European Social Economy Action Plan;
17. calls on the Commission to make its initiatives to support the role of local and regional authorities in promoting the social economy more ambitious and coherent; notes that many local and regional administrations already have ambitious strategies and action plans to promote the social economy; the Commission should identify these and include them in the expansion of the future action plan for the European social economy the Commission should also support the sharing of best practices and existing initiatives among local and regional authorities (e.g. through a network of local and regional authorities to promote social economy);

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<sup>(4)</sup> <https://clustercollaboration.eu/social-economy>

<sup>(5)</sup> COR-2016-06945.

18. calls on the European Commission to conduct a study into regional and local public policies to promote the social economy in the EU, including examples from other regions and local authorities worldwide;

19. acknowledges the substantial impact of the European Social Economy Regions (ESER) initiative and the Social Economy Missions project on the creation of a broad community of local and regional authorities committed to developing the social economy, and calls on the Commission to strengthen this programme as part of the Social Economy Action Plan;

20. calls on the Commission to promote the involvement of local and regional authorities in GECES, together with Member States and social economy networks. Therefore, the Committee calls for a GECES working group to be set up for regional and local social economy policies;

21. calls for analyses, studies, proposed measures and monitoring and support instruments and mechanisms relating to the social economy, which collect statistical data on workers or the composition of the different types of social economy enterprises, to include the gender perspective, thus providing sex-disaggregated data and including gender indicators;

### **Boosting the visibility of the social economy**

22. calls on the Commission to create a single online platform to support enterprises, organisations and entrepreneurship using different forms of social economy, which links all European studies and reports on the social economy and the opportunities offered by the EU to these enterprises and organisations;

23. recommends that this online platform be designed and managed in cooperation with European social economy networks and GECES;

24. suggests to the Commission that the Social Economy Action Plan should provide for a broad communication campaign to be designed and implemented with the involvement of the Committee of the Regions, the European Economic and Social Committee and social economy networks. This campaign is essential to promote collective entrepreneurship and to raise awareness of European mechanisms for supporting the social economy;

25. calls on the Commission to draw up a guide to public social economy policies, which reflects the diversity of legal forms of the social economy in Europe and which will support local and regional authorities;

26. notes that the diversity of the social economy, as well as its ability to offer innovative solutions to the major economic, social, educational and environmental challenges, are the keys to its success;

27. calls on the Commission to select a European Capital of Social Economy each year, through a democratic and transparent process involving the Committee of the Regions, the EESC and the GECES;

28. suggests that the social economy be more fully incorporated into the Enterprise Europe Network and be given a higher profile within it. Further recommends that more prominence be given to social economy within the award criteria for the European Entrepreneurial Region (EER) label;

29. notes the importance of supporting, financing and strengthening European social economy networks, and networks of cities and regions that are committed to the social economy as a key partner in implementing the Action Plan and in communicating the opportunities it creates;

### **Improving access to finance for social economy enterprises and organisations**

30. points out the additional difficulties faced by social economy enterprises and organisations in accessing finance, partly due to poor visibility and understanding of their business models, which prioritise the collective or general interest over making as much profit as possible;

31. notes the key role of the Cohesion Funds, and in particular the ERDF and ESF, in financing social economy projects;

32. calls for the collective entrepreneurship of all families in the social economy to be given a boost by establishing financial support for the creation of social economy enterprises and to help them meet future business challenges;

33. points out that the InvestEU programme will play a key role in financing innovative social economy projects through its four strands of action, focussing in particular on the 'SMEs' and 'social investment and skills' strands, which include microfinance and the financing of social economy enterprises;

34. recommends that the Commission include a member of the Committee of the Regions in the Advisory Committee, and that experts in the financing of social economy enterprises and organisations be given a role in the Investment Committee;

35. calls on the European Commission to develop a social and environmental taxonomy of investment that is clear, transparent and effective;

36. highlights the importance of the financial actors in the social economy (ethical and cooperative banks, credit unions, micro-finance, social financial institutions, mutual societies and cooperative insurance companies, etc.) in the field of sustainable finance, their substantial presence in rural areas, in less developed regions, and their work to ensure the financial inclusion of vulnerable groups and investment in the real economy;

37. calls for the gender perspective to be taken into account as regards access to funding for social economy enterprises and bodies, given the greater difficulties experienced by women in accessing credit and financial resources compared to men. This reality needs to be known from the outset when designing any instrument aimed at improving access to finance;

#### **Promoting education for social economy entrepreneurship**

38. notes, in line with the 2015 Council Conclusions on the promotion of the social economy as a key driver of economic and social development in Europe, that it is important to promote education and training in entrepreneurship through different forms of social economy at all educational levels, from primary to higher education (including both university education and vocational training);

39. points out that projects such as the Social Economy Business School, promoted by seven European regions as part of the smart specialisation platform, provide innovative solutions to this lack of training available on social economy enterprises and aim to train competent professionals able to support and lead the growth of these enterprises and organisations;

40. notes that social economy enterprises and organisations require specific skills that are also applicable to traditional businesses, such as inclusive leadership;

41. calls on the Commission to make greater use of the Erasmus+ programme to promote education and training in entrepreneurship and for jobs in social economy enterprises. It therefore proposes that social economy enterprises and organisations explore opportunities to ensure greater take-up of the Erasmus programme for young entrepreneurs, in particular in the most remote European regions where young people face greater barriers to mobility due to the distance from continental Europe;

42. calls for new opportunities to be explored to promote education, training and the skills upgrading of social economy workers through the Blueprint for Sectoral Cooperation on Skills and Knowledge Alliances. Moreover, the corpus of knowledge and skills acquired at all levels of education, and through non-formal education, should encourage people to make best use of knowledge, i.e. cultivate 'soft skills', and facilitate adaptability to a constantly evolving environment;

#### **Improving access to markets and to socially responsible public procurement**

43. notes that social economy enterprises and organisations face additional obstacles to operating transnationally in the Single Market compared to other SMEs. These difficulties stem from the diversity — and sometimes the lack — of comprehensive legal frameworks covering all legal forms within the social economy such as cooperatives, including the wide range of smaller forms of cooperatives, mutual societies, associations, foundations and social enterprises, among others;

44. points out that the role of women in social enterprise governance is important for the success of training for entrepreneurship in the social economy;

45. also points to a lack of European instruments to overcome these obstacles. It therefore remains difficult to create a transnational European association with members from several countries, as is also the case for mutual societies and foundations, due to the lack of a European legal framework;

46. calls on the Commission to further promote socially responsible public procurement among European public authorities as a key tool to increase transparency in public procurement, to fight corruption, to foster competition and participation in public procurement by business actors of different sizes, and to promote socially responsible business practices, such as those typical of the social economy;

47. calls for the expansion to the other EU Member States of the Buying for Social Impact project, which analysed the transposition of the procurement directive in 15 Member States and organised national and regional events to share opportunities for responsible public procurement;

48. calls on all local and regional public authorities to develop transparent and socially responsible public procurement strategies, making, inter alia, public contracts conditional on compliance with fair wages and other terms and conditions laid down by law and/or collective agreements, including in subcontracting chains;

**An Action Plan that includes follow-up measures and tools and which promotes structured dialogue with social economy actors and other institutions**

49. calls on the Commission to ensure that the Social Economy Action Plan has a timescale of at least five years for its implementation, including an ex ante evaluation, as well as mechanisms for annual and ex-post evaluation, and for the renewal of the Plan once it has run its course;

50. calls on the Commission to strengthen its mechanisms for monitoring and supporting social economy policies such as the Expert Group on Social Entrepreneurship (GECES), the Commission's internal social economy task force and the permanent and structured dialogue on issues relating to the social economy with the Committee of the Regions and the European Economic and Social Committee, as there is a need to ensure a gender balance;

51. calls on the Commission to consider the inclusion of social economy employers in cross-sectoral social dialogue, with measures to build the capacities of a European social economy employers' organisation and to consolidate it.

Brussels, 1 July 2021.

*The President*  
*of the European Committee of the Regions*  
Apostolos TZITZIKOSTAS

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## III

(Preparatory acts)

## COMMITTEE OF THE REGIONS

INTERACTIO – HYBRID – 145TH COR PLENARY SESSION, 30.6.2021-1.7.2021

## Opinion of the European Committee of the Regions on the Digital Services Act and the Digital Markets Act

(2021/C 440/13)

<b>Rapporteur:</b>	Rodi KRATSA (EL/EPP), Governor of the Ionian islands region
<b>Reference documents:</b>	Proposal for a Regulation of the European Parliament and of the Council on a Single Market For Digital Services (Digital Services Act) and amending Directive 2000/31/EC  COM(2020) 825 final  Proposal for a Regulation of the European Parliament and of the Council on contestable and fair markets in the digital sector (Digital Markets Act)  COM(2020) 842 final

## I. RECOMMENDATIONS FOR AMENDMENTS

## Amendment 1

COM(2020) 825 final — Part 1

Recital 5

Text proposed by the European Commission	CoR amendment
<p>This Regulation should apply to providers of certain information society services as defined in Directive (EU) 2015/1535 of the European Parliament and of the Council<sup>26</sup>, that is, any service normally provided for remuneration, at a distance, by electronic means and at the individual request of a recipient. Specifically, this Regulation should apply to providers of intermediary services, and in particular intermediary services consisting of services known as ‘mere conduit’, ‘caching’ and ‘hosting’ services, given that the exponential growth of the use made of those services, mainly for legitimate and socially beneficial purposes of all kinds, has also increased their role in the intermediation and spread of unlawful or otherwise harmful information and activities.</p>	<p>This Regulation should apply to providers of certain information society services as defined in Directive (EU) 2015/1535 of the European Parliament and of the Council<sup>26</sup>, that is, any service normally provided for remuneration, at a distance, by electronic means and at the individual request of a recipient. Specifically, this Regulation should apply to providers of intermediary services, and in particular intermediary services consisting of services known as ‘mere conduit’, ‘caching’ and ‘hosting’ services <b>as well as search engines</b>, given that the exponential growth of the use made of those services, mainly for legitimate and socially beneficial purposes of all kinds, has also increased their role in the intermediation and spread of unlawful or otherwise harmful information and activities.</p>

**Amendment 2**

COM(2020) 825 final — Part 1

## Recital 8

Text proposed by the European Commission	CoR amendment
<p>Such a substantial connection to the Union should be considered to exist where the service provider has an establishment in the Union or, in its absence, on the basis of the existence of a significant number of users in one or more Member States, or the targeting of activities towards one or more Member States. The targeting of activities towards one or more Member States can be determined on the basis of all relevant circumstances, including factors such as the use of a language or a currency <b>generally</b> used in that Member State, or the possibility of ordering products or services, or using a national top level domain. The targeting of activities towards a Member State could also be derived from the availability of an application in the relevant national application store, from the provision of local advertising or advertising in <b>the language</b> used in that Member State, or from the handling of customer relations such as by providing customer service in <b>the language generally</b> used in that Member State. A substantial connection should also be assumed where a service provider directs its activities to one or more Member State as set out in Article 17(1)(c) of Regulation (EU) 1215/2012 of the European Parliament and of the Council. On the other hand, mere technical accessibility of a website from the Union cannot, on that ground alone, be considered as establishing a substantial connection to the Union.</p>	<p>Such a substantial connection to the Union should be considered to exist where the service provider has an establishment in the Union or, in its absence, on the basis of the existence of a significant number of users in one or more Member States, or the targeting of activities towards one or more Member States. The targeting of activities towards one or more Member States can be determined on the basis of all relevant circumstances, including factors such as the use of a language or a currency <b>officially</b> used in that Member State, or the possibility of ordering products or services, or using a national top level domain. The targeting of activities towards a Member State could also be derived from the availability of an application in the relevant national application store, from the provision of local advertising or advertising in <b>any of the official languages or languages commonly</b> used in <b>the territory of</b> that Member State, or from the handling of customer relations such as by providing customer service in <b>any of the official languages or languages commonly</b> used in <b>the territory of</b> that Member State. A substantial connection should also be assumed where a service provider directs its activities to one or more Member State as set out in Article 17(1)(c) of Regulation (EU) 1215/2012 of the European Parliament and of the Council. On the other hand, mere technical accessibility of a website from the Union cannot, on that ground alone, be considered as establishing a substantial connection to the Union.</p>

**Reason**

The amendment aims to make the wording of the Regulation less ambiguous and more objective, with a reference to the official status of currencies and languages; moreover, with regard to languages, both the official languages and the languages commonly used in the Member State should be taken into account.

**Amendment 3**

COM(2020) 825 final — Part 1

Recital 12

Text proposed by the European Commission	CoR amendment
<p>In order to achieve the objective of ensuring a safe, predictable and trusted online environment, for the purpose of this Regulation the concept of 'illegal content' should be defined broadly and also covers information relating to illegal content, products, services and activities. In particular, that concept should be understood to refer to information, irrespective of its form, that under the applicable law is either itself illegal, such as illegal hate speech or terrorist content and unlawful discriminatory content, or that relates to activities that are illegal, such as the sharing of images depicting child sexual abuse, unlawful non-consensual sharing of private images, online stalking, the sale of non-compliant or counterfeit products, the non-authorised use of copyright protected material or activities involving infringements of consumer protection law. In this regard, it is immaterial whether the illegality of the information or activity results from Union law or from national law that is consistent with Union law and what the precise nature or subject matter is of the law in question.</p>	<p>In order to achieve the objective of ensuring a safe, predictable and trusted online environment, for the purpose of this Regulation the concept of 'illegal content' should be defined broadly and also covers information relating to illegal content, products, services and activities. In particular, that concept should be understood to refer to information, irrespective of its form, that under the applicable law is either itself illegal, such as illegal hate speech or terrorist content and unlawful discriminatory content, or that relates to activities that are illegal, such as the <b>provision of illegal services such as accommodation services on short-term rental platforms non-compliant with Union, national law including regional and local law</b>, the sharing of images depicting child sexual abuse, unlawful non-consensual sharing of private images, online stalking, the sale of non-compliant or counterfeit <b>products, the sale of products or the provision of services in nonconformity with the consumer protection law</b>, the non-authorised use of copyright protected material or activities involving infringements of consumer protection <b>law or the provision of services which might seriously impair the physical, mental or moral development of minors involving infringements of audiovisual media</b> law. In this regard, it is immaterial whether the illegality of the information or activity results from Union law or from national law that is consistent with Union law and what the precise nature or subject matter is of the law in question</p>

**Reason**

Illegal services non-compliant with Union or national/regional/local law are to be addressed more explicitly.

**Amendment 4**

COM(2020) 825 final — Part 1

New Recital after Recital 12

Text proposed by the European Commission	CoR amendment
	<p><i>The rush towards technological solutions based on digital infrastructure during the COVID-19 pandemic has further aggravated the gap in information asymmetry between gatekeepers and business users and end users. Moreover, preparedness for future crises should take into account lessons learned from such dependence on digital infrastructure and technological solutions. Digital resilience in Europe should be recognised, strengthened and concerted efforts taken to implement it.</i></p>

**Reason**

Digital resilience should be better recognised as a fundamental value and is where local and regional authorities' could well make the case for it. The amendment builds on the reference to the ongoing COVID-19 pandemic and makes it more precise with regards to preparedness.

**Amendment 5**

COM(2020) 825 final — Part 1

Recital 13

Text proposed by the European Commission	CoR amendment
<p>Considering the particular characteristics of the services concerned and the corresponding need to make the providers thereof subject to certain specific obligations, it is necessary to distinguish, within the broader category of providers of hosting services as defined in this Regulation, the subcategory of online platforms. Online platforms, such as social networks or online marketplaces, should be defined as providers of hosting services that not only store information provided by the recipients of the service at their request, but that also disseminate that information to the public, again at their request. However, in order to avoid imposing overly broad obligations, providers of hosting services should not be considered as online platforms where the dissemination to the public is merely a minor and purely ancillary feature of another service and that feature cannot, for objective technical reasons, be used without that other, principal service, and the integration of that feature is not a means to circumvent the applicability of the rules of this Regulation applicable to online platforms. For example, the comments section in an online newspaper could constitute such a feature, where it is clear that it is ancillary to the main service represented by the publication of news under the editorial responsibility of the publisher.</p>	<p>Considering the particular characteristics of the services concerned and the corresponding need to make the providers thereof subject to certain specific obligations, it is necessary to distinguish, within the broader category of providers of hosting services as defined in this Regulation, the subcategory of online platforms. Online platforms, such as social networks, <b>content-sharing platforms</b> or online marketplaces, should be defined as providers of hosting services that not only store information provided by the recipients of the service at their request, but that also disseminate that information to the public, again at their request. However, in order to avoid imposing overly broad obligations, providers of hosting services should not be considered as online platforms where the dissemination to the public is merely a minor and purely ancillary feature of another service and that feature cannot, for objective technical reasons, be used without that other, principal service, and the integration of that feature is not a means to circumvent the applicability of the rules of this Regulation applicable to online platforms. For example, the comments section in an online newspaper could constitute such a feature, where it is clear that it is ancillary to the main service represented by the publication of news under the editorial responsibility of the publisher.</p>

**Amendment 6**

COM(2020) 825 final — Part 1

New Recital after Recital 13

Text proposed by the European Commission	CoR amendment
	<p><i>Member States at the relevant levels of government, and where appropriate depending on the respective breakdown of legal competences, may request intermediary service providers to provide information and note the compatibility of Regulation (EU) 2016/679 with the right to request information by judicial or administrative authorities as laid down in article 9 under this regulation.</i></p>

**Amendment 7**

COM(2020) 825 final — Part 1

New recital after Recital 38

Text proposed by the European Commission	CoR amendment
	<p><i>Since the objective of this Regulation is to ensure a safe, predictable and trusted online environment, the underlying principle of ‘what is illegal offline is illegal online’ shall apply.</i></p>

**Reason**

‘What is illegal offline is illegal online’ is a key principle for regulating online services and should be mentioned explicitly in the proposal.

**Amendment 8**

COM(2020) 825 final — Part 1

Recital 50

Text proposed by the European Commission	CoR amendment
<p>To ensure an efficient and adequate application of that obligation, without imposing any disproportionate burdens, the online platforms covered should make reasonable efforts to verify the reliability of the information provided by the traders concerned, in particular by using freely available official online databases and online interfaces, such as national trade registers and the VAT Information Exchange System<sup>45</sup>, or by requesting the traders concerned to provide trustworthy supporting documents, such as copies of identity documents, certified bank statements, company certificates and trade register certificates. They may also use other sources, available for use at a distance, which offer a similar degree of reliability for the purpose of complying with this obligation. <b>However, the online platforms covered should not be required to engage in excessive or costly online fact-finding exercises or to carry out verifications on the spot. Nor should such online platforms, which have made the reasonable efforts required by this Regulation, be understood as guaranteeing the reliability of the information towards consumer or other interested parties.</b> Such online platforms should also design and organise their online interface in a way that enables traders to comply with their obligations under Union law, in particular the requirements set out in Articles 6 and 8 of Directive 2011/83/EU of the European Parliament and of the Council<sup>46</sup>, Article 7 of Directive 2005/29/EC of the European Parliament and of the Council<sup>47</sup> and Article 3 of Directive 98/6/EC of the European Parliament and of the Council<sup>48</sup>.</p>	<p>To ensure an efficient and adequate application of that obligation, without imposing any disproportionate burdens, the online platforms covered should make reasonable efforts to verify the reliability of the information provided by the traders concerned, in particular by using freely available official online databases and online interfaces, such as national trade registers and the VAT Information Exchange System<sup>45</sup>, or by requesting the traders concerned to provide trustworthy supporting documents, such as copies of identity documents, certified bank statements, company certificates and trade register certificates. They may also use other sources, available for use at a distance, which offer a similar degree of reliability for the purpose of complying with this obligation. Such online platforms should also design and organise their online interface in a way that enables traders to comply with their obligations under Union law, in particular the requirements set out in Articles 6 and 8 of Directive 2011/83/EU of the European Parliament and of the Council<sup>46</sup>, Article 7 of Directive 2005/29/EC of the European Parliament and of the Council<sup>47</sup> and Article 3 of Directive 98/6/EC of the European Parliament and of the Council<sup>48</sup>.</p>

**Reason**

The notion of ‘excessive or costly online fact-finding exercises’ is too vague for a legally binding text. It should also not be suggested that online platforms should be spared from any possible effort to verify the reliability of the information provided by the traders.

**Amendment 9**

COM(2020) 825 final — Part 1

Recital 72

Text proposed by the European Commission	CoR amendment
<p>The task of ensuring adequate oversight and enforcement of the obligations laid down in this Regulation should in principle be attributed to the Member States. To this end, they should appoint at least one authority with the task to apply and enforce this Regulation. Member States should however be able to entrust more than one competent authority, with specific supervisory or enforcement tasks and competences concerning the application of this Regulation, for example for specific sectors, such as electronic communications' regulators, media regulators or consumer protection authorities, reflecting their domestic constitutional, organisational and administrative structure.</p>	<p>The task of ensuring adequate oversight and enforcement of the obligations laid down in this Regulation should in principle be attributed to the Member States. To this end, they should appoint at least one authority with the task to apply and enforce this Regulation. Member States should however be able to entrust more than one competent authority, with specific supervisory or enforcement tasks and competences concerning the application of this Regulation, for example for specific sectors, such as electronic communications' regulators, media regulators or consumer protection authorities, reflecting their domestic constitutional, organisational and administrative structure. <b><i>Local and regional authorities should be entrusted with supervisory or enforcement tasks where deemed appropriate by Member States, which should provide the resources required for carrying out the proposed activities.</i></b></p>

**Reason**

Local and regional authorities should be included and kept informed of enforcement and oversight.

However, it is also necessary to provide the resources needed to carry out those activities.

**Amendment 10**

COM(2020) 825 final — Part 1

Recital 76

Text proposed by the European Commission	CoR amendment
<p>In the absence of a general requirement for providers of intermediary services to ensure a physical presence within the territory of one of the Member States, there is a need to ensure clarity under which Member State's jurisdiction those providers fall for the purposes of enforcing the rules laid down in Chapters III and IV by the national competent authorities. A provider should be under the jurisdiction of the Member State where its main establishment is located, that is, where the provider has its head office or registered office within which the principal financial functions and operational control are exercised. In respect of providers that do not have an establishment in the Union but that offer services in the Union and therefore fall within the scope of this Regulation, the Member State where those providers appointed their legal representative should have jurisdiction, considering the function of legal representatives under this Regulation. In the interest of the effective application of this Regulation, all Member States should, however, have jurisdiction in respect of providers that failed to designate a legal representative, provided that the</p>	<p>In the absence of a general requirement for providers of intermediary services to ensure a physical presence within the territory of one of the Member States, there is a need to ensure clarity under which Member State's jurisdiction those providers fall for the purposes of enforcing the rules laid down in Chapters III and IV by the national competent authorities. A provider should be under the jurisdiction of the Member State where its main establishment is located, that is, where the provider has its head office or registered office within which the principal financial functions and operational control are exercised. In respect of providers that do not have an establishment in the Union but that offer services in the Union and therefore fall within the scope of this Regulation, the Member State where those providers appointed their legal representative should have jurisdiction, considering the function of legal representatives under this Regulation. In the interest of the effective application of this Regulation, all Member States should, however, have jurisdiction in respect of providers that failed to designate a legal representative, provided that the</p>

Text proposed by the European Commission	CoR amendment
<p>principle of <i>ne bis in idem</i> is respected. To that aim, each Member State that exercises jurisdiction in respect of such providers should, without undue delay, inform all other Member States of the measures they have taken in the exercise of that jurisdiction</p>	<p>principle of <i>ne bis in idem</i> is respected. To that aim, each Member State that exercises jurisdiction in respect of such providers should, without undue delay, inform all other Member States <b>and local and regional authorities, where appropriate</b>, of the measures they have taken in the exercise of that jurisdiction.</p>

### Reason

Local and regional authorities should be informed about the measures that concern services provided within their territory.

### Amendment 11

COM(2020) 825 final — Part 1

Recital 88

Text proposed by the European Commission	CoR amendment
<p>In order to ensure a consistent application of this Regulation, it is necessary to set up an independent advisory group at Union level, which should support the Commission and help coordinate the actions of Digital Services Coordinators. That European Board for Digital Services should consist of the Digital Services Coordinators, without prejudice to the possibility for Digital Services Coordinators to invite in its meetings or appoint ad hoc delegates from other competent authorities entrusted with specific tasks under this Regulation, where that is required pursuant to their national allocation of tasks and competences. In case of multiple participants from one Member State, the voting right should remain limited to one representative per Member State.</p>	<p>In order to ensure a consistent application of this Regulation, it is necessary to set up an independent advisory group at Union level, which should support the Commission and help coordinate the actions of Digital Services Coordinators. That European Board for Digital Services should consist of the Digital Services Coordinators, without prejudice to the possibility for Digital Services Coordinators to invite in its meetings or appoint ad hoc delegates from other competent authorities entrusted with specific tasks under this Regulation, where that is required pursuant to their national allocation of tasks and competences. In case of multiple participants from one Member State, the voting right should remain limited to one representative per Member State. <b>The European Board for Digital Services should be composed of persons qualified to carry out these tasks and its composition should be gender balanced.</b></p>

**Amendment 12**

COM(2020) 825 final — Part 1

Article 2(r) (new)

Text proposed by the European Commission	CoR amendment
	<i>‘overriding reasons of general interest’ means in particular those overriding reasons of general interest recognised as such in the case law of the Court of Justice, including the following grounds: public policy; public security; public safety; public health; preserving the financial equilibrium of the social security system; protection of consumers, recipients of services and workers; the protection of youth; fairness of trade transactions; combating fraud; the protection of the environment and the urban environment; animal health; intellectual property; the conservation of historic, cultural and artistic heritage; social policy objectives and cultural policy objectives; housing; promoting culture, research and science; securing pluralism in the media; and gender equality.</i>

**Reason**

Overriding reasons of public interest are to be defined and should be integral part of this regulation. Gender equality and other elements should be included among these reasons.

**Amendment 13**

COM(2020) 825 final — Part 1

Article 2 (s) (new)

Text proposed by the European Commission	CoR amendment
	<i>‘competent authority’ means the competent authorities at national, regional or local level designated in accordance with the relevant legislation at national level, responsible for the enforcement of this Regulation and the protection of legitimate interests, including tackling illegal content online. A Member State can also designate several competent authorities;</i>

**Reason**

The notion of ‘competent authority’ should be included in the definitions set in Article 2 since article 38.1 only outlines the responsibilities of the Digital Services Coordinators.

**Amendment 14**

COM(2020) 825 final — Part 1

Article 5(1)

Text proposed by the European Commission	CoR amendment
Where an information society service is provided that consists of the storage of information provided by a recipient of the service the service provider shall not be liable for the information stored at the request of a recipient of the service on condition that the provider:	Where an information society service is provided that consists of the storage of information provided by a recipient of the service the service provider shall not be liable for the information stored at the request of a recipient of the service on condition that the provider:

Text proposed by the European Commission	CoR amendment
(a) does not have actual knowledge of illegal activity or illegal content and, as regards claims for damages, is not aware of facts or circumstances from which the illegal activity or illegal content is apparent; or	(a) does not have actual knowledge of illegal activity or illegal content and, as regards claims for damages, is not aware of facts or circumstances from which the illegal activity or illegal content is apparent; or
(b) upon obtaining such knowledge or awareness, acts <b>expeditiously</b> to remove or to disable access to the illegal content.	(b) upon obtaining such knowledge or awareness, acts <b>without undue delay and in any event within 72 hours</b> to remove or to disable access to the illegal content.

### Reason

The delays have to be specified and cannot remain 'open-ended'. The proposed delays are similar to the ones set in several national legislations. The German Network Enforcement Act even provides for a period of just 24 hours for obviously illegal content.

### Amendment 15

COM(2020) 825 final — Part 1

Article 8(1)

Text proposed by the European Commission	CoR amendment
Providers of intermediary services shall upon the receipt of an order to act against a specific item of illegal content, issued by the relevant national judicial or administrative authorities, on the basis of the applicable Union or national law, in conformity with Union law, inform the authority issuing the order of the effect given to the orders, without undue delay, specifying the action taken and the moment when the action was taken.	Providers of intermediary services shall upon the receipt of an order to act against a specific item of illegal content, issued by the relevant national judicial or administrative authorities, on the basis of the applicable Union or national, <b>regional or local law, and where appropriate depending on the respective breakdown of legal competences,</b> in conformity with Union law, inform the authority issuing the order of the effect given to the orders, without undue delay, specifying the action taken and the moment when the action was taken.

### Reason

This amendment clarifies the term 'applicable law'.

### Amendment 16

COM(2020) 825 final — Part 1

Article 8(2)

Text proposed by the European Commission	CoR amendment
Member States shall ensure that the orders referred to in paragraph 1 meet the following conditions:	Member States shall ensure that the orders referred to in paragraph 1 meet the following conditions:
(a) the orders contains the following elements:	(a) the orders contains the following elements:
— a statement of reasons explaining why the information is illegal content, by reference to the specific provision of Union or national law infringed;	— a statement of reasons explaining why the information is illegal content, by reference to the specific provision of Union or national law infringed;

Text proposed by the European Commission	CoR amendment
<p>— one or more exact uniform resource locators and, where necessary, additional information enabling the identification of the illegal content concerned;</p> <p>— information about redress available to the provider of the service and to the recipient of the service who provided the content;</p> <p>(b) the territorial scope of the order, on the basis of the applicable rules of Union and national law, including the Charter, and, where relevant, general principles of international law, does not exceed what is strictly necessary to achieve its objective;</p> <p>(c) the order is drafted in <i>the</i> language declared by the provider and is sent to the point of contact, appointed by the provider, in accordance with Article 10.</p>	<p>— one or more exact uniform resource locators and, where necessary, additional information enabling the identification of the illegal content concerned;</p> <p>— information about redress available to the provider of the service and to the recipient of the service who provided the content;</p> <p>(b) the territorial scope of the order, on the basis of the applicable rules of Union and national law, including the Charter, and, where relevant, general principles of international law, does not exceed what is strictly necessary to achieve its objective;</p> <p>(c) the order is drafted in <b><i>unambiguous language, in a language used in that Member State and in at least one official working language of the Union (English, French, German)</i></b> declared by the provider and is sent to the point of contact, appointed by the provider, in accordance with Article 10.</p>

### Reason

The current proposal opens up unacceptable avenues of withdrawal for a service provider purely through the choice of commercially uncommon language and presents an unreasonable hurdle for the intervening authority. The amendment eliminates this risk by limiting the choices to at least one of the three official working languages.

### Amendment 17

COM(2020) 825 final — Part 1

#### Article 9

Text proposed by the European Commission	CoR amendment
<p>1. Providers of intermediary services shall, upon receipt of an order to provide a specific item of information about one or more specific individual recipients of the service, issued by the relevant national judicial or administrative authorities on the basis of the applicable Union or national law, in conformity with Union law, inform without undue delay the authority of issuing the order of its receipt and the effect given to the order.</p> <p>2. Member States shall ensure that orders referred to in paragraph 1 meet the following conditions:</p> <p>(a) the order contains the following elements:</p> <p>— a statement of reasons explaining the objective for which the information is required and why the requirement to provide the information is necessary and proportionate to determine compliance by the recipients of the intermediary services with applicable Union or national rules, unless such a statement cannot be provided for reasons related to the prevention, investigation, detection and prosecution of criminal offences;</p>	<p>1. Providers of intermediary services shall, upon receipt of an order to provide a specific item of information about one or more specific individual recipients of the service, issued by the relevant national judicial or administrative authorities on the basis of the applicable Union or national law, in conformity with Union law, inform without undue delay the authority of issuing the order of its receipt and the effect given to the order.</p> <p>2. Member States shall ensure that orders referred to in paragraph 1 meet the following conditions:</p> <p>(a) the order contains the following elements:</p> <p>— a statement of reasons explaining the objective for which the information is required and why the requirement to provide the information is necessary and proportionate to determine compliance by the recipients of the intermediary services with applicable Union or national rules, unless such a statement cannot be provided for reasons related to the prevention, investigation, detection and prosecution of criminal offences;</p>

Text proposed by the European Commission	CoR amendment
<p>— information about redress available to the provider and to the recipients of the service concerned;</p> <p>(b) the order only requires the provider to provide information already collected for the purposes of providing the service and which lies within its control;</p> <p>(c) the order is drafted in the language declared by the provider and is sent to the point of contact appointed by that provider, in accordance with Article 10<sup>1</sup></p> <p>3. The Digital Services Coordinator from the Member State of the national judicial or administrative authority issuing the order shall, without undue delay, transmit a copy of the order referred to in paragraph 1 to all Digital Services Coordinators through the system established in accordance with Article 67.</p> <p>4. The conditions and requirements laid down in this article shall be without prejudice to requirements under national criminal procedural law in conformity with Union law.</p>	<p>— information about redress available to the provider and to the recipients of the service concerned;</p> <p>(b) the order only requires the provider to provide information already collected for the purposes of providing the service and which lies within its control;</p> <p>(c) the order is drafted in the language declared by the provider and is sent to the point of contact appointed by that provider, in accordance with Article 10;</p> <p>3. The Digital Services Coordinator from the Member State of the national judicial or administrative authority issuing the order shall, without undue delay, transmit a copy of the order referred to in paragraph 1 to all Digital Services Coordinators through the system established in accordance with Article 67.</p> <p>4. The conditions and requirements laid down in this article shall be without prejudice to requirements under national criminal procedural law in conformity with Union law.</p> <p><b>5. Member States may establish obligations for providers of intermediary services to inform the competent public authorities, whether national, regional or local, of information provided by recipients of their service or obligations to communicate to the competent authorities, at their request, information enabling the identification of recipients of their service with whom they have storage agreements.</b></p>

### Reason

DSA should clarify that Members States are allowed to establish obligations for platforms to provide information to the authorities (national, regional, local) so the recipients can be identified in justified cases.

### Amendment 18

COM(2020) 825 final

Article 10(2)

Text proposed by the European Commission	CoR amendment
<p>Providers of intermediary services shall make public the information necessary to easily identify and communicate with their single point of contact.</p>	<p>Providers of intermediary services shall <b>without undue delay</b> make public the information necessary to easily identify and communicate with their single point of contact.</p>

### Reason

Clarification for reason of proper enforcement

**Amendment 19**

COM(2020) 825 final

Article 12(1)

Text proposed by the European Commission	CoR amendment
<p>1. Providers of intermediary services shall include information on any restrictions that they impose in relation to the use of their service in respect of information provided by the recipients of the service, in their terms and conditions. That information shall include information on any policies, procedures, measures and tools used for the purpose of content moderation, including algorithmic decision-making and human review. It shall be set out in clear and unambiguous language and shall be publicly available in an easily accessible format.</p>	<p>1. Providers of intermediary services shall include information on any restrictions that they impose in relation to the use of their service in respect of information provided by the recipients of the service, in their terms and conditions. That information shall include information on any policies, procedures, measures and tools used for the purpose of content moderation, including algorithmic decision-making and human review. It shall be set out in clear and unambiguous language and shall be publicly available in an easily accessible format.</p> <p><i>This includes measures to guarantee that a recipient of a service can unsubscribe from intermediary services unhindered. In practice, neither subscription nor unsubscription shall be more demanding for any recipient of a service.</i></p>

**Reason**

Unsubscribing to a core platform should be as easy as subscribing to it. Information regarding the unsubscription process should also be publicly available in an easily accessible format.

**Amendment 20**

COM(2020) 825 final — Part 1

Article 14(5)

Text proposed by the European Commission	CoR amendment
<p>The provider shall also, without undue delay, notify that individual or entity of its decision in respect of the information to which the notice relates, providing information on the redress possibilities in respect of that decision.</p>	<p>The provider shall also, without undue delay <b>and in any event within 5 working days</b> notify that individual or entity of its decision in respect of the information to which the notice relates, providing information on the redress possibilities in respect of that decision.</p>

**Reason**

A clear timeframe is to be established for a mandatory reaction to notices under Article 14.

**Amendment 21**

COM(2020) 825 final — Part 1

Article 19(1)

Text proposed by the European Commission	CoR amendment
<p>Online platforms shall take the necessary technical and organisational measures to ensure that notices submitted by trusted flaggers through the mechanisms referred to in Article 14, are processed and decided upon with priority <b>and</b> without delay.</p>	<p>Online platforms shall take the necessary technical and organisational measures to ensure that notices submitted by trusted flaggers through the mechanisms referred to in Article 14, are processed and decided upon with priority, without delay <b>and in any event within 48 hours</b>.</p>

**Reason**

A tight time frame for mandatory reactions on notices under Article 19 is essential for online platforms to ensure a high degree of compliance.

**Amendment 22**

COM(2020) 825 final — Part 1

Article 22

Text proposed by the European Commission	CoR amendment
<p>1. Where an online platform allows <b>consumers</b> to conclude distance contracts with <b>traders</b>, it shall ensure that <b>traders</b> can only use its services to promote messages on or to offer products or services to consumers located in the Union if, prior to the use of its services, the online platform has obtained the following information:</p> <p>(a) the name, address, telephone number and electronic mail address of the <b>trader</b>;</p> <p>(b) a copy of the identification document of the trader or any other electronic identification as defined by Article 3 of Regulation (EU) No 910/2014 of the European Parliament and of the <b>Council</b><sup>50</sup>;</p> <p>(c) the bank account details of the trader, where the trader is a natural person;</p> <p>(<b>d</b>) the name, address, telephone number and electronic mail address of the economic operator, within the meaning of Article 3(13) and Article 4 of Regulation (EU) 2019/1020 of the European Parliament and the <b>Council</b><sup>51</sup> or any relevant act of Union law;</p> <p>(e) where the trader is registered in a trade register or similar public register, the trade register in which the trader is registered and its registration number or equivalent means of identification in that register;</p> <p>(f) a self-certification by the trader committing to only offer products or services that comply with the applicable rules of Union law.</p>	<p>1. Where an online platform allows to conclude distance contracts with <b>consumers</b>, it shall ensure that <b>the natural or legal person offering products or services through the platform</b> can only use its services to promote messages on or to offer products or services to consumers located in the Union if, prior to the use of its services, the online platform has obtained the following information:</p> <p>(a) the name, address, telephone number and electronic mail address of the <b>recipient</b>;</p> <p>(b) <b>where the recipient is registered in a public register, the registration number or equivalent means of identification in that register</b>;</p>

Text proposed by the European Commission	CoR amendment
<p>2. The online platform shall, upon receiving that information, make <b>reasonable</b> efforts to assess whether the information referred to in points (a), (d) and (e) of paragraph 1 is reliable through the use of any freely accessible official online database or online interface made available by a Member States or the Union or through requests to the <b>trader</b> to provide supporting documents from reliable sources.</p> <p>3. Where the online platform obtains indications that any item of information referred to in <b>paragraph 1</b> obtained from the <b>trader</b> concerned is inaccurate or incomplete, that platform shall request the <b>trader</b> to correct the information in so far as necessary to ensure that all information is accurate and complete, without delay <b>or within the time period set by Union and national law</b>. <b>Where</b> the <b>trader</b> fails to correct or complete that information, the online platform shall suspend the provision of its service to the <b>trader</b> until the request is complied with.</p> <p>4. The online platform shall store the information obtained pursuant to <b>paragraph 1 and 2</b> in a secure manner for the duration of their contractual relationship with the <b>trader</b> concerned. They shall subsequently delete the information.</p>	<p><b>2. Where the provider of products or services qualifies as a trader according to Union Law, in addition to the obligations set out in paragraph 1, the online platform shall ensure that the trader can only use its services to promote messages on or to offer products or services to consumers located in the Union if, prior to the use of its services, the online platform has obtained the following information:</b></p> <p>(a) a copy of the identification document of the trader or any other electronic identification as defined by Article 3 of Regulation (EU) No 910/2014 of the European Parliament and of the <b>Council</b>;</p> <p>(b) the bank account details of the trader, where the trader is a natural person;</p> <p>(c) the name, address, telephone number and electronic mail address of the economic operator, within the meaning of Article 3(13) and Article 4 of Regulation (EU) 2019/1020 of the European Parliament and the <b>Council</b> or any relevant act of Union law;</p> <p>(d) where the trader is registered in a trade register or similar public register, the trade register in which the trader is registered and its registration number or equivalent means of identification in that register;</p> <p>(e) a self-certification by the trader committing to only offer products or services that comply with the applicable rules of Union law.</p> <p>3. The online platform shall, upon receiving that information, make <b>its best</b> efforts to assess whether the information referred to in points (a), <b>and (b) of paragraph 1 and in points (c) and (d)</b> of paragraph 2 is reliable through the use of any freely accessible official online database or online interface made available by a Member States or the Union or through requests to the <b>recipient</b> to provide supporting documents from reliable sources.</p> <p>4. Where the online platform obtains indications that any item of information referred to in <b>paragraphs 1 or 2</b> obtained from the <b>recipient</b> concerned is inaccurate or incomplete, that platform shall request the <b>recipient</b> to correct the information in so far as necessary to ensure that all information is accurate and complete, without delay. <b>While</b> the <b>recipient</b> fails to correct or complete that information, the online platform shall suspend the provision of its service to the <b>recipient</b> until the request is complied with.</p>

Text proposed by the European Commission	CoR amendment
<p>5. Without prejudice to paragraph 2, the platform shall only disclose the information to third parties where so required in accordance with the applicable law, including the orders referred to in Article 9 and any orders issued by Member States' competent authorities or the Commission for the performance of their tasks under this Regulation.</p> <p>6. The online platform shall make the information referred to in points (a), (d), (e) and (f) of paragraph 1 available to the recipients of the service, in a clear, easily accessible and comprehensible manner.</p> <p>7. The online platform shall design and organise its online interface in a way that enables <b>traders</b> to comply with their obligations regarding pre-contractual information and product safety information under applicable Union law.</p>	<p>5. The online platform shall store the information obtained pursuant to <b>paragraphs 1, 2 and 3</b> in a secure manner for the duration of their contractual relationship with the <b>recipient</b> concerned. They shall subsequently delete the information.</p> <p>6. Without prejudice to paragraph 3, the platform shall only disclose the information to third parties where so required in accordance with the applicable law, including the orders referred to in Article 9 and any orders issued by Member States' competent authorities or the Commission for the performance of their tasks under this Regulation.</p> <p>7. The online platform shall make the information referred to in points (a) <b>and (b) of paragraph 1, and in points (c), (d) and (e) of paragraph 2</b> available to the recipients of the service, in a clear, easily accessible and comprehensible manner.</p> <p>8. The online platform shall design and organise its online interface in a way that enables <b>recipients</b> to comply with their obligations regarding pre-contractual information and product safety information under applicable Union law.</p>

### Reason

Significant part of the services are offered by natural persons, not professionals as defined by the term of 'trader'. These natural persons tend not to respect national or local regulations on short term rentals for example and run undeclared business not respecting any related regulation.

### Amendment 23

COM(2020) 825 final — Part 1

Article 25(2)

Text proposed by the European Commission	CoR amendment
<p>The Commission shall adopt delegated acts in accordance with Article 69 to adjust the number of average monthly recipients of the service in the Union referred to in paragraph 1, where the Union's population increases or decreases at least with 5 % in relation to its population in 2020 or, after adjustment by means of a delegated act, of its population in the year in which the latest delegated act was adopted. In that case, it shall adjust the number so that it corresponds to <b>10 %</b> of the Union's population in the year in which it adopts the delegated act, rounded up or down to allow the number to be expressed in millions.</p>	<p>The Commission shall adopt delegated acts in accordance with Article 69 to adjust the number of average monthly recipients of the service in the Union referred to in paragraph 1, where the Union's population increases or decreases at least with 5 % in relation to its population in 2020 or, after adjustment by means of a delegated act, of its population in the year in which the latest delegated act was adopted. In that case, it shall adjust the number so that it corresponds to <b>7 %</b> of the Union's population in the year in which it adopts the delegated act, rounded up or down to allow the number to be expressed in millions.</p>

### Reason

The Digital Services Act should aim for narrower limits concerning very large online platforms.

**Amendment 24**

COM(2020) 825 final — Part 1

Article 31(1)

Text proposed by the European Commission	CoR amendment
Very large online platforms shall provide the Digital Services Coordinator of establishment or the Commission, upon their reasoned request and within a reasonable period, specified in the request, access to data that are necessary to monitor and assess compliance with this Regulation. That Digital Services Coordinator and the Commission shall only use that data for those purposes.	Very large online platforms shall provide the Digital Services Coordinator of establishment or the Commission, upon their reasoned request and within a reasonable period, specified in the request, <b>in any case no longer than 72 hours</b> , access to data that are necessary to monitor and assess compliance with this Regulation. That Digital Services Coordinator and the Commission shall only use that data for those purposes.

**Reason**

A tight period for mandatory reactions upon request from the Digital Services Coordinator in the country of establishment is essential to ensure a high degree of compliance.

**Amendment 25**

COM(2020) 825 final — Part 1

Article 41(1)(a)

Text proposed by the European Commission	CoR amendment
<p>Where needed for carrying out their tasks, Digital Services Coordinators shall have at least the following powers of investigation, in respect of conduct by providers of intermediary services under the jurisdiction of their Member State:</p> <p>(a) the power to require those providers, as well as any other persons acting for purposes related to their trade, business, craft or profession that may reasonably be aware of information relating to a suspected infringement of this Regulation, including, organisations performing the audits referred to in Articles 28 and 50(3), to provide such information within a reasonable time period;</p>	<p>Where needed for carrying out their tasks, Digital Services Coordinators shall have at least the following powers of investigation, in respect of conduct by providers of intermediary services under the jurisdiction of their Member State:</p> <p>(a) the power to require those providers, as well as any other persons acting for purposes related to their trade, business, craft or profession that may reasonably be aware of information relating to a suspected infringement of this Regulation, including, organisations performing the audits referred to in Articles 28 and 50(3), to provide such information within a reasonable time period <b>and in any case no more than 72 hours</b>;</p>

**Reason**

The introduction of specific obligatory timeframes guarantees quick action by the provider, so that harm is limited.

**Amendment 26**

COM(2020) 825 final — Part 1

Article 45(1)

Text proposed by the European Commission	CoR amendment
Where a Digital Services Coordinator has reasons to suspect that a provider of an intermediary service, not under the jurisdiction of the Member State concerned, infringed this Regulation, it shall request the Digital Services Coordinator of establishment to assess the matter and take the necessary investigatory and enforcement measures to ensure compliance with this Regulation.	Where a Digital Services Coordinator has reasons to suspect that a provider of an intermediary service, not under the jurisdiction of the Member State concerned, infringed this Regulation, it shall request the Digital Services Coordinator of establishment to assess the matter and take the necessary investigatory and enforcement measures to ensure compliance with this Regulation.

Text proposed by the European Commission	CoR amendment
<p>Where the Board has reasons to suspect that a provider of intermediary services infringed this Regulation in a manner involving at least three Member States, it <b>may recommend</b> the Digital Services Coordinator of establishment to assess the matter and take the necessary investigatory and enforcement measures to ensure compliance with this Regulation.</p>	<p>Where the Board has reasons to suspect that a provider of intermediary services infringed this Regulation in a manner involving at least three Member States, it <b>shall ask</b> the Digital Services Coordinator of establishment to assess the matter and take the necessary investigatory and enforcement measures to ensure compliance with this Regulation.</p>

### Reason

The Board should not recommend but ask that the Digital Service Coordinator of establishment assess the matter and take the necessary investigatory and enforcement measures to ensure compliance with this Regulation.

### Amendment 27

COM(2020) 825 final — Part 1

Article 45(2)

Text proposed by the European Commission	CoR amendment
<p>A request <b>or recommendation</b> pursuant to paragraph 1 shall at least indicate:</p> <p>(a) the point of contact of the provider of the intermediary services concerned as provided for in Article 10;</p> <p>(b) a description of the relevant facts, the provisions of this Regulation concerned and the reasons why the Digital Services Coordinator that sent the request, or the Board, suspects that the provider infringed this Regulation;</p> <p>(c) any other information that the Digital Services Coordinator that sent the request, or the Board, considers relevant, including, where appropriate, information gathered on its own initiative or suggestions for specific investigatory or enforcement measures to be taken, including interim measures.</p>	<p>A request pursuant to paragraph 1 shall at least indicate:</p> <p>(a) the point of contact of the provider of the intermediary services concerned as provided for in Article 10;</p> <p>(b) a description of the relevant facts, the provisions of this Regulation concerned and the reasons why the Digital Services Coordinator that sent the request, or the Board, suspects that the provider infringed this Regulation;</p> <p>(c) any other information that the Digital Services Coordinator that sent the request, or the Board, considers relevant, including, where appropriate, information gathered on its own initiative or suggestions for specific investigatory or enforcement measures to be taken, including interim measures.</p>

### Reason

This should not be a mere recommendation but a request.

**Amendment 28**

COM(2020) 825 final — Part 1

Article number 46(2)

Text proposed by the European Commission	CoR amendment
<p>Where a Digital Services Coordinator of establishment <b>has</b> reasons to suspect that a very large online platform infringed this Regulation, it may request the Commission to take the necessary investigatory and enforcement measures to ensure compliance with this Regulation in accordance with Section 3. Such a request shall contain all information listed in Article 45(2) and set out the reasons for requesting the Commission to intervene.</p>	<p>Where a Digital Services Coordinator of establishment <b>or the Digital Services Coordinators of at least three Member States have</b> reasons to suspect that a very large online platform infringed this Regulation, they may request the Commission to take the necessary investigatory and enforcement measures to ensure compliance with this Regulation in accordance with Section 3. Such a request shall contain all information listed in Article 45(2) and set out the reasons for requesting the Commission to intervene.</p>

**Reason**

This regulation should aim to give Digital Services Coordinators instruments to act together in case there are reasons to suspect that a very large online platform has infringed it.

**Amendment 29**

COM(2020) 842 final — Part 1

New recital after recital 1

Text proposed by the European Commission	CoR amendment
	<p><b><i>There can be no doubt that the European market has been dominated by gatekeeper platforms providing core platform services for years. While there is nothing anti-competitive about building a successful business, excessive market power and potential abuses must be redressed.</i></b></p>

**Reason**

There is nothing anti-competitive about building a successful business, which many platforms are. However overall relevance and consequences of data-driven business models should be highlighted, and information asymmetries between gatekeepers and end users and business users should be mentioned as this is largely why the proposal was considered necessary.

**Amendment 30**

COM(2020) 842 final — Part 1

Recital 9

Text proposed by the European Commission	CoR amendment
<p><b><i>A fragmentation of the internal market can only be effectively averted if Member States are prevented from applying national rules which are specific to the types of undertakings and services covered by this Regulation. At the same time, since this Regulation aims at complementing the enforcement of competition law, it should be specified that this Regulation is without prejudice to Articles 101 and 102 TFEU, to the corresponding national competition rules and to other national competition rules regarding unilateral behaviour that are based on an individualised assessment of market positions and behaviour, including its likely effects and the precise scope of the prohibited behaviour, and which provide for the possibility of undertakings to make efficiency and objective justification arguments for the behaviour in question. However, the application of the latter rules should not affect the obligations imposed on gatekeepers under this Regulation and their uniform and effective application in the internal market.</i></b></p>	<p><b><i>Nothing in this Regulation precludes Member States from imposing the same, stricter or different obligations on undertakings in order to pursue legitimate public interests, in compliance with Union law. Those legitimate public interests can be, among others, the protection of consumers, the fight against acts of unfair competition and the protection of media freedom and pluralism. In particular, nothing in this Regulation precludes Member States from pursuing those legitimate interests by imposing obligations on undertakings having a status of gatekeeper within the meaning of this Regulation as well as other undertakings. Since this Regulation aims at complementing the enforcement of competition law, it should be specified that this Regulation is without prejudice to Articles 101 and 102 TFEU, to the corresponding national competition rules and to other national competition rules regarding unilateral behaviour that are based on an individualised assessment of market positions and behaviour, including its likely effects and the precise scope of the prohibited behaviour, and which provide for the possibility of undertakings to make efficiency and objective justification arguments for the behaviour in question.</i></b></p>

## Amendment 31

COM(2020) 842 final — Part 1

Recital 11

Text proposed by the European Commission	CoR amendment
<p>This Regulation should also complement, without prejudice to their application, the rules resulting from other acts of Union law regulating certain aspects of the provision of services covered by this Regulation, in particular Regulation (EU) 2019/1150 of the European Parliament and of the Council<sup>(1)</sup>, Regulation (EU) xx/xx/EU [DSA] of the European Parliament and of the Council<sup>(2)</sup>, Regulation (EU) 2016/679 of the European Parliament and of the Council<sup>(3)</sup>, Directive (EU) 2019/790 of the European Parliament and of the Council<sup>(4)</sup>, Directive (EU) 2015/2366 of the European Parliament and of the Council<sup>(5)</sup>, and Directive (EU) 2010/13 of the European Parliament and of the Council<sup>(6)</sup>, as well as national rules <b>aimed at enforcing or, as the case may be, implementing</b> that Union legislation.</p> <p><sup>(1)</sup> 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).</p> <p><sup>(2)</sup> Regulation (EU) .../.. of the European Parliament and of the Council — proposal on a Single Market For Digital Services (Digital Services Act) and amending Directive 2000/31/EC.</p> <p><sup>(3)</sup> [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).</p> <p><sup>(4)</sup> Directive (EU) 2019/790 of the European Parliament and of the Council of 17 April 2019 on copyright and related rights in the Digital Single Market and amending Directives 96/9/EC and 2001/29/ (OJ L 130, 17.5.2019, p. 92).</p> <p><sup>(5)</sup> Directive (EU) 2015/2366 of the European Parliament and of the Council of 25 November 2015 on payment services in the internal market, amending Directives 2002/65/EC, 2009/110/EC and 2013/36/EU and Regulation (EU) No 1093/2010, and repealing Directive 2007/64/EC (OJ L 337, 23.12.2015, p. 35).</p> <p><sup>(6)</sup> 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).</p>	<p>This Regulation should also complement, without prejudice to their application, the rules resulting from other acts of Union law regulating certain aspects of the provision of services covered by this Regulation, in particular Regulation (EU) 2019/1150 of the European Parliament and of the Council, Regulation (EU) xx/xx/EU [DSA] of the European Parliament and of the Council, Regulation (EU) 2016/679 of the European Parliament and of the Council, Directive (EU) 2019/790 of the European Parliament and of the Council, Directive (EU) 2015/2366 of the European Parliament and of the Council, and Directive (EU) 2010/13 of the European Parliament and of the Council<sup>(1)</sup>, as well as national rules <b>taken in accordance with</b> that Union legislation.</p> <p><sup>(1)</sup> 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).</p>

**Amendment 32**

COM(2020) 842 final — Part 1

## Recital 13

Text proposed by the European Commission	CoR amendment
<p>In particular, online intermediation services, online search engines, operating systems, online social networking, video sharing platform services, number-independent interpersonal communication services, cloud computing services and online advertising services all have the capacity to affect a large number of end users and businesses alike, which entails a risk of unfair business practices. They therefore should be included in the definition of core platform services and fall into the scope of this Regulation. Online intermediation services may also be active in the field of financial services, and they may intermediate or be used to provide such services as listed non-exhaustively in Annex II to Directive (EU) 2015/1535 of the European Parliament and of the Council<sup>(1)</sup>. In certain circumstances, the notion of end users should encompass users that are traditionally considered business users, but in a given situation do not use the core platform services to provide goods or services to other end users, such as for example businesses relying on cloud computing services for their own purposes.</p> <p><sup>(1)</sup> Directive (EU) 2015/1535 of the European Parliament and of the Council of 9 September 2015 laying down a procedure for the provision of information in the field of technical regulations and of rules on Information Society services (OJ L 241, 17.9.2015, p. 1).</p>	<p>In particular, online intermediation services, <b>including, (online) marketplaces, software application stores, digital voice assistants and platforms incorporating voice assistant technologies and online intermediation services in other sectors like mobility, transport, or energy, as well as</b> online search engines, operating systems, <b>web-browsers</b>, online social networking, video sharing platform services, number-independent interpersonal communication services, cloud computing services and online advertising services all have the capacity to affect a large number of end users and businesses alike, which entails a risk of unfair business practices. They therefore should be included in the definition of core platform services and fall into the scope of this Regulation. Online intermediation services may also be active in the field of financial services, and they may intermediate or be used to provide such services as listed non-exhaustively in Annex II to Directive (EU) 2015/1535 of the European Parliament and of the Council<sup>(1)</sup>. In certain circumstances, the notion of end users should encompass users that are traditionally considered business users, but in a given situation do not use the core platform services to provide goods or services to other end users, such as for example businesses relying on cloud computing services for their own purposes.</p> <p><sup>(1)</sup> Directive (EU) 2015/1535 of the European Parliament and of the Council of 9 September 2015 laying down a procedure for the provision of information in the field of technical regulations and of rules on Information Society services (OJ L 241, 17.9.2015, p. 1).</p>

**Amendment 33**

COM(2020) 842 final — Part 1

Recital 43

Text proposed by the European Commission	CoR amendment
<p>A gatekeeper may in certain circumstances have a dual role as a provider of core platform services whereby it provides a core platform service to its business users, while also competing with those same business users in the provision of the same or similar services or products to the same end users. In these circumstances, a gatekeeper may take advantage of its dual role to use data, generated from transactions by its business users on the core platform, for the purpose of its own services that offer similar services to that of its business users. This may be the case, for instance, where a gatekeeper provides an online marketplace or app store to business users, and at the same time offer services as an online retailer or provider of application software against those business users. To prevent gatekeepers from unfairly benefitting from their dual role, it should be ensured that they refrain from using any aggregated or non-aggregated data, which may include anonymised and personal data <b>that is not publicly available</b> to offer similar services to those of their business users. This obligation should apply to the gatekeeper as a whole, including but not limited to its business unit that competes with the business users of a core platform service.</p>	<p>A gatekeeper may in certain circumstances have a dual role as a provider of core platform services whereby it provides a core platform service to its business users, while also competing with those same business users in the provision of the same or similar services or products to the same end users. In these circumstances, a gatekeeper may take advantage of its dual role to use data, generated from transactions by its business users on the core platform, for the purpose of its own services that offer similar services to that of its business users. This may be the case, for instance, where a gatekeeper provides an online marketplace or app store to business users, and at the same time offer services as an online retailer or provider of application software against those business users. To prevent gatekeepers from unfairly benefitting from their dual role, it should be ensured that they refrain from using any aggregated or non-aggregated data, which may include anonymised and personal data to offer similar services to those of their business users. This obligation should apply to the gatekeeper as a whole, including but not limited to its business unit that competes with the business users of a core platform service.</p>

**Reason**

That definition would give the gatekeepers a much too wide margin of manoeuvre.

**Amendment 34**

COM(2020) 842 final — Part 1

Article 1(5)

Text proposed by the European Commission	CoR amendment
<p>Member States shall not impose on gatekeepers further obligations by way of laws, regulations or administrative action for the purpose of ensuring contestable and fair markets. This is without prejudice to rules pursuing other legitimate public interests, in compliance with Union law. In particular, nothing in this Regulation precludes Member States from imposing obligations, which are compatible with Union law, on undertakings, including providers of core platform services <b>where these obligations are unrelated to the relevant undertakings having a status of gatekeeper within the meaning of this Regulation</b> in order to protect consumers <b>or</b> to fight against acts of unfair competition.</p>	<p>Member States shall not impose on gatekeepers further obligations by way of laws, regulations or administrative action for the purpose of ensuring contestable and fair markets. This is without prejudice to rules pursuing other legitimate public interests, in compliance with Union law. In particular, nothing in this Regulation precludes Member States from imposing obligations, which are compatible with Union law, on undertakings, including providers of core platform services, in order to protect consumers, to fight against acts of unfair competition, <b>to promote media pluralism or to pursue legitimate interests.</b></p>

**Amendment 35**

COM(2020) 842 final — Part 1

Article 1(6)

Text proposed by the European Commission	CoR amendment
<p>This Regulation is without prejudice to the application of Articles 101 and 102 TFEU. It <b>is also without prejudice to</b> the application of: national rules prohibiting anticompetitive agreements, decisions by associations of undertakings, concerted practices and abuses of dominant positions; national competition rules prohibiting other forms of unilateral conduct <b>insofar as they are applied to undertakings other than gatekeepers or amount to imposing additional obligations on gatekeepers</b>; Council Regulation (EC) No 139/2004 <sup>(1)</sup> and national rules concerning merger control; Regulation (EU) 2019/1150 and Regulation (EU) .../... of the European Parliament and of the Council <sup>(2)</sup></p> <p><sup>(1)</sup> Council Regulation (EC) No 139/2004 of 20 January 2004 on the control of concentrations between undertakings (the EC Merger Regulation) (OJ L 24, 29.1.2004, p. 1).</p> <p><sup>(2)</sup> Regulation (EU) .../... of the European Parliament and of the Council — proposal on a Single Market For Digital Services (Digital Services Act) and amending Directive 2000/31/EC.</p>	<p>This Regulation is without prejudice to the application of Articles 101 and 102 TFEU. It <b>shall also not affect</b> the application of: national rules prohibiting anticompetitive agreements, decisions by associations of undertakings, concerted practices and abuses of dominant positions; national competition rules prohibiting other forms of unilateral conduct; Council Regulation (EC) No 139/2004 and national rules concerning merger control; Regulation (EU) 2019/1150 and Regulation (EU) .../.. of the European Parliament and of the Council. <b>In particular, nothing in this Regulation precludes Member States from imposing obligations on undertakings other than gatekeepers or additional obligations on gatekeepers.</b></p>

**Amendment 36**

COM(2020) 842 final — Part 1

Article 1(7)

Text proposed by the European Commission	CoR amendment
<p>National authorities shall not take decisions which would run counter to a decision adopted by the Commission under this Regulation. <b>The Commission and Member States shall work in close cooperation and coordination in their enforcement actions.</b></p>	<p>National authorities shall not take decisions which would run counter to a decision adopted by the Commission under this Regulation. <b>As regards enforcement measures, the Commission and the Member States who, internally, shall proceed in a coordinated manner with the relevant sub-national authorities, where deemed appropriate, shall cooperate closely and coordinate closely.</b></p>

**Reason**

The role of local and regional authorities should be highlighted. There are specific platforms, such as those dealing with accommodation, operating at village and city level. Local and regional authorities depend on the national and European level for support in relevant enforcement actions.

**Amendment 37**

COM(2020) 842 final — Part 1

Article 2(2)

Text proposed by the European Commission	CoR amendment
<p>‘Core platform service’ means any of the following:</p> <p>(a) online intermediation services;</p> <p>(b) online search engines;</p> <p>(c) online social networking services;</p> <p>(d) video-sharing platform services;</p> <p>(e) number-independent interpersonal communication services;</p> <p>(f) operating systems;</p> <p>(g) cloud computing services;</p> <p>(h) advertising services, including any advertising networks, advertising exchanges and any other advertising intermediation services, provided by a provider of any of the core platform services listed in points (a) to (g);</p>	<p>‘Core platform service’ means any of the following:</p> <p>(a) online intermediation services;</p> <p>(b) online search engines;</p> <p>(c) online social networking services;</p> <p>(d) video-sharing platform services;</p> <p>(e) number-independent interpersonal communication services;</p> <p>(f) operating systems;</p> <p>(g) cloud computing services;</p> <p>(h) advertising services, including any advertising networks, advertising exchanges and any other advertising intermediation services, provided by a provider of any of the core platform services listed in points (a) to (g);</p> <p><b>i) <i>web-browsers</i></b></p>

**Amendment 38**

COM(2020) 842 final — Part 1

Article 2(24) (new)

Text proposed by the European Commission	CoR amendment
	<p><b><i>‘Web browsers’ means a client software program that runs against a Web server or other Internet server and enables a user to navigate in the World Wide Web to access and display data or to interact with content hosted on servers that are connected to this network, including stand-alone web browsers as well as web browsers integrated or embedded in software or similar;</i></b></p>

**Amendment 39**

COM(2020) 842 final — Part 1

Article 3(8)

Text proposed by the European Commission	CoR amendment
The gatekeeper shall comply with the obligations laid down in Articles 5 and 6 <b>within six</b> months after a core platform service has been included in the list pursuant to paragraph 7 of this Article.	The gatekeeper shall comply with the obligations laid down in Articles 5 and 6 <b>as soon as possible, in any case no later than three</b> months after a core platform service has been included in the list pursuant to paragraph 7 of this Article.

**Amendment 40**

COM(2020) 842 final — Part 1

Article 4(2)

Text proposed by the European Commission	CoR amendment
The Commission shall regularly, and at least every 2 years, review whether the designated gatekeepers continue to satisfy the requirements laid down in Article 3(1), <b>or</b> whether new providers of core platform services, satisfy those requirements. The regular review shall also examine whether the list of affected core platform services of the gatekeeper needs to be adjusted.	The Commission shall regularly, and at least every 2 years, review whether the designated gatekeepers continue to satisfy the requirements laid down in Article 3(1). <b>Furthermore, the Commission shall regularly, and at least every 12 months, examine</b> whether new providers of core platform services, <b>regardless of their country of establishment,</b> satisfy those requirements. The regular review shall also examine whether the list of affected core platform services of the gatekeeper needs to be adjusted.

**Reason**

Periodic examination is deemed necessary as the market evolves rapidly.

**Amendment 41**

COM(2020) 842 final — Part 1

Article 4(3)

Text proposed by the European Commission	CoR amendment
The Commission shall publish and update the list of gatekeepers and the list of the core platform services for which they need to comply with the obligations laid down in Articles 5 and 6 on an on-going basis.	The Commission shall publish and update the list of gatekeepers and the list of the core platform services for which they need to comply with the obligations laid down in Articles 5 and 6 on an on-going basis.  <b>The Commission should publish an annual report setting out the findings of its monitoring activities and present it to the European Parliament and the Council of the European Union.</b>

**Reason**

To ensure a high level of transparency in the enforcement of the DMA regulation, this annual report could include any conclusions, decisions and results of investigations carried out by the Commission on the one hand, and any information reported by the gatekeeper on the other.

**Amendment 42**

COM(2020) 842 final — Part 1

Article 5(b)

Text proposed by the European Commission	CoR amendment
(b) allow business users to offer the same products or services to end users through third party online intermediation services at prices or conditions that are different from those offered through the online intermediation services of the gatekeeper;	(b) allow business users to offer the same products or services to end users through third party online intermediation <b>and affiliated</b> services at prices or conditions that are different from those offered through the online intermediation <b>and affiliated</b> services of the gatekeeper;

**Reason**

Include affiliated services.

**Amendment 43**

COM(2020) 842 final — Part 1

Article 5(h) (new)

Text proposed by the European Commission	CoR amendment
	<i>by its nature, a gatekeeper shall be considered to be a provider of core infrastructure and hence shall not be allowed to deny access to service to business and end users. Should a business or end user be denied access to a core platform service provided by a gatekeeper, the user may appeal. To this end, the Digital Markets Advisory Committee, provided for in Article 32 of this Regulation, should act as a Single Point of Contact.</i>

**Reason**

The need for a Single Point of Contact should be stated.

**Amendment 44**

COM(2020) 842 final — Part 1

Article 6 (1)(l) (new)

Text proposed by the European Commission	CoR amendment
	<i>to ensure a continuous, standardised and automatised flow of information, guarantee that gatekeepers' Application Programming Interfaces are compatible with the proprietary systems of administrative and enforcement authorities, and refrain from creating an additional administrative burden by creating an API environment which is hostile to effective cooperation and enforcement within the meaning of this Regulation.</i>

**Reason**

For the effective fulfilment of their administrative duties, Member States are reliant on the provision of adequate data by gatekeepers. Hence it is important that gatekeepers provide the technological means to ensure interoperability of their interface with the respective proprietary systems of Member States' authorities to ensure a continuous, automatized and standardised flow of information for effective cooperation.

**Amendment 45**

COM(2020) 842 final — Part 1

Article 7(8) (new)

Text proposed by the European Commission	CoR amendment
	<b><i>To ensure compliance with gatekeepers' obligations, the established Digital Markets Advisory Committee shall be established as a Single Point of Contact and should be encouraged to include the national social partners in its procedures.</i></b>

**Reason**

Establishment of a Single Point of Contact, including the national social partners.

**II. POLICY RECOMMENDATIONS**

## THE EUROPEAN COMMITTEE OF THE REGIONS

**Introduction**

1. welcomes the European Commission's proposals on the Digital Services Act (DSA) and the Digital Markets Act (DMA) and the ambition therein to introduce harmonised and horizontal rules to modernise EU legislation on digital services and online platforms;
2. considers that the proposals strike a proportionate balance on addressing market abuse and market failures, fostering a level playing field within the European Digital Single Market and preventing the stifling of both innovation and the efficient functioning of the European Digital Single Market;
3. warns against any changes to the proposals which would result in a heavy-handed regulation preventing innovation and creating additional regulatory burden for businesses. Underlines that only a well-balanced and business friendly regulatory environment can help the EU to fully achieve its objective of digital transition;
4. holds that the DSA and DMA proposals address the legal uncertainty and administrative burden which originates in the fragmentation of national and EU legislation regulating digital services, including recent case law. A coherent and harmonised legal approach, as a baseline requirement, facilitates the understanding and application by local and regional authorities of the horizontal rules that define the responsibilities and obligations of providers of digital services and reinforces the (Digital) Single Market;
5. notes the strong local and regional dimension of the DSA and DMA proposals. Digital services influence citizens' everyday life and some of the sectors in which certain platforms are active, such as housing and tourist accommodation, urban transport and delivery of public services, are regulated at local and regional level; emphasises here the need for a regulatory approach which enables innovation, Europe's competitiveness and fair competition;
6. is pleased that the proposals also address many of the concerns raised by the CoR in its opinion on *A European framework for regulatory responses to the collaborative economy* <sup>(1)</sup>;
7. holds that the business models of information services are driven by data and information, and are time-sensitive. As a result, calls for an efficient provision of information, on access to data as well as on removing illegal content, and in ensuring transparent monitoring and reporting by the European Commission;

<sup>(1)</sup> COR opinion *A European framework for regulatory responses to the collaborative economy*, rapporteur: Peter Florianschütz (AT/PES). Dossier ECON-VI-048.

8. draws attention to the opportunities offered by online platforms to promote public discourse and the provision of information to citizens. Notes that the COVID-19 pandemic has further increased local and regional authorities' use of online platforms and that the pandemic has proven the capacity of traditional SMEs and start-ups to develop breakthrough innovations in response to real world needs, to create new jobs and to build synergies;

9. emphasises that a level playing field in the digital sector is paramount, particularly for SMEs that offer their products and services on platforms and whose marketing and sales are dependent on digital platforms<sup>(2)</sup>. In this context, welcomes the planned prohibition of self-preferencing;

#### *Liability for illegal content and actions*

10. considers that the key challenge for the Digital Services Act proposal lies in safeguarding the key principles of the e-Commerce Directive, which has functioned well, and in particular in maintaining the general concept underpinning Articles 13 and 14, the current notice-and-action procedures and the need to account for new market dynamics and market failures;

11. notes that the Regulation defines only the formal process of dealing with illegal content and that it remains for the Member States to determine what constitutes illegal content within the meaning of the Regulation;

12. is pleased that, as a baseline requirement for providing services in the European Digital Single Market, providers of online services will be held liable for illegal actions or dissemination of illegal content. This will be done by means of harmonised rules on liability exemptions and content moderation, clear reporting, transparency responsibilities and due-diligence obligations for certain intermediary services; emphasises here the size and scale of platforms which significantly influence their capability to enact proactive measures against illegal online content;

13. concerning the right to anonymity of users, points out that this is enshrined in the General Data Protection Regulation (GDPR)<sup>(3)</sup>, but emphasises that the principle of 'what is illegal offline is illegal online' should prevail;

14. here, distinguishes between complete anonymity and being totally unidentifiable and points to blockchain technologies to facilitate such an approach. Emphasises that any content moderation measures should be accompanied by appropriate safeguards to ensure that these practices are proportionate;

#### **Supervision and investigation**

15. supports the introduction of algorithm-based controls and transparency obligations in the event of problems between contractors, and confirms that these measures have the potential to provide substantial support for local and regional authorities which may find that online services operate on their territory without abiding by the relevant laws;

#### **Enforcement**

16. endorses the proposal whereby enforcement will involve a system comprising a European Board for Digital Services, a Digital Services Coordinator and national digital services coordinators, with the European Commission performing a monitoring role. This will provide support for those local and regional authorities which have been struggling with enforcing local legislation against digital services based in other EU Member States due to a lack of resources and capacity to litigate in another EU Member State;

17. highlights the need to build up effective cooperation between Member State authorities in order to establish Digital Services Coordinators, share data and enforce applicable rules; also points out that local and regional authorities report to relevant Digital Services Coordinators in other Member States and be included in the process;

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(2) The Bundesnetzagentur (German Federal Network Agency for Electricity, Gas, Telecommunications, Post and Railway) October 2020 survey shows that SMEs are highly dependent on online platforms, particularly for marketing and sales. Bundesnetzagentur — Interim results — public consultation on digital platforms

(3) 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 (OJ L 119, 4.5.2016, p. 1).

18. is concerned that while notice-and-action procedures and orders are covered in Chapter II (Articles 8 and 9), jurisdiction is covered by Chapters III, giving rise to potential legal issues regarding the enforcement of these provisions; is also concerned that the cross-border cooperation mechanism may not be sufficient;

#### Access to data

19. acknowledges the importance of data sharing for effective enforcement at national and subnational level and points out that access to data is a crucial issue for public authorities, particularly at local and regional level; it is impossible to enforce applicable rules and safeguard control mechanisms without access to the relevant data from platforms operating in a given territory; recalls the CoR's recent position which held that inconsistent approaches lead to further fragmentation and should be avoided <sup>(4)</sup>;

20. welcomes the introduction of relevant data-sharing requirements, given that voluntary self-regulation has been insufficient to guarantee access to data for local and regional authorities;

21. calls on the European Commission to advise on a common set of standard requirements for the interoperability of authorities' proprietary systems. Consideration should be given to establishing APIs (application programming interfaces);

22. supports data portability provisions and stresses that unsubscribing from a service should not be rendered substantially more difficult than subscribing to it;

#### Local economy

23. highlights the importance of the proposed regulations for the local economy, as SMEs and start-ups will benefit from harmonised rules. The regulations form a framework within which SMEs can scale up within the Single Market. A Eurochambres survey highlighting the potential of scaling up operations within the Single Market found that SMEs are more engaged than ever in digital trade, but the figures of the September 2020 EUROBAROMETER survey show that only 4 % sell their goods online to consumers in other Member States <sup>(5)</sup>;

24. is pleased that the proposals seek to promote competitive, vibrant and resilient industry and innovation in Europe, and emphasises the relevance to local and regional authorities which support local players through funding and support mechanisms;

25. hopes that the current proposals will be game-changing vectors for services such as company creation, filing of taxes, participation in public procurement, electronic id and digital signatures;

26. notes that many smaller players depend on established online platform ecosystems for business transactions and that the COVID-19 pandemic has further increased the dependency of smaller businesses reliant on established online platform ecosystems to reach out to business users and consumers;

27. calls on the European Commission to factor the various degrees of digital transformation at regional level into its legislative proposals more effectively. In this context, cooperates with relevant institutions and centres of knowledge to help understand the complexities that are behind the drivers of change at national and regional level in order to build robust yet flexible innovative strategies on digital transformation. These strategies will reduce identified disparities between Member States and regions and divides between isolated, rural, peripheral and urban areas;

28. in the context of Europe's economic recovery, regards digital cohesion and environmental and climate cohesion, as an essential additional dimension of the traditional concept of economic, social and territorial cohesion enshrined in the EU Treaty and calls for greater recognition of these as fundamental values in light of the changes to more sustainable economic models;

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<sup>(4)</sup> CoR opinion *A strategy for Europe's digital future and a strategy for data*, rapporteur: Mark Weinmeister (DE/EPP). Dossier ECON-VII-004.

<sup>(5)</sup> Flash Eurobarometer 486 as quoted in Eurochambres, General Recommendations for the Digital Services Act, 9 December 2020: Digital Services Act -EUROCHAMBRES RECOMMENDATIONS

29. takes the view that a 'double digital divide' due to a lack of infrastructure and IT literacy and skills must be prevented. Where the COVID-19 pandemic has exacerbated disparities, there is an urgent need to support capacity-building for citizens and businesses, particularly traditional SMEs, start-ups and the public sector;

### **Impact on journalism and the media**

30. believes that a close look needs to be taken at financing advertisements in paid news content; regulatory changes may have a strong effect on the viable business models of news providers going into the future and so the Committee calls for a greater focus on media pluralism;

31. draws attention to the importance of maximum clarity and legislative cohesion, and so as to avoid unintended consequences, emphasises that the DSA should comprise a horizontal framework particularly relevant to sector-specific legislation, e.g. copyright infringements, terrorist content, child sexual abuse material or illegal hate speech, and illegal products; believes that in principle, the Copyright Directive<sup>(6)</sup>, the Audiovisual Media Services Directive (AMSD)<sup>(7)</sup> and the GDPR should be considered *lex specialis vis-à-vis* the DSA and the DMA;

32. holds that competences at national or sub-national level, depending on the respective breakdown of legal competences, and instruments pertaining to media and information markets should be upheld, in order to account for cultural identities and protect pluralism, effectively combat hate speech and tackle harmful information online as is done offline. The relevant authorities in the Member States should remain entitled to maintain or establish stricter laws in order to pursue legitimate interests;

### **Subsidiarity**

33. believes that the two proposals which are based on Article 114 of the Treaty on the Functioning of the European Union — providing for the establishment of measures to ensure the functioning of the Internal Market — comply with the principle of subsidiarity. In order to prevent fragmentation of the Single Market, harmonised conditions are required for cross-border services and can be guaranteed by the mechanisms for coordinated supervision and cooperation on digital services between authorities at EU level;

34. holds that such measures serve to achieve coherence across the EU and are sufficient to force third-country providers to designate a legal representative for consumer interests within the EU, modelled on the GDPR;

35. stresses that European regulations must always take into account the guarantee of local and regional self-government enshrined in primary law by Article 4(2) TEU;

### **Exemptions from the proposals: taxation and working conditions**

36. highlights that local taxation of digital services, for example tourist taxes, is not directly addressed by the two regulations;

37. considers that the proposals for the Digital Services Act and the Digital Markets Act should also be seen in a broader policy context. This notably includes the fair taxation of the digital economy such as updated taxation rules taking into account that digitalised companies and their business models can engage in business activities in a jurisdiction without a physical presence there. Here, recalls the need to recognise the role end users play in generating value for companies. Endorses therefore the European Parliament's call on the Commission to present proposals by June 2021 to clarify and harmonise the taxation of the digital business activities of all actors, including those established outside the EU. Such a reform should be seen and conducted in a wider international framework, and the G20/OECD Inclusive Framework (IF) in particular. Emphasises the importance of bolstering a level playing field for providers of traditional services and digital services in the EU by ensuring that tax rules are fit for the realities of the modern global economy and which protect Europe's competitiveness and attractiveness for inward investment;

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<sup>(6)</sup> Directive (EU) 2019/790 of the European Parliament and of the Council of 17 April 2019 on copyright and related rights in the Digital Single Market and amending Directives 96/9/EC and 2001/29/ (OJ L 130, 17.5.2019, p. 92).

<sup>(7)</sup> 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).

38. notes that the European Commission is also expected to present a separate legislative proposal on working conditions of platform workers in 2021 and points out that the CoR has been vocal on the local and regional regulatory challenges and issues regarding platform work <sup>(8)</sup>, particularly those arising from the COVID-19 pandemic <sup>(9)</sup>;

39. looks forward to working with the European Commission, the European Parliament and the Council to further refine the European framework for regulatory responses to online services in a way that harnesses the potential for greater European innovation and for start-ups to grow, scale up and prosper, while shining a spotlight on Europe's open and competitive trade which has always encouraged growth.

Brussels, 30 June 2021.

*The President*  
*of the European Committee of the Regions*  
Apostolos TZITZIKOSTAS

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<sup>(8)</sup> CoR opinion on *Platform work — local and regional regulatory challenges*, rapporteur: Dimitrios Birmpas. Dossier SEDEC-VI/051.

<sup>(9)</sup> CoR opinion on *A strategy for Europe's digital future and a strategy for data*, rapporteur: Mark Weinmeister (DE/EPP). Dossier ECON-VII-004.

## Opinion of the European Committee of the Regions on the resilience of critical entities

(2021/C 440/14)

<b>Rapporteur:</b>	Mario GUARENTE (ECR/IT), Mayor of Potenza
<b>Reference document:</b>	Proposal for a Directive of the European Parliament and of the Council on the resilience of critical entities COM(2020) 829 final

### I. RECOMMENDATIONS FOR AMENDMENTS

#### Amendment 1

Article 3(2)

Text proposed by the European Commission	CoR amendment
<p>The strategy shall contain at least the following elements:</p> <p>a) strategic objectives and priorities for the purposes of enhancing the overall resilience of critical entities taking into account cross-border and cross-sectoral interdependencies;</p> <p>b) a governance framework to achieve the strategic objectives and priorities, including a description of the roles and responsibilities of the different authorities, critical entities and other parties involved in the implementation of the strategy;</p> <p>c) a description of measures necessary to enhance the overall resilience of critical entities, including a national risk assessment, the identification of critical entities and of entities equivalent to critical entities, and the measures to support critical entities taken in accordance with this Chapter;</p> <p>d) a policy framework for enhanced coordination between the competent authorities designated pursuant to Article 8 of this Directive and pursuant to [the NIS 2 Directive] for the purposes of information sharing on incidents and cyber threats and the exercise of supervisory tasks.</p> <p>The strategy shall be updated where necessary and at least every four years.</p>	<p>The strategy shall contain at least the following elements:</p> <p>a) strategic objectives and priorities for the purposes of enhancing the overall resilience of critical entities taking into account cross-border and cross-sectoral interdependencies;</p> <p>b) a governance framework to achieve the strategic objectives and priorities, including a description of the roles and responsibilities of the different authorities, critical entities and other parties involved in the implementation of the strategy;</p> <p>c) a description of measures necessary to enhance the overall resilience of critical entities, including a national risk assessment, the identification of critical entities and of entities equivalent to critical entities, and the measures to support critical entities taken in accordance with this Chapter;</p> <p>d) a policy framework for enhanced coordination between the competent authorities designated pursuant to Article 8 of this Directive and pursuant to [the NIS 2 Directive] for the purposes of information sharing on incidents and cyber threats and the exercise of supervisory tasks;</p> <p>e) <b>communication guidelines that balance confidentiality requirements with the need to report on risk levels to regional and local authorities and the people living in the areas concerned.</b></p> <p>The strategy shall be updated where necessary and at least every four years.</p>

**Reason**

Communication and reporting on the risks of disasters that may affect critical infrastructures in a given area, vis-à-vis both local administrations and the general public, constitute an important tool for increasing the resilience of critical entities, as also set out in Priority 1 of the Sendai Framework<sup>(1)</sup>. This should be done with a particular focus on the confidentiality requirements applying to critical information.

**Amendment 2**

## Article 4(1)

Text proposed by the European Commission	CoR amendment
<p>Competent authorities designated pursuant to Article 8 shall establish a list of essential services in the sectors referred to in the Annex. They shall carry out by [three years after entry into force of this Directive], and subsequently where necessary, and at least every four years, an assessment of all relevant risks that may affect the provision of those essential services, with a view to identifying critical entities in accordance with Article 5(1), and assisting those critical entities to take measures pursuant to Article 11.</p> <p>The risk assessment shall account for all relevant natural and man-made risks, including accidents, natural disasters, public health emergencies, antagonistic threats, including terrorist offences pursuant to Directive (EU) 2017/541 of the European Parliament and of the Council.</p>	<p>Competent authorities designated pursuant to Article 8 shall establish a list of essential services in the sectors referred to in the Annex. They shall carry out by [three years after entry into force of this Directive], and subsequently where necessary, and at least every four years, an assessment of all relevant risks that may affect the provision of those essential services, with a view to identifying critical entities in accordance with Article 5(1), and assisting those critical entities to take measures pursuant to Article 11.</p> <p>The risk assessment shall account for all relevant natural and man-made risks, including accidents, natural disasters, public health emergencies, antagonistic threats, including terrorist offences pursuant to Directive (EU) 2017/541 of the European Parliament and of the Council, <b><i>paying specific attention to the condition of existing physical infrastructure for the purposes of establishing suitable programmes for upgrading or constructing new buildings.</i></b></p>

**Reason**

The condition of existing physical infrastructure is an important element of the current and future ability of critical entities to prevent and manage possible incidents, and should therefore be included in risk assessments and in assessing the consequent need for building upgrading or construction programmes.

**Amendment 3**

## Article 6(1) points (c) and (e)

Text proposed by the European Commission	CoR amendment
<p>When determining the significance of a disruptive effect as referred to in point (c) of Article 5(2), Member States shall take into account the following criteria:</p> <p>a) the number of users relying on the service provided by the entity;</p> <p>b) the dependency of other sectors referred to in the Annex on that service;</p>	<p>When determining the significance of a disruptive effect as referred to in point (c) of Article 5(2), Member States shall take into account the following criteria:</p> <p>a) the number of users relying on the service provided by the entity;</p> <p>b) the dependency of other sectors referred to in the Annex on that service;</p>

<sup>(1)</sup> <https://www.undrr.org/publication/sendai-framework-disaster-risk-reduction-2015-2030>.

Text proposed by the European Commission	CoR amendment
c) the impacts that incidents could have, in terms of degree and duration, on economic and societal activities, the environment and public safety;	c) the impacts that incidents could have, in terms of degree and duration, on economic and societal activities, the environment and public safety, <b>in consultation with local and regional authorities where relevant;</b>
d) the market share of the entity in the market for such services;	d) the market share of the entity in the market for such services;
e) the geographic area that could be affected by an incident, including any cross-border impacts;	e) the geographic area that could be affected by an incident, including any cross-border impacts, <b>in consultation with local and regional authorities where relevant;</b>
f) the importance of the entity in maintaining a sufficient level of the service, taking into account the availability of alternative means for the provision of that service.	f) the importance of the entity in maintaining a sufficient level of the service, taking into account the availability of alternative means for the provision of that service.

**Reason**

The local and regional impact of incidents can be best assessed by local and regional authorities.

**Amendment 4**

## Article 8(5)

Text proposed by the European Commission	CoR amendment
Member States shall ensure that their competent authorities, whenever appropriate, and in accordance with Union and national law, consult and cooperate with other relevant national authorities, in particular those in charge of civil protection, law enforcement and protection of personal data, as well as with relevant interested parties, including critical entities.	Member States shall ensure that their competent authorities, whenever appropriate, and in accordance with Union and national law, consult and cooperate with other relevant national – <b>and, where appropriate, local and regional</b> – authorities, in particular those in charge of civil protection, law enforcement and protection of personal data, as well as with relevant interested parties, including critical entities.

**Reason**

The division of powers varies from one Member State to the next.

**Amendment 5**

## Article 9(1)

Text proposed by the European Commission	CoR amendment
Member States shall support critical entities in enhancing their resilience. That support may include developing guidance materials and methodologies, supporting the organisation of exercises to test their resilience and providing training to personnel of critical entities.	Member States shall support critical entities in enhancing their resilience. That support may include developing guidance materials and methodologies, supporting the organisation of exercises to test their resilience and providing training to personnel of critical entities, <b>as well as promoting communication and reporting on relevant risks vis-à-vis local administrations and the people living in the areas potentially affected.</b>

**Reason**

Communication has a key role to play in strengthening the resilience of communities.

**Amendment 6**

## Article 16(2)

Text proposed by the European Commission	CoR amendment
<p>The Critical Entities Resilience Group shall be composed of representatives of the Member States and the Commission. Where relevant for the performance of its tasks, the Critical Entities Resilience Group may invite representatives of interested parties to participate in its work.</p>	<p>The Critical Entities Resilience Group shall be composed of representatives of the Member States and the Commission, <b>as well as a representative of the European Committee of the Regions as an observer</b>. Where relevant for the performance of its tasks, the Critical Entities Resilience Group may invite representatives of interested parties to participate in its work.</p>

**Reason**

The CoR could contribute to the work of the Critical Entities Resilience Group by representing the concerns of local and regional authorities and contributing with its own wealth of expertise and knowledge built up on the ground.

**Amendment 7**

## Article 16(3)

Text proposed by the European Commission	CoR amendment
<p>The Critical Entities Resilience Group shall have the following tasks:</p> <ul style="list-style-type: none"> <li>a) supporting the Commission in assisting Member States in reinforcing their capacity to contribute to ensuring the resilience of critical entities in accordance with this Directive;</li> <li>b) evaluating the strategies on the resilience of critical entities referred to in Article 3 and identifying best practices in respect of those strategies;</li> <li>c) facilitating the exchange of best practices with regard to the identification of critical entities by the Member States in accordance with Article 5, including in relation to cross-border dependencies and regarding risks and incidents;</li> <li>d) contributing to the preparation of the guidelines referred to in Article 6(3) and any delegated and implementing acts under this Directive, upon request;</li> <li>e) examining, on an annual basis, the summary reports referred to in Article 8(3);</li> <li>f) exchanging best practices on the exchange of information related to the notification of incidents referred to in Article 13;</li> <li>g) analyse and provide advice on the reports of advisory missions in accordance with Article 15(3);</li> <li>h) exchanging information and best practices on research and development relating to the resilience of critical entities in accordance with this Directive;</li> </ul>	<p>The Critical Entities Resilience Group shall have the following tasks:</p> <ul style="list-style-type: none"> <li>a) supporting the Commission in assisting Member States in reinforcing their capacity to contribute to ensuring the resilience of critical entities in accordance with this Directive;</li> <li>b) evaluating the strategies on the resilience of critical entities referred to in Article 3 and identifying best practices in respect of those strategies;</li> <li>c) facilitating the exchange of best practices with regard to the identification of critical entities by the Member States in accordance with Article 5, including in relation to cross-border dependencies and regarding risks and incidents;</li> <li>d) contributing to the preparation of the guidelines referred to in Article 6(3) and any delegated and implementing acts under this Directive, upon request;</li> <li>e) examining, on an annual basis, the summary reports referred to in Article 8(3);</li> <li>f) exchanging best practices on the exchange of information related to the notification of incidents referred to in Article 13;</li> <li>g) analyse and provide advice on the reports of advisory missions in accordance with Article 15(3);</li> <li>h) exchanging information and best practices on research and development relating to the resilience of critical entities in accordance with this Directive;</li> </ul>

Text proposed by the European Commission	CoR amendment
i) where relevant, exchanging information on matters concerning the resilience of critical entities with relevant Union institutions, bodies, offices and agencies.	i) where relevant, exchanging information on matters concerning the resilience of critical entities with relevant Union institutions, bodies, offices and agencies.  j) <i>exchanging regional expertise and data, which can be used to draw up resilience strategies, through the involvement of local and regional authorities.</i>

### Reason

Exchanging regional expertise and data would contribute significantly to the design and implementation of effective resilience strategies.

## II. POLICY RECOMMENDATIONS

### THE EUROPEAN COMMITTEE OF THE REGIONS

1. welcomes the fact that the scope of the proposed directive has been substantially extended to cover energy, transport, health, drinking water, waste water, digital infrastructure, public administration and space;
2. urges the European Commission to consider further increasing the number of sectors to be covered by the directive to also include the distribution chains of essential items, and in particular the food production, processing and distribution sector;
3. aware of the particular complexity of the distribution chain sector, stresses the need to further explore this issue by promoting specific studies to establish a reliable methodological framework for its assessment and protection;
4. also in view of the dramatic experience linked to the COVID-19 pandemic, hopes that action will be taken to make the distribution chains of essential items more robust by diversifying the distribution network and increasing the number of possible suppliers in line with the importance of the goods to be distributed;
5. points out that, although the bulk of legislation in this field is set at EU or national level, local and regional authorities do have major tasks and responsibilities with regard to protecting the area in which they are located. Accordingly, they must play a specific and significant role in contributing to the resilience of the critical infrastructures located in their area, bringing their own knowledge and experience to bear;
6. welcomes the shift from protecting the infrastructure to strengthening the resilience of the entities operating it, but stresses that the protection of the structures or infrastructure should not be disregarded, taking into account possible physical damage in the event of natural or man-made disasters and their potentially serious consequences not only at national level but also at local and regional and cross-border levels;
7. highlights the added value of local and regional authorities in cross-border situations, particularly when it comes to understanding risks and assessing the gravity and potential consequences of incidents, as well as both sectoral and territorial ramifications;
8. agrees that in order to ensure a comprehensive approach to the resilience of critical entities, each Member State should have a strategy, prepared in cooperation with local and regional authorities, setting out objectives and policy measures to be implemented, based on an assessment of all relevant natural and man-made risks that may affect the provision of essential services, such as accidents, natural disasters, public health emergencies or terrorist attacks;
9. emphasises that a shared understanding of what is meant by critical entities and how to protect them should be agreed upon between Member States so as to pinpoint the best ways to boost their resilience, given the significant impact on the functioning of the internal market;
10. highlights the specific situation of the outermost regions, whose peculiarities make them particularly vulnerable and where there is an obvious need to ensure a resilient infrastructure;

11. considers that it would be useful for the Commission to draw up guidelines to ensure the effective and uniform application of the directive in all Member States, and steer the assessment activities and possible subsequent action on the basis of a holistic approach that takes into account all cross-sectoral and cross-border interdependencies so as to increase resilience to a sufficient degree that covers protection, risk prevention, business continuity and recovery;
12. emphasises that strengthening cooperation between regions, for instance through the INTERREG programmes or European Groupings for Territorial Cooperation (EGTC), aimed at building up the resilience of critical entities, including physical infrastructure, is of crucial importance in preventing disruption and damage to such infrastructure, which may have serious cross-border impacts;
13. considers that when national risk assessments are being carried out, the sub-national level should be taken into account, as the physical location of the infrastructure of a critical entity can also determine the impact and potential consequences on the ground;
14. agrees with the need to reinforce the resilience of the identified critical entities; is concerned, however, about the possibly quite substantial financial burden incurred by compliance with the obligations laid down in the proposed directive;
15. stresses that the Commission should provide for specific support in already existing programmes, including financial support, for critical entities, and particularly public critical entities, where this is necessary to promote the adoption of effective and timely measures;
16. maintains that the strategy for strengthening the resilience of critical entities should be drawn up at national level in consultation with local and regional levels;
17. agrees that in the event of an incident, critical entities need to notify the competent authority without delay, and include 'any available information necessary to enable the competent authority to understand the nature, cause and possible consequences of the incident'. Where national structures and cooperation mechanisms are not already in place to deal with crises, the Committee calls for the establishment at national level of networks and cooperation mechanisms between relevant authorities, including local and regional authorities, and relevant sectors, dedicated to the management of emergencies and having the possibility of rapid response;
18. stresses that every Member State has the responsibility to protect essential infrastructure and ensure the resilience of critical entities located in their country; agrees that critical entities of particular European significance, i.e. entities providing essential services to or in more than a third of Member States, should be subject to specific oversight;
19. highlights the need to bolster risk management governance by promoting cooperation across borders and between Member States;
20. agrees that since various structures and tools already exist under the Union Civil Protection Mechanism and the European Reference Network for Critical Infrastructure Protection, they should also be considered for the purposes of the proposed directive;
21. recognising the crucial role of communication in increasing the resilience of communities, recommends promoting and supporting, in line with the objectives set out in the Sendai Framework, communication and reporting initiatives on disaster risks that may affect critical infrastructures located in a given area, vis-à-vis both local administrations and the general public;
22. believes that coordination, communication and exchange of best practices between the national, regional and local levels and between Member States can promote more efficient cooperation on resources, knowledge and synergies in the whole crisis management cycle.

Brussels, 1 July 2021.

*The President*  
*of the European Committee of the Regions*  
Apostolos TZITZIKOSTAS

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**Opinion of the European Committee of the Regions on revised Trans-European Energy Infrastructure Regulation fit for the Green and Digital Transition**

(2021/C 440/15)

<b>Rapporteur:</b>	Robert Sorin NEGOIȚĂ (RO/PES), Mayor of District 3, Municipality of Bucharest
<b>Reference document:</b>	Proposal for a Regulation of the European Parliament and of the Council on guidelines for trans-European energy infrastructure and repealing Regulation (EU) No 347/2013  COM(2020) 824 final

**I. RECOMMENDATIONS FOR AMENDMENTS**

**Amendment 1**

Recital 1

Text proposed by the European Commission	CoR amendment
<p>(1) The Commission has set out, in its Communication of 11 December 2019 entitled ‘The European Green Deal’, a new growth strategy that aims to transform the Union into a fair and prosperous society, with a modern, resource-efficient and competitive economy, where there are no net emissions of greenhouse gases in 2050 and where economic growth is decoupled from resource use. The Commission’s communication on the Climate Target Plan proposing to increase the greenhouse gas emissions’ reduction level to at least 55 % by 2030 — an ambition that was endorsed by the European Council on 11 December 2020 — and its underlying impact assessment confirms that the energy mix of the future will be very different from the one of today and underpins the necessity to review and if necessary to revise the energy legislation. The current energy infrastructure investments are clearly insufficient to transform and build the energy infrastructure of the future. That also means infrastructure needs to be in place to support the European energy transition, including rapid electrification, scaling up of renewable electricity generation, the increased use of renewable and low-carbon gases, energy system integration and a higher uptake of innovative solutions.</p>	<p>(1) The Commission has set out, in its Communication of 11 December 2019 entitled ‘The European Green Deal’, a new growth strategy that aims to transform the Union into a fair and prosperous society, with a modern, resource-efficient and competitive economy, where there are no net emissions of greenhouse gases in 2050 and where economic growth is decoupled from resource use. The Commission’s communication on the Climate Target Plan proposing to increase the greenhouse gas emissions’ reduction level to at least 55 % by 2030 — an ambition that was endorsed by the European Council on 11 December 2020 — and its underlying impact assessment confirms that the energy mix of the future will be very different from the one of today and underpins the necessity to review and if necessary to revise the <b>primary and secondary energy legislation at European, national and regional levels</b>. The current energy infrastructure investments are clearly insufficient to transform and build the energy infrastructure of the future, <b>while at the same time securing energy supply that caters for the specific needs and potential of different regions</b>. That also means infrastructure needs to be in place to support the European energy transition, including rapid electrification, scaling up of renewable electricity generation, the increased use of renewable and low-carbon gases, <b>development of district heating and cooling systems</b>, energy system integration and a higher uptake of innovative solutions, <b>to make our society green, sustainable and affordable and to improve living conditions</b>.</p>

**Reason**

Self-explanatory

**Amendment 2**

## Recital 5

Text proposed by the European Commission	CoR amendment
<p>(5) The evaluation of Regulation (EU) No 347/2013 has clearly shown that the framework has effectively improved the integration of Member States' networks, stimulated energy trade and hence contributed to the competitiveness of the Union. Projects of common interest in electricity and gas have strongly contributed to security of supply. For gas, the infrastructure is now well connected and supply resilience has improved substantially since 2013. Regional cooperation in Regional Groups and through cross-border cost allocation is an important enabler for project implementation. However, in many cases the cross-border cost allocation did not result in reducing the financing gap of the project, as intended. While the majority of permitting procedures have been shortened, in some cases the process is still long. The financial assistance from the Connecting Europe Facility (CEF) has been an important factor as grants for studies have helped projects to reduce risks in the early stages of development, while grants for works have supported projects addressing key bottlenecks that market finance could not sufficiently address.</p>	<p>(5) The evaluation of Regulation (EU) No 347/2013 has clearly shown that the framework has effectively improved the integration of <b>most of the</b> Member States' networks, stimulated energy trade and hence contributed to the competitiveness of the Union. Projects of common interest in electricity and gas have strongly contributed to security of supply. For gas, the infrastructure is now well connected <b>in most regions</b> and supply resilience has improved substantially since 2013. <b>However, to this day there are entire regions that have not been able to improve sufficiently their gas networks, energy security and resilience capacity. There are still projects for gas distribution which are in different phases of implementation and which have yet to be completed.</b> Regional cooperation in Regional Groups and through cross-border cost allocation is an important enabler for project implementation. However, in many cases the cross-border cost allocation did not result in reducing the financing gap of the project, as intended. While the majority of permitting procedures have been shortened, in some cases the process is still long. The financial assistance from the Connecting Europe Facility (CEF) has been an important factor as grants for studies have helped projects to reduce risks in the early stages of development, while grants for works have supported projects addressing key bottlenecks that market finance could not sufficiently address <b>and which are extremely important to ensure a safe and just energy transition.</b></p>

**Reason**

Self-explanatory

**Amendment 3**

## Recital 11

Text proposed by the European Commission	CoR amendment
<p>(11) Security of supply, as one main driver behind Regulation (EU) No 347/2013, has been significantly improved through projects of common interest. Moreover, the Commission's climate target impact assessment 27 expects the consumption of natural gas to be reduced significantly because its non-abated use is not compatible with carbon-neutrality. On the other hand, the consumption of biogas, renewable and low-carbon hydrogen and synthetic gaseous fuels will increase significantly towards 2050. Therefore, the natural gas infrastructure no longer needs support through the TEN-E policy. The planning of energy infrastructure should reflect this changing gas landscape.</p>	<p>(11) Security of supply, as one main driver behind Regulation (EU) No 347/2013, has been significantly improved through projects of common interest. Moreover, the Commission's climate target impact assessment 27 expects the consumption of natural gas to be reduced significantly because its non-abated use is not compatible with carbon-neutrality. On the other hand, the consumption of biogas, renewable and low-carbon hydrogen and synthetic gaseous fuels will increase significantly towards 2050. Therefore, the <b>new</b> natural gas infrastructure no longer needs support through the TEN-E policy. The planning of energy infrastructure should reflect this changing gas landscape. <b>At the same time in many EU countries natural gas projects help to reduce CO<sub>2</sub> emissions by facilitating transition from solid fossil fuels. The revision of EU regulation in question must not negatively affect not yet completed projects.</b></p>

**Reason**

Self-explanatory

**Amendment 4**

## Recital 15

Text proposed by the European Commission	CoR amendment
<p>(15) Moreover, a new infrastructure category should be created for smart gas grids to support investments which integrate renewable and low carbon gases such as biogas, biomethane, and hydrogen, <b>in</b> the network and help manage a resulting more complex system, building on innovative digital technologies.</p>	<p>(15) Moreover, a new infrastructure category should be created for smart gas grids to support investments which integrate renewable and low carbon gases such as biogas, biomethane and <b>clean</b> hydrogen <b>into</b> the network and help manage a resulting more complex system, building on innovative digital technologies <b>as well as technology and engineering solutions for gas quality and Supervisory Control and Data Acquisition (SCADA) grid management.</b></p>

**Reason**

Self-explanatory

**Amendment 5**

## Recital 25

Text proposed by the European Commission	CoR amendment
<p>(25) Regional groups should be established for the purpose of proposing and reviewing projects of common interest, leading to the establishment of regional lists of projects of common interest. In order to ensure broad consensus, those regional groups should ensure close cooperation between Member States, national regulatory authorities, project promoters and relevant stakeholders. In the context of that cooperation, national regulatory authorities should, where necessary, advise the regional groups, inter alia on the feasibility of the regulatory aspects of proposed projects and on the feasibility of the proposed timetable for regulatory approval.</p>	<p>(25) Regional groups should be established for the purpose of proposing and reviewing projects of common interest, leading to the establishment of regional lists of projects of common interest. In order to ensure broad consensus, those regional groups should ensure close cooperation between Member States, national regulatory authorities, <b>local and regional authorities</b>, project promoters and relevant stakeholders. In the context of that cooperation, national regulatory authorities should, where necessary, advise the regional groups, inter alia on the feasibility of the regulatory aspects of proposed projects and on the feasibility of the proposed timetable for regulatory approval.</p>

**Reason**

Self-explanatory

**Amendment 6**

## Article 1, paragraph 1

Text proposed by the European Commission	CoR amendment
<p style="text-align: center;"><i>Article 1</i></p> <p style="text-align: center;"><b>Subject matter</b></p> <p>1. This Regulation lays down guidelines for the timely development and interoperability of the priority corridors and areas of trans-European energy infrastructure set out in Annex I ('energy infrastructure priority corridors and areas') that contribute to the Union's 2030 climate and energy targets <b>and</b> the climate neutrality objective by 2050.</p>	<p style="text-align: center;"><i>Article 1</i></p> <p style="text-align: center;"><b>Subject matter</b></p> <p>1. This Regulation lays down guidelines for the timely development and interoperability of the priority corridors and areas of trans-European energy infrastructure set out in Annex I ('energy infrastructure priority corridors and areas') that contribute to the Union's 2030 climate and energy targets, the climate neutrality objective by 2050, <b>the biodiversity goals for 2030, and to ensure and stimulate energy security, market integration, fair competition, diversification of energy supply and affordable energy for all.</b></p>

**Reason**

The revision of the TEN-E (including infrastructure planning) should be consistent with the Green Deal objectives, 2050 climate neutrality and the objective 'leaving no one behind' implying affordable energy for all.

**Amendment 7**

## Article 2

Text proposed by the European Commission	CoR amendment
<p>(4) ‘project of common interest’ means a project necessary to implement the energy infrastructure priority corridors and areas set out in Annex I and which is part of the Union list of projects of common interest referred to in Article 3;</p> <p>(...)</p> <p>(16) ‘climate adaptation’ is a process that ensures that the resilience to the potential adverse impacts of climate change of energy infrastructure is ensured through a climate vulnerability and risk assessment, including through relevant adaptation measures.</p>	<p>(4) ‘project of common interest’ means a project necessary to implement the energy infrastructure priority corridors and areas set out in Annex I and which is part of the Union list of projects of common interest referred to in Article 3. <b>When assessing projects, national development strategies and the local and regional potential of where the project will be implemented shall be taken into account to ensure optimal beneficial impact;</b></p> <p>(...)</p> <p>(16) ‘climate adaptation’ is a process that ensures that the resilience to the potential adverse impacts of climate change of energy infrastructure is ensured through a climate vulnerability and risk assessment, including through relevant adaptation measures.</p> <p>(17) <b>‘sustainability’ means the potential for any type of project to contribute to the achievement of the climate neutrality objective. It is assessed in terms of the integration of renewable energy sources into the grid or the reduction of greenhouse gas emissions the project will emit over its expected lifespan;</b></p>

**Reason**

‘Sustainability’ is missing among the definitions. Considering the long lifetime, the potentiality for a project of becoming a stranded asset should be carefully assessed as the system progresses towards carbon neutrality.

**Amendment 8**

## Article 3(3)(a)

Text proposed by the European Commission	CoR amendment
<p>(a) each individual proposal for a project of common interest shall require the approval of the states, to whose territory the project relates; where a state does not to give its approval, it shall present its substantiated reasons for doing so to the Group concerned;</p>	<p>(a) each individual proposal for a project of common interest shall require the approval of the states, to whose territory the project relates; where a state does not to give its approval, it shall present its substantiated reasons for doing so to the Group concerned. <b>In order to avoid conflict at regional and Member State level and to provide an intermediary to ensure proper transposition of and compliance with the provisions of this Regulation, the European Union shall establish a single authority designated for this purpose;</b></p>

**Reason**

Self-explanatory

**Amendment 9**

## Article 4(2)(a)

Text proposed by the European Commission	CoR amendment
(a) the project contributes significantly to the decarbonisation objectives of the Union and those of the third country and to sustainability, including through the integration of renewable energy into the grid and the transmission of renewable generation to major consumption centres and storage sites, and;	(a) the project contributes significantly to the decarbonisation objectives of the Union and those of the third country and to sustainability, including through the integration of renewable <b>and low-carbon</b> energy into the grid and the transmission of renewable <b>and low-carbon</b> generation to major consumption centres and storage sites, and;

**Reason**

Self-explanatory

**Amendment 10**

## Article 5(5)

Text proposed by the European Commission	CoR amendment
5. By 31 January, each year, the competent authorities <b>referred to in</b> Article 8 shall submit to the Agency and to the respective Group the report referred to in paragraph 4 of this Article supplemented with information on the progress and, where relevant, on delays in the implementation of projects of common interest located on their respective territory with regard to the permit granting processes, and on the reasons for such delays. The contribution of the competent authorities to the report shall be clearly marked as such and drafted without modifying the text introduced by the project promoters.	5. By 31 January, each year, the competent authorities, <b>established at European level and within the Member States in accordance with Article 8 of the present Regulation</b> , shall submit to the Agency and to the respective Group the report referred to in paragraph 4 of this Article supplemented with information on the progress and, where relevant, on delays in the implementation of projects of common interest located on their respective territory with regard to the permit granting processes, and on the reasons for such delays. The contribution of the competent authorities to the report shall be clearly marked as such and drafted without modifying the text introduced by the project promoters.

**Reason**

Self-explanatory

**Amendment 11**

## Article 8

Text proposed by the European Commission	CoR amendment
<i>Article 8</i>	<i>Article 8</i>
Organisation of the permit granting process	Organisation of the permit granting process
3. Without prejudice to relevant requirements under <b>international and</b> Union law, the competent authority shall facilitate the issuing of the comprehensive decision. The comprehensive decision shall be the final proof that the project of common interest has achieved ready-to-build status and there shall be no other requirements for any additional permits or authorisations in that respect. The comprehensive decision shall be issued within the time limit referred to in Article 10(1) and (2) and in accordance with one of the following schemes:	3. Without prejudice to relevant requirements under <b>regional, national, Union and international</b> law, the competent authority shall facilitate the issuing of the comprehensive decision. The comprehensive decision shall be the final proof that the project of common interest has achieved ready-to-build status and there shall be no other requirements for any additional permits or authorisations in that respect. The comprehensive decision shall be issued within the time limit referred to in Article 10(1) and (2) and in accordance with one of the following schemes:

**Reason**

Self-explanatory

## Amendment 12

## Article 9

Text proposed by the European Commission	CoR amendment
<p>Transparency and public participation</p> <p>1. By [1 May 2023], the Member State or competent authority shall, where applicable in collaboration with other authorities concerned, publish an updated manual of procedures for the permit granting process applicable to projects of common interest to include at least the information specified in point (1) of Annex VI. The manual shall not be legally binding, but it <b>may</b> refer to or quote relevant legal provisions. The national competent authorities shall <b>coordinate and find synergies</b> with neighbouring countries <b>in developing their manual of procedures</b>.</p> <p>(...)</p> <p>4. Where it is not already required under national law at the same or higher standards, at least one public consultation shall be carried out by the project promoter, or, where required by national law, by the competent authority, before submission of the final and complete application file to the competent authority pursuant to Article 10(1)(a). That public consultation shall be without prejudice to any public consultation to be carried out after submission of the request for development consent pursuant to Article 6(2) of Directive 2011/92/EU. The public consultation shall inform the stakeholders referred to in point (3)(a) of Annex VI about the project at an early stage and shall help to identify the most suitable location or trajectory, also in view of adequate climate adaptation considerations for the project, and the relevant issues to be addressed in the application file. (...)</p>	<p>Transparency and public participation</p> <p>1. By [1 May 2023], the Member State or competent authority shall, where applicable in collaboration with other authorities concerned, publish an updated manual of procedures for the permit granting process applicable to projects of common interest to include at least the information specified in point (1) of Annex VI. The manual shall not be legally binding, but it <b>shall</b> refer to or quote relevant legal provisions. The national <b>and regional</b> competent authorities shall <b>cooperate</b> with <b>the authorities of</b> neighbouring countries <b>with a view to exchanging good practices and facilitating the permit granting process</b>.</p> <p>(...)</p> <p>4. Where it is not already required under national law at the same or higher standards, at least one public consultation shall be carried out by the project promoter, or, where required by national law, by the competent authority, before submission of the final and complete application file to the competent authority pursuant to Article 10(1)(a). That public consultation shall be without prejudice to any public consultation to be carried out after submission of the request for development consent pursuant to Article 6(2) of Directive 2011/92/EU. The public consultation shall inform the stakeholders referred to in point (3)(a) of Annex VI about the project at an early stage and shall help to identify the most suitable location or trajectory, <b>including an alternative one, where appropriate</b>, also in view of adequate climate adaptation considerations for the project, and the relevant issues to be addressed in the application file. (...)</p>

**Reason**

Self-explanatory

## Amendment 13

## Article 16

Text proposed by the European Commission	CoR amendment
<p data-bbox="177 394 671 423">Enabling investments with cross-border impacts</p> <p data-bbox="177 488 783 824">1. The efficiently incurred investment costs, which excludes maintenance costs, related to a project of common interest falling under the categories set out in points (1)(a), (b), (c) and (e) of Annex II and projects of common interest falling under the category set out in point (3) of Annex II, where they fall under the competency of national regulatory authorities, shall be borne by the relevant <b>TSO</b> or the project promoters of the transmission infrastructure of the Member States which the project provides a net positive impact, and, to the extent not covered by congestion rents or other charges, be paid for by network users through tariffs for network access in that or those Member States.</p> <p data-bbox="177 947 783 1249">2. The provisions of this Article shall apply to a project of common interest falling under the categories set out in points (1)(a), (b), (c) and (e) of Annex II where at least one project promoter requests the relevant national authorities their application for the costs of the project. They shall apply to a project of common interest falling under the category set out in point (3) of Annex II, as relevant, only where an assessment of market demand has already been carried out and indicated that the efficiently incurred investment costs cannot be expected to be covered by the tariffs.</p> <p data-bbox="177 1323 783 1541">4. (...) In allocating costs across borders, the relevant national regulatory authorities, in consultation with the <b>TSOs</b> concerned, shall seek a mutual agreement based on, but not limited to, the information specified in paragraphs 3 (a) and (b). Their assessment shall be based on the same scenario as used in the selection process for the elaboration of the Union list where the project of common interests is listed.</p> <p data-bbox="177 1563 783 1753">Where a project of common interest mitigates negative externalities, such as loop flows, and that project of common interest is implemented in the Member State at the origin of the negative externality, such mitigation shall not be regarded as a cross-border benefit and shall therefore not constitute a basis for allocating costs to the <b>TSO</b> of the Member States affected by those negative externalities.</p>	<p data-bbox="810 394 1305 423">Enabling investments with cross-border impacts</p> <p data-bbox="810 488 1417 880">1. The efficiently incurred investment costs, which excludes maintenance costs, related to a project of common interest falling under the categories set out in points (1)(a), (b), (c), <b>(d)</b>, (e) and <b>(2)(a)</b> of Annex II and projects of common interest falling under the category set out in point (3) of Annex II <b>and point 1(c) of Annex IV</b>, where they fall under the competency of national regulatory authorities, shall be borne by the relevant <b>grid operator</b> or the project promoters of the transmission <b>and/or distribution</b> infrastructure of the Member States which the project provides a net positive impact, and, to the extent not covered by congestion rents or other charges, be paid for by network users through tariffs for network access in that or those Member States.</p> <p data-bbox="810 947 1417 1249">2. The provisions of this Article shall apply to a project of common interest falling under the categories set out in points (1)(a), (b), (c), <b>(d)</b>, (e) and <b>(2)(a)</b> of Annex II <b>and point 1(c) of Annex IV</b> where at least one project promoter requests the relevant national authorities their application for the costs of the project. They shall apply to a project of common interest falling under the category set out in point (3) of Annex II, as relevant, only where an assessment of market demand has already been carried out and indicated that the efficiently incurred investment costs cannot be expected to be covered by the tariffs.</p> <p data-bbox="810 1323 1417 1738">4. (...) In allocating costs across borders, the relevant national regulatory authorities, in consultation with the <b>grid operators</b> concerned, shall seek a mutual agreement based on, but not limited to, the information specified in paragraphs 3(a) and (b). Their assessment shall be based on the same scenario as used in the selection process for the elaboration of the Union list where the project of common interests is listed. Where a project of common interest mitigates negative externalities, such as loop flows, and that project of common interest is implemented in the Member State at the origin of the negative externality, such mitigation shall not be regarded as a cross-border benefit and shall therefore not constitute a basis for allocating costs to the <b>grid operator</b> of the Member States affected by those negative externalities.</p>

**Reason**

Smart low-voltage grids and smart gas grids empower citizens to become prosumers and help the energy transition. Smart grid projects are currently under-represented in the PCI list because of the restrictive definition of smart grids in the current TEN-E Regulation. The amendment aims at widening it.

**Amendment 14**

## Article 18(4)

Text proposed by the European Commission	CoR amendment
<p>4. Projects of common interest falling under the categories set out in points (1)(d), (2) and (5) of Annex II shall also be eligible for Union financial assistance in the form of grants for works, where the concerned project promoters can clearly demonstrate significant positive externalities, such as security of supply, system flexibility, solidarity or innovation, generated by the projects and provide clear evidence of their lack of commercial viability, in accordance with the cost-benefit analysis, the business plan and assessments carried out, in particular by potential investors or creditors or, where applicable, a national regulatory authority.</p>	<p>4. Projects of common interest falling under the categories set out in points (1)(d), (2), <b>(4)</b> and (5) of Annex II shall also be eligible for Union financial assistance in the form of grants for works, where the concerned project promoters can clearly demonstrate significant positive externalities, such as security of supply, system flexibility, solidarity or innovation, generated by the projects and provide clear evidence of their lack of commercial viability, in accordance with the cost-benefit analysis, the business plan and assessments carried out, in particular by potential investors or creditors or, where applicable, a national regulatory authority.</p>

**Reason**

Electrolysers should be eligible for CEF funding. Especially in early stages, network investments depend on production capacity and must therefore be viewed together. Electrolysers have a cross-border impact, particularly if they connect H2 generation with demand in cross-border regions.

**Amendment 15**

## Annex II

Text proposed by the European Commission	CoR amendment
<p>(3) concerning hydrogen:</p> <p>(a) transmission pipelines for the transport of hydrogen, giving access to multiple network users on a transparent and non-discriminatory basis, mainly contains high-pressure hydrogen pipelines, excluding pipelines for the local distribution of hydrogen;</p> <p>(b) underground storage facilities connected to the high-pressure hydrogen pipelines referred to in point (a);</p> <p>(c) reception, storage and regasification or decompression facilities for liquefied hydrogen or hydrogen embedded in other chemical substances with the objective of injecting the hydrogen into the grid;</p> <p>(d) any equipment or installation essential for the hydrogen system to operate safely, securely and efficiently or to enable bi-directional capacity, including compressor stations.</p>	<p>(3) concerning hydrogen:</p> <p>(a) transmission pipelines for the transport of hydrogen, giving access to multiple network users on a transparent and non-discriminatory basis, mainly contains high-pressure hydrogen pipelines, excluding pipelines for the local distribution of hydrogen;</p> <p>(b) underground storage facilities connected to the high-pressure hydrogen pipelines referred to in point (a);</p> <p>(c) reception, storage and regasification or decompression facilities for liquefied hydrogen or hydrogen embedded in other chemical substances with the objective of injecting the hydrogen into the grid;</p> <p>(d) any equipment or installation essential for the hydrogen system to operate safely, securely and efficiently or to enable bi-directional capacity, including compressor stations;</p>

Text proposed by the European Commission	CoR amendment
<p>Any of the assets listed in points (a), (b), (c), and (d) may be newly constructed assets or assets converted from natural gas dedicated to hydrogen, or a combination of the two.</p>	<p><b>(e) any equipment or installation allowing for clean hydrogen fuel use in the transport sector within the TEN-T core and comprehensive network.</b></p> <p>Any of the assets listed in points (a), (b), (c), and (d) may be newly constructed assets or assets converted from natural gas dedicated to hydrogen, or a combination of the two.</p>

### Reason

Inclusion will lead to better interlinkage of transport and energy policy. It is important that both the TEN-T core network and the TEN-T comprehensive network are included since this does better align with current hydrogen valley regions, where large-scale hydrogen investments are planned.

## Amendment 16

### Annex IV

Text proposed by the European Commission	CoR amendment
<p style="text-align: center;">ANNEX IV</p> <p>RULES AND INDICATORS CONCERNING CRITERIA FOR PROJECTS OF COMMON INTEREST AND FOR PROJECTS OF MUTUAL INTEREST</p> <p>(c) for smart electricity grids, the project is designed for <b>equipment</b> and installations at high-voltage <b>and</b> medium-voltage level. It involves <b>transmission system operators</b>, transmission <b>and distribution system operators</b> or distribution system operators from <b>at least two Member States. Distribution system operators can be involved only with the support of the transmission system operators, of</b> at least two Member States, <b>that are closely associated to the project and ensure interoperability. A project covers</b> at least <b>50 000</b> users, <b>generators, consumers or prosumers of</b> electricity, in a consumption area of at least 300 Gigawatt hours/year, of which at least 20 % originate from <b>variable</b> renewable resources;</p>	<p style="text-align: center;">ANNEX IV</p> <p>RULES AND INDICATORS CONCERNING CRITERIA FOR PROJECTS OF COMMON INTEREST AND FOR PROJECTS OF MUTUAL INTEREST</p> <p>(c) for smart electricity grids, the project is designed for <b>equipment</b> and installations <b>mainly</b> at high-voltage, <b>or</b> medium-voltage level. It involves transmission or distribution system operators from at least two Member States <b>covering</b> at least <b>50 000</b> users <b>that generate or consume</b> electricity <b>or do both</b> in a consumption area of at least 300 Gigawatt hours/year, of which at least 20 % originate from renewable resources <b>that are variable in nature. The project may also foresee a virtual cross border connection;</b></p>

### Reason

Smart low-voltage grids empower citizens to become prosumers and help the energy transition. Smart grid projects are currently under-represented in the PCI list because of the restrictive definition of smart grids in the current TEN-E Regulation. The amendment aims at widening it.

## II. POLICY RECOMMENDATIONS

### THE EUROPEAN COMMITTEE OF THE REGIONS

1. welcomes the proposal for a regulation to revise the guidelines for trans-European energy infrastructure (TEN-E). Recognises that while the objectives of the current regulation remain largely valid, the current TEN-E framework does not yet fully reflect the expected changes to the energy system that will be brought about by the new political context and the rapid technological developments aimed at upgrading the 2030 targets, as well as the 2050 climate neutrality objective under the European Green Deal (EGD). Emphasises that climate change that cannot now be prevented will have a significant impact in Europe in spite of the mitigation and adaptation efforts, and therefore calls on the Commission and the Member States to step up their efforts to update energy infrastructure as a key enabler for the energy transition, while ensuring climate action and nature conservation, and compliance with sustainability criteria in line with the SDGs;

2. is pleased to see that the future framework will preserve the key role of the regional groups in the projects of common interest (PCI) identification and selection process, where it is of paramount importance to guarantee a relevant regional and local representation;
3. welcomes the proposal to update the list of PCIs to sufficiently reflect the latest technological developments and cover all the relevant infrastructure categories, with a view to the climate neutrality and security of supply objectives. It specifically welcomes the inclusion of smart grid solutions, smart system integration (power-to-gas system and other sectors), production of hydrogen and synthetic gases from renewable energy sources, electrolyzers, offshore grids and distribution systems. Stresses that there is a large potential for district heating and cooling, from renewable energy sources and waste heat, sometimes also on a regional scale and across member state borders. It is pleased to see the exclusion of gas infrastructure for methane and oil pipelines, where this does not have an adverse effect or unwanted side-effects due to the specific local or regional situation;
4. welcomes the obligation for all projects to meet mandatory sustainability criteria and to follow the 'do no harm' principle as set out in the EGD (in accordance with art. 17 of the EU taxonomy regulation <sup>(1)</sup>) as a big step forward towards meeting the EU's collective green goals;
5. remarks that assessing projects within the TEN-E framework involves many elements to be taken into account notably the specific local and regional challenges due to energy transition and climate targets, the importance of energy stability, security and supply, the access to energy for all European citizens while also keeping energy affordable, the fight against energy poverty, the link with national, regional and local energy strategies and the coherence with already existing programmes and projects;
6. highlights that the energy infrastructure has a crucial role to play in energy transition and can have significant environmental and economic impact. Calls, therefore, on the Commission to establish a permanent mechanism for regional groups to dialogue with local and regional authorities concerned which is consistent with the framework for the Multilevel Climate and Energy Dialogue as established by the governance of the energy union regulation;
7. stresses the need for a robust permit granting framework. Currently, permit granting procedures, even for projects of common interest, are still very lengthy. Conflicting pre-existing procedures, sometimes combined with a specific institutional context, can make progress difficult in certain Member States. In addition to this there can also be public opposition due to insufficient attention to stakeholder buy-in;
8. calls for the priority status of PCIs to be carefully considered and for priority not to be given to any projects that would have a negative impact on climate or protected habitats or species;
9. underlines that permit granting procedures need to be completed with the necessary due diligence. However, the CoR supports steps proposed in article 10 of the regulation proposal to ensure a reasonable completion time of the permitting procedures by the different instances involved. The setting up of one-stop shops with sufficient competences, power of decision and bound by clear deadlines is essential in this regard. This in turn will lead to more security for project participants and a better estimation of their exposure to risk when entering into this process;
10. welcomes the growing attention being given in the European Union to the role of clean hydrogen, preferably obtained from renewable energy sources, and welcomes this proposal from the European Commission, which responds to a call from the CoR for a more supportive EU legal framework for market development and infrastructure to be put in place by revising the relevant EU legislation on trans-European energy networks and especially, appropriately adjusting the requirements for PCIs based on TEN-E <sup>(2)</sup> and the EU-wide Ten-Year Network Development Plans (TYNDPs); also supports the introduction of specific categories for hydrogen infrastructure in the TEN-E regulation such as hydrogen transmission networks (incl. converted existing natural gas pipelines for pure hydrogen), distribution and storage as well as electrolyzers, which must be able to receive funding from the Connecting Europe Facility (CEF);

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(1) Regulation (EU) 2020/852 of the European Parliament and of the Council of 18 June 2020 on the establishment of a framework to facilitate sustainable investment, and amending Regulation (EU) 2019/2088 (OJ L 198, 22.6.2020, p. 13).

(2) Opinion Towards a Roadmap for Clean Hydrogen — the contribution of local and regional authorities to a climate-neutral Europe, Birgit Honé (DE/PES), CoR 2020-549.

11. highlights the need for electrification and the role of clean hydrogen in moving away from fossil fuels and reducing persistent emissions from polluting sectors such as industry and heavy transport, where direct electrification may be limited; recalls that renewable hydrogen should be the priority and low-carbon hydrogen should be used for decarbonisation purposes until renewable hydrogen can play this role alone; calls therefore on the EU institutions, Member States and industry to ramp up renewable electricity and hydrogen capacity in order to avoid a counterproductive competition between electrolyzers for the production of hydrogen and other direct uses of renewable electricity<sup>(3)</sup>. Furthermore, calls on the Commission for a clear taxonomy of 'renewable' gases;

12. notes that climate-neutral transport (mobility) and the production of clean hydrogen will require substantial expansion in production capacity for renewable energies and relevant technology in the EU in the near future;

13. underlines the importance for activities under the TEN-E regulation to be fully in line with the relevant planning instruments, particularly the National Energy and Climate Plans (NECP). In this regard, reiterates the importance of local and regional authorities being able to contribute fully to their Member State's NECPs and calls for optimum representation of local and regional authorities throughout this process;

14. recalls that the transport sector is responsible for a quarter of CO<sub>2</sub> emissions in the EU and is the only sector where emissions have not been reduced compared to the 1990 baseline; underlines the potential of hydrogen to be one of the instruments used to reduce CO<sub>2</sub> emissions in transport modes, in particular where full electrification is more difficult or not yet possible; stresses that the deployment of refuelling infrastructure is necessary to boost hydrogen use in the transport sector;

15. believes that the revision of the Trans-European transport network (TEN-T) regulation<sup>(4)</sup> should place much greater emphasis on low-carbon propulsion technologies for lorries, coaches, and inland shipping, such as electric motors powered by hydrogen fuel cells or overhead lines together with biogas and other energy forms that meet sustainability and emissions reduction requirements. Building the corresponding infrastructure, initially along core and comprehensive network corridors, is a prerequisite for the deployment of these technologies. The CEF should provide sufficient funding for this purpose;

16. underlines the need to create synergies between TEN-T, TEN-E and alternative fuel strategies; in this regard welcomes the Commission's intention to develop hydrogen refuelling infrastructure under the Sustainable and Smart Mobility Strategy and to review the revision of the Alternative Fuels Infrastructure Directive, which provides the opportunity to set specific requirements and harmonised standards for a phased deployment the density of hydrogen filling stations in Member States, regions and cities;

17. believes that a more open-minded approach to the definition of cross-border projects should be adopted, in order to consider not only large transmission projects but also local, decentralised and often participative smart grid projects without physical borders. Regional and local decentralised projects across national borders could indeed bring positive effects not only to regional and national systems, but also across different Members States, e.g. by integrating renewables, solving congestions and avoiding negative externalities;

18. stresses that in order to best serve the achievement of the EU's energy and climate targets as well as empowering customers, the TEN-E framework must be revised to fully encompass and benefit from the contributions of 'prosumers', local energy communities and new technologies<sup>(5)</sup>; highlights the importance of the low and medium-voltage electricity grid, where the required infrastructure for a multitude of new, decentralised producers feeding electricity into the system must be created; underlines that there is also a need to connect new small-scale producers to the low and medium-voltage networks; calls on the Commission to provide a framework for the aggregation of several smaller projects, in order to allow them to meet the criteria under the current legislation. Flexibility in this regard is of high importance for local and regional authorities to be able to set up certain aggregated projects and to potentially obtain financing for these efforts;

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<sup>(3)</sup> The additionality principle has been put forward by the European Parliament in its report 'A European Strategy for Hydrogen' (A9-0116/2021 ITRE Jens Geier).

<sup>(4)</sup> [https://www.europarl.europa.eu/doceo/document/A-9-2021-0116\\_EN.html#\\_ftn20](https://www.europarl.europa.eu/doceo/document/A-9-2021-0116_EN.html#_ftn20)

<sup>(5)</sup> Such as energy storage, demand side response, micro-grids (possibly cross-border), electric mobility.

19. remarks that the TEN-E regulation, as a central pillar of the European Union energy infrastructure development and, as such, a crucial contributor to achieving climate neutrality broadly respects the principles of active subsidiarity and proportionality; stresses the added value of regional cooperation in implementing cross-border projects, transparency, regulatory certainty and access to financing; calls for the full involvement of local and regional authorities as partners, not just stakeholders, in line with these principles of active subsidiarity and proportionality.

Brussels, 1 July 2021.

*The President*  
*of the European Committee of the Regions*  
Apostolos TZITZIKOSTAS

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