

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

EUROPEAN COMMITTEE OF THE REGIONS

PLENARY SESSION OF APRIL 2019¹

86th REPORT

¹ Including the follow-up to 1 opinion adopted during the December 2018 plenary session and 1 opinion adopted during the February 2019 plenary session.

N°	TITLE	REFERENCES
SG		
1.	<u>The European Semester and Cohesion Policy: aligning structural reforms with long-term investments</u> Rapporteur: Rob JONKMAN (NL/ECR)	COR-2018-05504-00-00-PAC-TRA ECON-VI/040
DG AGRI		
2.	<u>Progress in the implementation of the EU Forest Strategy ‘A new EU Forest Strategy: for forests and the forest sector’</u> Rapporteur general: Ossi MARTIKAINEN (FI/ALDE)	COM(2018) 811 final COR-2019-00973-00-00-PAC-TRA NAT-VI/041
DG GROW		
3. Opinion adopted during the plenary session of December 2018	<u>The space programme of the Union and the European Union Agency for the Space Programme</u> Rapporteur: Andres JAADLA (EE/ALDE)	COM(2018) 447 final COR-2018-03640-00-00-PAC-TRA ENVE-VI/036
DG HOME		
4. Opinion adopted during the plenary session of February 2019	<u>Proposal for a Regulation on the European Border and Coast Guard</u> Rapporteur: Anna MAGYAR (HU/EPP)	COM(2018) 631 final COR-2018-06213-00-00-PAC-TRA CIVEX-VI/039

N°1 [The European semester and cohesion policy: aligning structural reforms with long-term investments](#)

COR-2018-05504-00-00-PAC-TRA – ECON -VI/040

134th Plenary Session – April 2019

Rapporteur: Rob JONKMAN (NL/ECR)

SG – Vice-President DOMBROVSKIS

Points of the European Committee of the Regions opinion considered essential

European Commission position

7. Regrets that the Commission has not yet, ahead of the presentation of its proposals for the regulations applicable to the new EU funding programmes as of 2021 and of the new governance cycle starting after the European elections of May 2019, issued a proposal for a successor to the Europe 2020 strategy, despite repeated requests from the Committee and Parliament and criticism from the European Court of Auditors. Welcomes however the publication of the European Commission's Reflection Paper on "Towards a Sustainable Europe by 2030" on 30 January 2019.

10. With a view to those reforms, the Committee calls for a new strategic framework following on from the Europe 2020 strategy. This new strategy would also present a good opportunity to reform European semester governance, given that, with a few notable exceptions, local and regional authorities generally have little or no involvement in drafting NRPs. This undermines the democratic credentials of the European semester and its territorial legitimacy.

The Commission's Reflection Paper 'Towards a Sustainable Europe by 2030' presents scenarios that should drive citizens, stakeholders, Member States and the European Parliament to reflect on the Europe we want by 2030. They should also provide us with guidance on the level of ambition to pursue in implementing the 2030 Agenda for Sustainable Development¹ and the leadership of the EU in its internal and external dimension.

Against that backdrop, it will be a political choice of the EU as a whole, including of the next Commission, whether, how and when a new multiannual strategy is warranted.

On inclusion of local and regional authorities, see the reply to point 14 below.

¹ COM(2019) 22 final

11. The Committee points out that up to now too little has been done to engage local and regional authorities in the process of creating new strategic frameworks or drawing up the NRP. This problem could be solved, for example, using expertise from the Network of Regional Hubs, which is working, under the coordination of the Committee of the Regions, to gather feedback on the implementation of EU policy from 20 regions in 2019-2020.

13. In the Committee's view, ownership of the CSRs can be strengthened by increasing the involvement of local and regional authorities, in order to give the European semester a territorial dimension both at analytical level (by expanding the Annual Growth Survey, the NRPs and the CSRs to include analyses of territorial trends and the territorial impact of EU policy) and at operational level (by ensuring that local and regional authorities are more extensively and systematically involved, based on partnerships and multilevel governance)².

17. The Committee stresses that the structured involvement of local and regional authorities needs to become a permanent fixture in the European semester. It finds it regrettable that the Annual Growth Survey refers to the involvement of the social partners and national parliaments but not to that of local and regional authorities, as was the case in 2018.

18. The Committee notes that this is contrary to the principles of subsidiarity (Article 5(3) TEU and Protocol No 2), multi-level governance and partnership (Article 6 of the draft proposal for a regulation laying down common provisions COM(2018) 375), as the

The Commission strongly values the principle of partnership and multi-level governance, which have been further strengthened in the proposed legislative framework for cohesion policy in the 2021-2027 period. The involvement of partners in the planning, implementation and monitoring of the programmes is needed to ensure their ownership of Union interventions and their commitment to objectives and targets jointly agreed. Partnership contributes substantially to the effectiveness of cohesion policy. The stronger link between the Semester and cohesion policy will not undermine that principle. On the contrary, the reinforced investment angle introduced in 2019 European Semester goes hand in hand with stronger focus on the regional dimension in the Commission's analysis.

The Commission recognises that the figures aggregated at national level do not reveal the whole story about the development of a given Member State. Wide regional and territorial disparities across the Union remain a key concern because they may hamper overall development of the Union and its Member States. In that respect, investment undertaken through EU cohesion policy has a strong role to play, alongside national reforms geared towards boosting potential growth, inclusiveness and good governance. Therefore, in 2019, all of the Country Reports contain a more detailed analysis of the regional disparities and bottlenecks to investment meant to address those regional disparities.⁴

As far as the Member States are concerned, the Commission has repeatedly stressed that, in spite of positive developments, there is room

² Opinion on improving the governance of the European semester: a Code of Conduct for the involvement of local and regional authorities (COR-2016-05386).

⁴ COM(2019) 150 final.

CSRs, via cohesion policy, directly influence policy-making at local and regional level and thus impose obligations on that level of government in those policy areas where it has legislative powers. This also runs counter to the principles in the Council of Europe's European Charter of Local Self-Government.

21. The Committee therefore stresses that the best way of avoiding infringements of the subsidiarity principle and ensuring that the policy is effectively coordinated is to get local and regional authorities fully involved in the European semester in a structured way, in line with the principles of partnership and multilevel governance. In that context, it is worrying that the Council negotiations on the Common Provisions Regulation raised the possibility of relaxing those two principles, given that this could undermine effective coordination between the European semester and cohesion policy.

26. The European Commission and the Member States should (therefore) ensure that all levels of government are involved in preparing the country reports and the country-specific recommendations in particular by identifying what mix of investments and reform is best suited to their countries and regions, and designing the relevant policy bearing in mind national reports.

27. In this context, the Committee reiterates its position in favour of establishing a Code of Conduct for the involvement of local and regional authorities in improving the governance of the European semester³. It is important for local and regional authorities to be given a formal place in the European semester process, so that the country-specific recommendations can - where relevant - be

for wider dialogue with, and better involvement of, the different levels of governance. The Commission encourages Member States to make every effort to maximise the involvement of all stakeholders concerned, including local and regional authorities, in the European Semester process.

Nevertheless, the Commission does not believe that it is necessary to establish a Code of Conduct on the matter. The focus should be on using and developing further existing good practices in the Member States on the involvement of regions and local authorities in the European Semester.

³ Opinion on improving the governance of the European semester: a Code of Conduct for the involvement of local and regional authorities (COR-2016-05386).

<p>translated, by means of dialogue and horizontal coordination, into investment in the new cohesion programmes.</p> <p>28. Stresses that the programming process for the new cohesion programmes has already started with the Country Reports published on 27 February 2019 and paving the way to the CSR and NRPs, and that it is therefore a matter of some urgency to ensure that local and regional authorities have a formal position in the policy process within the European semester. This problem could potentially be addressed by expanding the current Code of Conduct on Partnership to include the European semester policy process.</p>	
<p>12. With regard to the European semester, the Committee draws attention to the lack of ownership and administrative capacity at all levels of government - two elements that are necessary for successful implementation of the country-specific recommendations. The European semester process is not helped in this respect by the lack of a clear definition of what "structural reforms" actually are. In line with the subsidiarity and proportionality principles, only structural reforms that are relevant for implementation of the Treaty objectives should be eligible, and the action must be in keeping with what is necessary to achieve that objective and relate directly to EU competences⁵.</p>	<p>To increase the Member States' capacity to implement reforms, the Commission established the Structural Reform Support Service in 2015, to provide demand-driven technical support. The Service finances its activities through the Structural Reform Support Programme, whose budget was recently increased to EUR 222.8 million (for the period until the end of 2020), following the very high demand from Member States.</p> <p>In addition, the Commission proposed, in the context of the new multiannual financial framework, the Reform Support Programme, a new tool to support the implementation of structural reforms in Member States. The Reform Support Programme would not only provide technical support but also financial incentives to Member States that decide to implement structural reforms. The financial incentive would be given after the implementation of the reforms. In some cases, those incentives could help compensate some</p>

⁵ Opinion on the Reform Support Programme and European Investment Stabilisation Function (COR-2018-03764).

	<p>of the short-term costs of those reforms. It is also important to note that Structural and Cohesion Funds can also help to finance the investment-related costs of a reform.</p> <p>Under both programmes, the national authorities eligible for support include public authorities at both regional and local levels.⁶</p> <p>As the underlying logic of both Programmes is that it is provided on a voluntary basis, each Member State decides whether action is necessary, in light of the possibilities available at national, regional or local level.</p>
<p>14. As regards coordination between the European semester, the CSRs and cohesion policy, the Committee argues that cohesion policy is in principle a standalone policy and that its objectives (economic, social and territorial cohesion) must be maintained at all times. This means paying attention to the degree of relevance between the CSRs and the cohesion programmes and the importance of cooperation between national, regional and local authorities in terms of both the NRPs and the cohesion programmes⁷.</p>	<p>The objectives of strengthening the Union's economic, social and territorial cohesion are enshrined in Article 174 of the Treaty on the Functioning of the European Union and continue to be at the core of Commission's proposals for the 2021-2027 cohesion package. Greater coherence between the coordination of economic policies and the use of EU funds should ensure that EU-funded investments are made within the appropriate socio-economic, fiscal and institutional environment, contributing to long-lasting positive effects for the economy and society. As mentioned above, the partnership principle is an integral part of cohesion policy and it continues to be enshrined in the legislative framework for the 2021-2027 period. The stronger link between the Semester and cohesion policy will not undermine that principle. The Commission continuously encourages the Member States to ensure the involvement of national, regional and local authorities in the European Semester process. Their involvement, along with a broader engagement with civil society, is fundamental to improving ownership and legitimacy of reforms and bringing about</p>

⁶ COM(2018) 391, Regulation (EU) 2017/825.

⁷ Opinion on the Common Provisions Regulation (COR-2018-03593).

	better socio-economic outcomes.
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<p>N°2 Progress in the implementation of the EU Forest Strategy ‘A new EU Forest Strategy: for forests and the forest sector’ COM(2018) 811 final CoR – 2019-00973-00-00-PAC-TRA – NAT-VI/041 Rapporteur general: Ossi MARTIKAINEN (FI/ALDE) DG AGRI – Commissioner HOGAN</p>	
<p>Points of the European Committee of the Regions opinion considered essential</p>	<p>European Commission position</p>
<p>(1) welcomes, and recognises the need for, the European Commission’s report on the implementation of the Forest Strategy, which was published on 7 December 2018. The report leads the Committee to believe that the Forest Strategy has been a useful tool for coordinating various policies. The choice of the strategy’s priority areas has proven successful and, on the whole, progress has been made towards meeting objectives. However, even more can be achieved by continuing to take consistent action in Member States, at regional and local level as well as in external relations.</p>	<p>The Commission welcomes this second opinion from the Committee on the mid-term review of the EU Forest Strategy, and the alignment of the Committee with the main findings and conclusions of the Commission report.</p> <p>The Commission also welcomes the recognition that the EU Forest Strategy provides a framework for all relevant actors and levels of administration to work consistently.</p> <p>On taking consistent action, the Commission invites regions, local governments and actors to play a more active role in promoting and implementing the strategy’s principles and strategic orientations.</p>
<p>(2) further to its previous opinion, which in many respects is in line with the Commission’s own assessments, the Committee encourages the Commission to further develop the consistency of forest-related policy areas and measures so that better account can be taken of forests’ entire value chain, biodiversity and multiple functions. It is important for the Standing Forestry Committee to be involved in preparing forest-related policies, including those that are indirectly related;</p>	<p>The Commission takes note and will analyse which options could help further develop consistency.</p> <p>The role of the Standing Forestry Committee is to provide advice and expertise to the Commission. Within this remit, it is a key body to involve in the reflections on the EU strategic framework on forests.</p>
<p>(3) believes that the Commission should put forward a new, updated forest strategy for the period after 2020 with an even stronger guiding role, which envisages</p>	<p>The EU Forest Strategy, as guiding tool, provides a set of principles and objectives, and enables mobilising support to Member States’ policies on forests. The common agricultural</p>

<p>cultivated forests as a distinct category and views as strategic the need to reforest areas at risk of desertification, in view of the clear environmental role assigned to the forest sector. This may require, amongst other things, a reassessment of the way in which the budget is allocated and its effects;</p>	<p>policy supports afforestation, forest restoration and sustainable forest management with sufficient flexibility to allow Member States addressing their specific needs.</p> <p>The Commission takes note of the Committee's wish for a new forest strategy after 2020. A decision in this respect will be for the new Commission to consider, following relevant evaluation and other study work and in line with policymaking procedures.</p>
<p>(4) calls on the Commission to ensure that Member States, regions and forestry experts, research institutes and organisations are sufficiently represented in the process of preparing the abovementioned strategy, in order to achieve the desired outcomes and to make that process inclusive;</p>	<p>The Commission's principles and procedures for policymaking are defined in the 'Better regulation' agenda⁸. The Commission relies on evidence and a transparent process, which involves citizens and stakeholders throughout.</p>
<p>(7.1.) Local and regional authorities must be closely involved in the design and implementation of forest sector measures led and funded by the EU. Forest owners and those responsible for forest management and administration, including municipalities and regional governments, have a key part to play in strengthening the sustainable use of forests and their unequivocal commitment to the rural population and economy.</p>	<p>The common agricultural policy supports the forest sector through a consistent set of measures promoting afforestation and sustainable forest management. It gives flexibility to allow Member States addressing their specific regional and local needs when designing their rural development programmes. The future common agricultural policy proposed by the Commission would allow for even greater flexibility, where Member States could choose the 'types of intervention' targeted at their specific needs.</p>
<p>(7.2.) Local and regional authorities can play a role in boosting the consistency and effectiveness of forest sector measures and act as a link, in a context where private forest ownership is being abandoned and becoming fragmented and compartmentalised in many Member States</p>	<p>The common agricultural policy supports cooperation within its rural development pillar, both in the current programming period (2014-2020) and in the future common agricultural policy (Commission proposal, Article 71). This can cover the cost of cooperation and the cost of the projects and operations implemented, upon</p>

⁸ Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions: Better regulation for better results - An EU agenda (COM(2015) 215 final).

<p>as a result of structural changes in societies. Potential measures that local and regional authorities could consider include promoting common forms such as forestry clusters and associations and developing the role of the proactive forester. Local and regional authorities must therefore support cooperation in the forest sector; there should be public support for feasibility studies, regional events and promotional activities with a view to developing the many ecosystem goods and services provided by this sector.</p>	<p>decision of the Member States.</p>
<p><u>(7.3.) The forest sector needs adequate financing through the CAP, especially rural development funding, as these funds have been used by many regional and local actors to strengthen forestry in their regions and boost sustainable use. As the CAP becomes more flexible at national level, the forest sector may play an even bigger role in rural development measures in many regions; on the other hand, its role may decline.</u> This is important for rural employment, regional economies and sustainable development. It is therefore a key moment for ensuring adequate financing of forestry measures as part of rural development funding in the CAP. In order for national CAP programmes to have a climate and environmental impact, there needs to be a contribution from regional and local authorities and cooperation between different levels of governance. Funding options for the forestry sector should also be publicised at every level of government so that they can be used fully and appropriately.</p>	<p>Common agricultural policy rural development funds are the main source of funding for forests and the forest-based sector in the EU. Common agricultural policy forestry measures offer a coherent set of measures in support of sustainable forest management, forests role in rural economy and jobs, and development of the bioeconomy. The Commission proposal for the future common agricultural policy continues to include forests, and has the potential to increase their role in addressing and achieving its policy objectives. These objectives include: fostering sustainable development and efficient management of natural resources; contributing to climate change mitigation and adaptation and to sustainable energy; promoting employment and local development in rural areas through the bioeconomy and forestry; contributing to protecting biodiversity; and enhancing ecosystem services.</p>
<p>(7.5.) The forest sector also offers considerable potential to make use of funds under the EU's research and innovation</p>	<p>The Commission agrees that there is an array of funding opportunities available to the forest-based sector, the use of which could be further</p>

<p>programmes, in addition to earlier tools relating mainly to the common agricultural policy; besides the CAP, the forest sector must also be able to make use of specific resources under Horizon, LIFE+, Erasmus+ the Structural Funds and the Solidarity Fund.</p>	<p>stimulated.</p>
<p>(8.1.) Forests have a key role to play in the development of Europe’s bioeconomy and biodiversity and that of its regions and in the transition to a low-carbon, green economy. Local and regional governments could contribute to, among other things, regional sustainable development plans, bioeconomy strategies, education, ecologically sustainable construction, carbon sequestration in long-life wood products, renewable energy deployment and the promotion of small to medium-sized enterprises entrepreneurship in the forest sector. <u>Where this is suitable, regional cooperation groups should be set up in the forest sector, which would include – in addition to forest enterprises, forest owners and regional and local governments – municipalities, regional authorities regional academies, universities and NGOs, as well as private businesses in sectors that use forest-based raw materials and products.</u></p>	<p>The common agricultural policy provides options that can cater the needs expressed in the opinion, through e.g. the cooperation measures under rural development.</p>
<p>(8.2.) Many of Europe’s rural regions suffer from depopulation and jobs losses. A shift towards forest-based products, in construction and energy production for example, would generate employment and tax revenues for sparsely populated regions too. The same is true of the wider green economy, where forests are also an important asset for tourism, biodiversity, recreation and citizens’ wellbeing. As the EU’s third largest employer (with over 3.5 million jobs), the forestry sector has a</p>	<p>Multifunctionality for the provision of multiple goods and services is among the principles of the EU Forest Strategy. The EU is supporting Member States for revitalising rural areas through the common agricultural policy’s rural development pillar, the bioeconomy strategy, the research and innovation agenda, and other policy tools, including by encouraging the development of payment schemes for ecosystem services as promoted in the EU Biodiversity Strategy. The Commission proposal for the future common agricultural policy envisages addressing more</p>

<p>significant effect on Europe's social and territorial convergence. <u>The Forest Strategy must also allow for the development of all forest-based ecosystem goods and services, in order to give a fresh start to and support the economy.</u></p>	<p>explicitly the three pillars of sustainable development, giving more freedom and flexibility to address specific needs identified by Member States.</p>
<p>8.3. The expected increase in demand for wood and biomass must go hand-in-hand with sustainable forest management, which in public forests can be certified by the forest administration and in private forests by private certification mechanisms.</p>	<p>The Commission takes note.</p>
<p>(8.4.) Different administrative levels should work together: good practices and results at regional level should influence how the EU and Member States allocate funding to promote innovation and technology in the forest sector, and to link up the different ways in which forests are used. This could also create workable and more accessible financial tools for regions in order to develop the forest sector. New, well-targeted measures are needed in the forest sector in order to achieve the objective of a carbon-neutral Europe by 2050. The tasks and powers of local and regional authorities vary between Member States, but everywhere a comprehensive and consistent strategic approach should be sought that brings together the common goals and needs of different levels with respect to matters including infrastructure, information systems and information sharing, as well as authorities' tasks such as issuing permits and oversight. All Member States and sectors of the economy should contribute to achieving the CO₂ emission reduction targets balancing considerations of fairness and solidarity.</p>	<p>The EU Forest Strategy has, among its objectives, the promotion of coordination, communication and knowledge transfer. The Standing Forestry Committee has a role for ensuring 'closer and more constant cooperation', where this includes 'exchange of information between Member States on forestry situations and developments and the various Community policies affecting the forestry sector'. In this respect, the Commission agrees on the advantages of a bottom-up approach for spreading good practices and results. While respecting subsidiarity and the role of national authorities in this respect, the Commission will further reflect on how local and regional experience and expertise could be further brought into EU fora and the governance of the EU Forest Strategy. In this respect, the Commission takes note of the Committee's recent report on sustainable forest management in regions.</p>
<p>(8.5) Considers that improved</p>	<p>This observation is in line with the findings of</p>

<p>communication regarding the importance of the sustainable management of forest areas, together with the possibility of extending, implementing and coordinating information campaigns on the multifunctional nature of forests and the many economic, social and environmental benefits provided by forest management, is becoming a shared requirement at all institutional levels of the EU.</p> <p>+ (11) Education and communication (full text).</p>	<p>the review of the EU Forest Strategy. Steps have already been taken, such as organising the Conference ‘Our Forests, Our Future’, which took place in Brussels on 25-26 April 2019. It also invites local and regional authorities to enhance their communication efforts and national activities, and make best use of EU funding opportunities in addressing these needs.</p>
<p>(9.2.) The CoR takes note of the Commission’s observation that, in terms of biodiversity, the desired progress has not been achieved, despite major efforts to preserve different types of forests and habitats, including through the Natura 2000 network and the Birds and Habitats Directives. The Commission should provide a more detailed assessment of where results have been achieved, what instruments would be needed to achieve positive developments and whether the measures have been balanced in terms of the prevalence and rarity of forest habitats across the whole of the EU, with a special focus on regions where the greatest wealth of species is concentrated, as is the case in the outermost regions. Fund research on the wide-scale assessment of the state of forests and their ecosystem services especially in new Member States. This should all be done with a view to maintaining and consolidating environmentally valuable natural heritage, by developing existing ecological networks.</p>	<p>In December 2016, the Commission published the results of its fitness check of the Nature Directives⁹, which concluded that both directives are fit for purpose but that full achievement of their objectives will depend on substantial improvement in their implementation, working in cooperation with different stakeholder communities in Europe.</p> <p>The 2015 State of the Environment Report showed that the conservation status of EU habitats and species included in the Habitats Directive¹⁰ remains unfavourable for a high proportion of species (60%) and habitats (77%), and forest habitats and species did not escape this worrying situation. The next State of the Environment Report, to be issued in 2020, will shed more light on the situation of biodiversity in Europe, including in forests.</p> <p>To improve the implementation of the Nature Directives the Commission has adopted and is implementing the EU Action Plan for nature, people and economy.</p> <p>Within the frame of the EU Biodiversity Strategy there are actions targeting the outermost regions through the Voluntary scheme for Biodiversity</p>

⁹ http://ec.europa.eu/environment/nature/legislation/fitness_check/index_en.htm

¹⁰ Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora, OJ L 206, 22.7.1992, p. 7–50.

	and Ecosystem Services in Territories of European Overseas (BEST Partnership).
<p>9.3. Forests have a key role to play in tackling climate change, through sequestration, storage and substitution of CO2 emissions. Climate impacts must be made a cross-cutting theme of sustainable forestry, in which the possibilities of forests are considered in a comprehensive way: how fossil-based construction materials and fossil fuels and their related products can be replaced; how forest management affects carbon sequestration; and consequently how to encourage/compensate owners who practise sustainable forest management (SFM) compared to those who do not; what threats climate change poses to forests; how the potential for growing endemic tree species can be ensured and to what extent non-native tree species can be used in a compensatory way, etc.</p>	<p>The Commission shares the views that forests have an essential role to play in climate change mitigation, while being directly affected by the changing climate. The role and challenges for forests is acknowledged in the Commission’s long-term strategic vision for a climate neutral economy – the ‘Clean planet for all’ communication.</p>
<p>(9.4.) The CoR calls on the European Commission to fully involve regions and local authorities in implementing the Effort Sharing Regulation (ESR) and the LULUCF regulation¹¹, setting emission reduction targets for 2030 and developing concrete initiatives to achieve them.</p>	<p>The Commission agrees that regional implementation is key to implementing forestry-related policy addressed by the effort sharing Regulation and land use, land-use change and forestry (LULUCF) Regulation, for which emission reduction (and removal enhancement) targets are already established. The development of concrete initiatives, for example through the future common agricultural policy’s capability to reward performance in terms of carbon balance, or the identification and certification of ‘carbon-farming’ eco-schemes, is an avenue of strong interest. Through Horizon 2020 and the LIFE programmes, the Commission finances numerous projects that test innovative technologies to decrease emissions and increase removals in the effort sharing Regulation and land use, land-use</p>

¹¹ Regulation (EU) 2018/842 of 30 May 2018 – Decision No 406/2009/EC of the European Parliament and of the Council of 23 April 2009, <https://unfccc.int/topics/land-use/workstreams/land-use--land-use-change-and-forestry-lulucf>.

	change and forestry sectors, applicable at regional and local scales.
<p>9.5. Climate change and loss of forest diversity may expose large areas of forests to fire, storm, disease and pest-related damage. Given such eventualities, administrative decisions must always weigh up the alternative risks of not acting. Preparations should be made for such eventualities by maintaining up-to-date legislation to support forest planning and prevent such damage, and through funding which could be earmarked for preventing damage, managing emergencies and devastated areas, promoting restoration and reforestation, and for offsetting the economic problems facing large disaster-stricken regions. In this regard there is a need to fund at regional level a hazard map of potential risks. Active forestry management can serve as a valuable early warning and preventive tool in improving the health of forests.</p>	<p>The Expert Group on Forest Fires is currently working on a guidance document for land-based forest fire prevention, taking into account the challenging developments and involving Member State experts to provide input on this topic.</p>
<p>(9.8.) An EU Action Plan on deforestation and forest degradation is urgently needed, in line with the request made by the European Parliament and key stakeholders, in order to further assess the environmental impact of the consumption of products and raw materials in the EU likely to contribute to deforestation and forest degradation outside the EU. Hence, the CoR asks the new European Commission to include this request amongst its political priorities.</p>	<p>To address this important issue, the European Commission adopted on 23 July 2019 an EU Communication on Stepping up EU Action to Protect and Restore the World’s Forests.¹² The Communication has the objective of protecting and improving the health of existing forests, especially primary forests, and significantly increasing sustainable, biodiverse forest coverage worldwide.</p>
<p>(10.4) It would be crucial to foster national and regional cooperation in the EU to facilitate the exchange of skills and bolster competitiveness of the regions. Strengthened</p>	<p>In view of the future reflections for a strategic framework post-2020, the Commission takes note of the suggestion to facilitate exchange of skills and strengthen expert networks for</p>

¹² COM(2019) 352 final.

networks would also hasten readiness to provide support as it comes to tackling of natural disturbances such as forest fires, storms, droughts and floods.	addressing certain specific challenges, in order to reflect on what can be done at the EU level.
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<p>N°3 <u>The space programme of the Union and the European Union Agency for the Space Programme</u> COM(2018) 447 final COR-2018-03640-00-00-PAC-TRA – ENVE-VI/036 132nd Plenary Session – December 2018 Rapporteur: Andres JAADLA (EE/ALDE) DG GROW – Commissioner BIENKOWSKA</p>	
Points of the Committee of the Regions opinion considered essential	European Commission position
Summary points/Policy recommendations/General comments and Analysis	
<p>Supports the European Commission's vision of the EU Strategy for Space, and its implementation through the establishment of the Space Programme of the EU. A unified and integrated Space Programme with an increased budget of 16 billion euro will give rise to increasing synergies between fields such as space and energy, space and digitalization and many more, allowing regions to fulfil their important role.</p>	<p>The Commission welcomes and shares the Committee's analysis that the EU space programmes will lead to stronger synergies between space and other policy areas, such as energy, digitisation, but also agriculture, transport, safety, and security. Regions play an important role in many of those policy areas and space-enabled services can make public services more efficient and useful for citizens and businesses.</p>
<p>2. Stresses that the emphasis in the proposal on management procedures for cooperation between the European Union, the European Union Agency for the Space Programme, the Member States and the European Space Agency, should ensure that there is no duplication and should not reduce efforts for a more ambitious European Union space industrial policy.</p>	<p>The governance proposed in the Regulation does not deviate strongly from the existing situation for European Global Navigation Satellite Systems (EGNSS) and Copernicus, and maintains an important role for the European Space Agency.</p> <p>New tasks of European Union Agency for the Space Programme (EUSPA) are related to the new components, in particular for Governmental Satellite Communications (GOVSATCOM) user coordination and security, or to tasks which do not duplicate current European Space Agency (ESA) tasks, such as user-uptake, promotion and awareness-raising, and security accreditation for all components where relevant.</p> <p>Therefore, the Commission considers the proposed governance principles balanced and</p>

	<p>consistent with the ambitions expressed in the Space Strategy for Europe¹³, regarding industrial competitiveness and industrial policies.</p>
<p>3. Calls on the European Commission to further clarify and elaborate on the concept and creation of space hubs and innovation partnerships, more specifically on the financial and management responsibilities of different actors, and underlines that such initiatives can be especially relevant for regions, including regions involving more than one Member State.</p>	<p>The Commission has commissioned a study (which is ongoing) to support the analysis, mapping and characterisation of space hubs in the EU.</p> <p>The study is expected to provide useful input for the successful establishment and sustainability of a space hub, including the importance of having a sound operational capability (e.g. a dedicated and capable management team) and financial capacity (i.e. a space hub should be financially sustainable and should demonstrate the pursuit of non-EU funding at regional and/or local level).</p>
<p>4. Calls on the European Commission to add clearer proposals on how to increase the use of Earth observation data and technologies by national, regional and local authorities, small and medium-sized enterprises, scientists, researchers and dedicated networks for Copernicus data distribution so that these bodies have the ability and the opportunity to transform data into information that is of use to citizens.</p>	<p>One of the main objectives of the draft regulation is to ‘maximise the socio-economic benefits, including by promoting the widest possible use of the data, information and services provided by the Programme’s components’ (Article 4.1.b).</p> <p>In Copernicus, the Commission has already put in place various support mechanisms, such as the networks of Copernicus Relays and Copernicus Academies, the Copernicus start-up and Copernicus skills programmes. Such measures will continue in the next phase of the programme where the Commission proposes new elements specifically dedicated to ‘user uptake and market development [...] which shall include relevant activities, resources and services to promote Copernicus, its data and services at all levels to maximise socio-economic benefits...’ (Article 48.3d). This is a novelty</p>

¹³ COM(2016) 705 final.

	<p>in comparison to the current Copernicus Regulation¹⁴, which reflects the increasing attention devoted to user uptake, market development and capacity building measures to accompany the exponential growth in Copernicus data and service products.</p> <p>In order to achieve a vibrant and sustainable EU space ecosystem, additional actions are also envisaged in the domain of research and innovation, through the Framework Programme for Research Horizon Europe, and in the InvestEU programme.</p>
<p>5. Underlines the importance of awareness-raising and an inclusive space policy which offers many benefits for science, research and development and inspires the younger generation.</p>	<p>The Commission attaches great importance to awareness raising and an inclusive space policy. The Commission is working to increase public awareness on all European space activities. Together with the European Global Navigation Satellite Systems Agency (GSA), the Commission already implements a number of awareness raising activities, including such targeting the younger generations as suggested by the Committee. This effort will be further reinforced with the new regulation.</p> <p>By envisaging the possibility to entrust new tasks related to ‘communication, promotion, and marketing of data and information, as well as other activities related to user uptakes’ to the European Union Agency for the Space Programme (EUSPA), the draft regulation further reinforces those aspects, by providing a more operational framework for implementation and reinforcing possibilities for synergies between different components of the Space programme.</p>
<p>11. Welcomes the increased funding for the Space Programme, to assure the</p>	<p>The Commission welcomes the Committee’s support for the continuation of the existing</p>

¹⁴ Regulation (EU) No 377/2014 of the European Parliament and of the Council of 3 April 2014 establishing the Copernicus Programme and repealing Regulation (EU) No 911/2010.

<p>continuation and further development of the European flagship Space Programmes Copernicus, Galileo and EGNOS, while also adding two new initiatives, namely SST and GOVSATCOM.</p>	<p>flagships and for the new initiatives: space and situational awareness (SSA) and Governmental Satellite Communications (GOVSATCOM).</p>
<p>20. Despite provisions in the proposal, the competitive nature of EU procurement and the skills and resources required for participation can lead to conditions that are advantageous to larger corporations. This imbalance could in time lead to market distortions that may disadvantage start-ups, new entrants, and small and medium-sized enterprises, as well as local and regional authorities in accessing the economic opportunities that may arise from the space programme.</p>	<p>The Commission supports the participation of all small, medium and larger businesses, from all Member States and regions of the Union in the space programme actions.</p>
<p>26. The Regulation should better explain how the EU intends to deal with commercial suppliers, in particular in the context of security-related data. It should in general better specify priorities and the means of dealing with private entities and recognise possibilities for joint procurement with private entities.</p>	<p>The Commission shares the analysis that the private sector is becoming more important in the space sector.</p> <p>A recent joint Commission-European Investment Bank study analyses the opportunities and the best approach to further investments in space by private companies, small and medium-sized enterprises and start-ups.</p>
<p>29. Synergies in the field of cyber security should be found, as cyber security is an issue for all aspects of space activities (ground segment, satellite, uplink/downlink and data).</p>	<p>The Commission shares the view that cyber security is an important issue for the space infrastructure. Therefore, the draft Space Programme regulation¹⁵ strengthens the security aspects, including cyber security, by introducing a common security policy and framework for all four components, with a security accreditation based on component-specific security requirements, to be established by implementing acts. The new Agency for the Space Programme (EUSPA) will have an important role in the security</p>

¹⁵ COM(2018) 447 final

	aspects of the Space Programme.
<p>30. Galileo, the EU global satellite navigation system (GNSS), provides free position data that gives Europe strategic autonomy. EGNOS provides a regional European system. European autonomy is essential in today's complicated and unpredictable geopolitical environment. The importance of satellite data is constantly increasing. Technologies of the future, such as self-driving cars, are just one example. Galileo provides the possibility to develop new services and products, including by small and medium-sized enterprises and in all Member States. Such possibilities and ways to profit from them need to be presented in an accessible manner, to encourage widespread use.</p>	<p>The Commission shares the Committee's view that the Space Programme can enhance the strategic autonomy of the Union. This is also set out in the objectives of the Programme (Article 4(1)(c)).</p> <p>The current EU space programmes, satellite navigation (Galileo/ European Geostationary Navigation Overlay Service (EGNOS)) and earth observation (Copernicus) programmes are already providing space-enabled data and signals, which are openly available and free-of-charge, so that entrepreneurs can develop new products and services. The Commission promotes the development of downstream applications through the Horizon 2020 Programme, targeting specifically small and medium-sized enterprises. The Commission is also supporting a dedicated 'start up programme', supporting start-ups, would-be entrepreneurs, and innovators, for example with the Galileo and Copernicus Masters competitions for ideas coming from more than 20 regions across the EU.</p>
<p>31. The use of data from Copernicus is not as widespread as it could be, even if the data is free to use. Measures are needed to promote the use of data to a wider community. The Regulation mentions the chain of data that would support wider use. With very many users and a high volume of data, rapid and secure access is essential. This is of great importance to regions, as enterprises everywhere, including small and medium-sized ones, may develop new services based on the available data.</p> <p>32. It is positive that measures are proposed to provide Data and Information Access Services (DIAS). More targeted</p>	<p>In addition to the flanking measures in support of user uptake and market development (see point 4 above), the Commission proposes a dedicated component of the Copernicus programme to focus on data and information access and distribution. The objective is to facilitate access and use of the Copernicus data and information products through the conventional data hubs as well as through the new cloud platform services launched with the Copernicus DIAS (data and information access services). Such actions will bring the data closer to the users, enabling a faster, easier and more user-friendly access. Users will be able to work with the data in cloud environments without</p>

<p>support by the EU and national sources for the development of the downstream sector for satellite-based services and applications would be important. The necessity to promote and facilitate the use of Earth observation data and technologies by local authorities, small and medium-sized enterprises, scientists, researchers, dedicated networks for Copernicus data distribution, national and regional bodies has been recognised in the proposal, but it remains unclear how this will be achieved.</p>	<p>the need to download huge amounts of data, combine it with other sources of data and innovate with the data to create new downstream applications and value-added services. This is expected to boost the use of the data by various types of users: public actors, private companies, small and medium-sized enterprises, start-ups, scientists and researchers.</p>
<p>33. The proposal for a Space Surveillance and Tracking System (SST) is an important and useful addition, given the increased intensity of space use.</p> <p>34. In the provisions on the scope of the SST, the wide involvement of stakeholders in all parts of the EU should be made clear, including the use of existing solutions, which may include commercial. solutions, in order to quickly and efficiently provide services to SST users.</p>	<p>The Commission welcomes the support of the Committee for the Surveillance and Tracking System (SST).</p> <p>Private entities are already involved through sub-contracting in the current Surveillance and Tracking System framework. However, the direct involvement of private entities is constrained by the dual nature of the assets involved in this system.</p>
<p>35. GOVSATCOM will directly serve the needs of Member States that have not had the capacity to develop their own space systems, thereby creating direct added value for the action of the EU.</p> <p>36. For some regions, for example, border regions, GOVSATCOM may be particularly relevant. This is initially done primarily via Member States but perhaps later (after the evaluation of 2024) directly for the regions that may be able to contribute to the work of the Agency.</p>	<p>The Commission shares the view that the regional dimension is important for the Governmental Satellite Communications (GOVSATCOM). Different regions are faced with different safety and security issues, and the users of Governmental Satellite Communications services may well be regional authorities.</p>
<p>37. Access to space is important for activities such as GNSS, Copernicus and Galileo. Europe should have autonomous and independent access to space, to ensure</p>	<p>The Commission shares the opinion that independent access to space is one of the corner stones of the EU space policy.</p> <p>Therefore, the Commission proposes to</p>

sustainability. It is expensive and complicated to start launching activities with significant barriers to entry, which means that ways to support modern, efficient and flexible launch infrastructure facilities should be considered.

38. Such means may include, for example, the establishment of an adapted procurement policy for European institutional launches, as well as a coherent policy on the viability of critical infrastructure. The possibility of aggregation of launches, the development of alternative launching technologies, and support for ground infrastructure should be clearly mentioned in the Regulation.

support activities leading to the aggregation of launching services, development activities for access to space, and adaptations to ground infrastructure, as needed for the EU Space Programme.

N°4 [Proposal for a Regulation on the European Border and Coast Guard](#)
[COM\(2018\) 631 final](#)
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133rd Plenary Session – February 2019
Rapporteur: Anna MAGYAR (HU/EPP)
DG HOME – Commissioner AVRAMOPOULOS

Points of the European Committee of the Regions opinion considered essential

European Commission position

Article 2 (16)

'operational staff' means border guards, return escorts, return specialists and other relevant staff constituting the "European Border and Coast Guard standing corps". In accordance with the *four* categories defined under Article 55(1), operational staff is either employed by the European Border and Coast Guard Agency as statutory staff (category 1), seconded to the Agency by the Member States (category 2) or provided for short term deployment *or for rapid reaction interventions* by the Member States (*categories 3 and 4*). Operational staff is to act as members of border management teams, migration management support teams or return teams. *Category 2, category 3 and category 4 staff may exercise* executive powers. Operational staff also includes the statutory staff responsible for the functioning of the central unit of ETIAS;

In line with the Committee's suggestion, during the negotiations between co-legislators, fourth category has been added to the operational staff of the Agency as a 'Reserve for rapid reaction for rapid border interventions'. The staff of these three categories may exercise executive power if applicable.

Article 3 (a)

(a) border control, including measures to facilitate legitimate border crossings and, where appropriate, measures related to the prevention, detection *and stopping* of cross-border crime, such as migrant smuggling, trafficking in human beings and terrorism, and measures related to the referral of persons who are in need of, or wish to apply for, international protection;

Even though the European Border and Coast Guard (EBCG) Agency has certain responsibilities in the field of law enforcement, it should be noted that stopping cross-border crime goes beyond its mandate and there are other relevant entities to deal with it.

This proposal was not retained in the final compromise text by the co-legislators.

Article 8 (4), (6) and (7)

(4) ***By [tbc] the Commission shall present the European Parliament and the Council with a draft multiannual strategic policy for the first multiannual strategic policy cycle based on the strategic risk analysis for European Integrated Border Management referred to in Article 30(2). Within [tbc] of its presentation by the Commission, a meeting between the European Parliament, the Council and Commission shall be convened to discuss the draft multiannual strategic policy. Following that discussion,*** the Commission shall be empowered to adopt delegated acts in accordance with Article 118 developing a multiannual strategic policy for European Integrated Border Management. That delegated act shall define policy priorities and provide the strategic guidelines for the following four years in relation to the components set out in Article 3.

(...)

(6) In order to implement the delegated act referred to in paragraph 4, the Member States shall establish their national strategies for integrated border management through close cooperation between all national authorities responsible for the management of borders and return ***and in consultation with relevant regional and local authorities of the sub-national territories concerned.*** Those national strategies shall be in line with Article 3, the delegated act referred to in paragraph 4 and the technical and operational strategy referred to in paragraph 5.

(7) Forty-two months after the adoption of the delegated act referred to in paragraph 4, the Commission shall carry out, with the support of the Agency, a thorough evaluation of its implementation. The results of the evaluation

The preparatory process proposed by the Committee is generally in line with the regular preparation of delegated acts, giving an equal standing to the three institutions.

However, during the negotiation in which Council strongly opposed the delegated act, an agreement was found on a different mechanism where the Commission shall prepare a policy document developing a multiannual strategic policy for European Integrated Border Management. The Commission shall submit it to the European Parliament and the Council for discussion. Following that discussion, the Commission shall adopt the communication establishing the multiannual strategic policy for European Integrated Border Management.

As the consultation of relevant regional and local authorities of the sub-national territories concerned is a national prerogative, this proposal was not retained in the final compromise text by the co-legislators.

The Commission takes note of the Committee's proposal. Following the negotiations, only the communication to the European Parliament and to the Council was kept by the co-legislators.

<p>(a) Category 1: operational staff members of the Agency recruited in accordance with Article 94 (1) and deployed in operational areas in accordance with Article 56;</p> <p>(b) Category 2: operational staff seconded from Member States to the Agency for a long term duration as part of the standing corps; in accordance with Article 57;</p> <p>(c) Category 3: operational staff from Member States provided to the Agency for a short term deployment as part of the standing corps in accordance with Article 58;</p> <p>(d) Category 4: operational staff of the rapid reaction pool.</p>	
<p>Article 64(6)</p> <p>If the minimum number of items of technical equipment proves to be insufficient to carry out the operational plan agreed for such activities, the Agency shall revise it and make sure those items are available, on the basis of justified needs and of an agreement with the Member States.</p>	<p>The Commission takes note of the Committee's proposal. It is however unclear how the Agency could ensure such availability.</p> <p>This proposal was not retained in the final compromise text by the co-legislators.</p>
<p>Article 84(1) new (e)</p> <p>(c) a recent digitised photograph;</p> <p>(d) tasks authorised to be performed during the deployment; and</p> <p>(e) a specific identification number.</p>	<p>It is not clear what this number would be representative for or what it is supposed to indicate, who will be responsible for issuing such a number and to verify its authenticity.</p> <p>This proposal was not retained in the final compromise text by the co-legislators.</p>
<p>Article 102 (4-6)</p> <p>4. Ireland shall be invited to attend the meetings of the management board as an observer.</p> <p>5. The United Kingdom shall be invited as an observer to attend the meetings of the management board taking place before the date of withdrawal of the United Kingdom from the Union.</p>	<p>The Commission takes note of the Committee's proposal. However, it is evident that anyone attending the management board that is not listed in Article 99 has no right to vote.</p> <p>This proposal was not retained in the final compromise text by the co-legislators.</p>

<p>6. Representatives of the European Union Agency for Asylum and EUROPOL shall be invited to attend the meetings of the Management Board <i>as observers</i>. The management board may also invite a representative of relevant Union institutions, bodies, offices and agencies <i>to act as observers</i>.</p>	
<p>Article 116 (1) (c) the implementation of European cooperation on <i>border and</i> coast guard functions;</p>	<p>European cooperation on coast guard functions is a specific element of the mandate of the Agency and should be maintained. This proposal was not retained in the final compromise text by the co-legislators.</p>
<p>Policy recommendations</p>	
<p>1. reiterates the need to strengthen the supportive role and mandate of the European Border and Coast Guard Agency (hereafter: Agency), notably as regards cooperation with third countries, with a view to ensuring the effective protection of the EU's external borders and in order to step up significantly the effective return of illegal migrants. At the same time, it points out that an expanded mandate brings the need to strengthen safeguards to ensure that all its actions fully respect fundamental rights and the international obligations of the EU and its Member States, in particular the principle of non-refoulement, and to avoid the Agency's involvement in any operation in which fundamental rights compliance could not be ensured</p>	<p>The Commission proposal provides for a balanced approach in this respect; besides, in the course of negotiations with the co-legislators, some additional safeguards regarding fundamental rights and the role of the fundamental rights officer have been proposed.</p>
<p>2. recognises that the effective control of the EU's external borders is an important integral part of a comprehensive EU policy on migration, and in this context the proposed reinforcement of the European Border and Coast Guard may be necessary; underlines</p>	<p>The Commission's initiatives in managing migration, including border management, follow a comprehensive approach in line with which migratory challenges are addressed from the point of view of different policy aspects supported by the relevant</p>

<p>however, as stated in the recent CoR opinion on the asylum and migration fund, that the growth of financial and operational resources for border protection must be matched by corresponding efforts to enhance the other aspects of the EU's migration policy in order to guarantee a balanced approach;</p>	<p>financial instruments; the aim is to naturally align all these initiatives.</p>
<p>9. stresses the fact that the protection of external borders is a joint competence of the EU and Member States; the proposal should ensure that the EC oversees the coordination and control of the external borders of the Union;</p>	<p>The Commission proposal, just as the current European Border and Coast Guard (EBCG) Regulation, does not change the prerogatives of the Member States to carry out border management, which is a shared responsibility between the Member States and the EBCG Agency as the two pillars of the European Border and Coast Guard.</p> <p>The new Regulation will streamline the effectiveness of the European Integrated Border Management and its policy cycle.</p>
<p>10. recognises as necessary that obligations are laid on the Member States to contribute to the Agency's joint operations, but is concerned about the proposal to create a standing corps of up to 10 000 operational staff, as the deployment of national border guards and national staff to the Agency may result in a possible brain drain; underlines that the creation of such new structures must not place an additional burden on local and regional authorities, especially in border regions; or endanger the performance of tasks carried out at the external borders by existing national, regional or local structures, and therefore proposes a more realistic and gradual establishment of the standing corps in Annex I;</p>	<p>The Commission acknowledges the practical difficulties of putting in place the full 10 000 standing corps by 2020. A gradual but swift establishment could therefore be acceptable, as it would provide an immediate boost to the EU's collective ability to protect the external borders and effectively carry out returns from the EU.</p>
<p>11. is concerned about the lack of an appropriate assessment of several aspects of the proposal's impact, including its potential territorial impact of and finds it necessary to explore the possible ways in which the</p>	<p>The Commission takes note of the Committee's proposal.</p>

<p>supportive role of the Agency could be ensured in the most cost-effective way. Such an impact assessment should also reflect on the financial implications in both normal and crisis situations, as well as the complex legal issues which could arise in particular with regard to operations outside the EU territory;</p>	
<p>12. stresses the multi-actor framework in which border management takes place and the role that the local and regional level can have within this framework, as reflected in Article 22. Notes, in this context, that the local and regional authorities concerned (such as those managing border and coastal regions) should be properly involved in the exchange of information, especially as regards the national coordination centres (Article 21) and in the preparation of national strategies for integrated border management (Article 8);</p>	<p>The Commission encourages the involvement of regional and local authorities, in particular regarding cooperation and exchange of information, under the responsibility of the competent national authorities.</p>