

**FOLLOW-UP PROVIDED BY THE EUROPEAN COMMISSION**  
**TO THE OPINIONS OF THE**  
**EUROPEAN COMMITTEE OF THE REGIONS**  
**PLENARY SESSION OF MARCH 2021**  
**95<sup>th</sup> REPORT**

N°	TITLE / LEAD DG	REFERENCES
<b>DG REGIO</b>		
1.	<a href="#"><u>Regulation on establishing a Brexit Adjustment Reserve</u></a>  Rapporteur-General: Loïg CHESNAIS-GIRARD (FR/PRES)	COM(2020) 854 final COR-2021-00718-00-00-AC-TRA ECON-VII/013
<b>DG GROW</b>		
2.	<a href="#"><u>Action Plan on Critical Raw Materials</u></a>  Rapporteur: Isolde RIES (DE/PES)	COM(2020) 474 final COR-2020-01703-00-00-AC-TRA ECON-VII/011
<b>DG TRADE</b>		
3.	<a href="#"><u>Trade Policy Review</u></a>  Rapporteur: Willy BORSUS (BE/RE)	Own-initiative COR-2020-03380-00-00-AC-TRA ECON-VII/010
<b>DG ENER</b>		
4.	<a href="#"><u>A Renovation Wave for Europe - greening our buildings, creating jobs, improving lives</u></a>  Rapporteur: Enrico ROSSI (IT/PES)	COM(2020) 662 final COR-2020-02786-00-00-AC-TRA ENVE-VII/008
<b>DG EMPL</b>		
5.	<a href="#"><u>Adequate minimum wages in the European Union</u></a>  Rapporteur: Peter KAISER (AT/PES)	COM(2020) 682 final COR-2020-05859-00-00-AC-TRA SEDEC-VII/014
<b>DG EAC</b>		
6.	<a href="#"><u>Achieving the European Education Area by 2025</u></a>  Rapporteur: Emil BOC (RO/EPP)	COM(2020) 625 final COR-2020-04756-00-00-AC-TRA SEDEC-VII/012

<b>DG HOME</b>		
<b>7.</b>	<p><a href="#"><u><b>New Pact on Migration and Asylum</b></u></a></p> <p>Rapporteur: Antje GROTHEER (DE/PES)</p>	<p>COM(2020) 758 final  COM(2020) 609 final  COM(2020) 610 final  COM(2020) 611 final  COM(2020) 612 final  COM(2020) 613 final  COM(2020) 614 final</p> <p>COR-2020-04843-00-00-AC-TRA</p> <p>CIVEX-VII/005</p>
<b>DG MARE</b>		
<b>8.</b>	<p><a href="#"><u><b>A new approach to the Atlantic maritime strategy – Atlantic action plan 2.0</b></u></a></p> <p>Rapporteur: Paula FERNANDEZ VIANA (ES/RENEW E.)</p>	<p>COM(2020) 329 final</p> <p>COR-2020-04163-00-00-AC-TRA</p> <p>NAT-VII/012</p>

<p><b>N°1 Proposal for a Regulation establishing a Brexit Adjustment Reserve</b>  <b>COM (2020) 854 final</b>  <b>COR-2021-00718 – ECON-VII/013</b>  <b>143<sup>rd</sup> plenary session – March 2021</b>  <b>Rapporteur: Loïg CHESNAIS-GIRARD (FR/PES)</b>  <b>DG REGIO – Commissioner FERREIRA</b></p>	
<p><b>Points of the European Committee of the Regions opinion considered essential</b></p>	<p><b>European Commission position</b></p>
	<p>The Commission welcomes the Committee’s opinion as a contribution to the legislative process towards the adoption of the draft regulation and takes note of its comments and concerns. Certain points deserve some reaction or clarification that the Commission is happy to provide hereunder.</p>
<p>4. Calls for the additional amounts made available in the second stage in accordance with Article 11 to be increased by EUR 1 billion in order to better respond to medium-term needs, in line with its call for the eligibility period for the BAR to be extended.</p>	<p>The Commission is fully aware that the adverse impact of the withdrawal of the United Kingdom from the Union on Member States, sectors, regions and communities would be substantial and would probably exceed the €5 billion in 2018 prices. However, it is not in the remit of the Commission to increase the amount of €5 billion (in 2018 prices) agreed by the co-legislators and endorsed in the regulation laying down the EU's multiannual financial framework (MFF) for the years 2021-2027<sup>1</sup>.</p>
<p>5. Highlights the exposure of the fisheries and seafood sector, for which there will be a transition period of five and a half years. In addition to the new constraints common to all European sectors, the fisheries sector is facing a direct threat to an entire segment of its activities. This situation requires an impact assessment that reflects regional realities as closely as possible, without national indexation. It is crucial to achieve a fairer financial distribution between the European regions affected, irrespective of the size of the Member</p>	<p>The Commission agrees with the Committee that the fisheries sector is one of the sectors most directly and immediately affected by the agreement between the European Union and the United Kingdom and with a specific political dimension. However, Brexit will affect Member States and many sectors in different ways and to a different extent. The Commission proposes to take into account the fisheries sector as a component to calculate the distribution of the first allocation. The Commission considers that in order to capture the vulnerability of the fisheries sector in the</p>

<sup>1</sup> <https://eur-lex.europa.eu/eli/reg/2020/2093/oj>

<p>State.</p>	<p>aftermath of Brexit, the allocation method needs to combine both the value of catches in United Kingdom Exclusive Economic Zone waters and the dependency of the Member States' fishery sector on these catches, taking into account two elements:</p> <ul style="list-style-type: none"> <li>• for the value of fish caught in United Kingdom Exclusive Economic Zone waters for the 2015-2018 period, the share of each Member State in the EU-27 total is calculated;</li> <li>• for each Member State, the value of catches in United Kingdom Exclusive Economic Zone waters is expressed as percentage of the total value of catches by that Member State in the EU-27 waters. The percentages per Member State are compared to the EU-27 average percentage and expressed as an index of that average (index of dependency). This index figure is used to modulate the initial shares of the value of fish caught in United Kingdom Exclusive Economic Zone waters. The shares of Member States having a higher dependency on catches in United Kingdom Exclusive Economic Zone waters than the EU-27 average dependency will increase by means of this modulation, whereas the shares of Member States having a lower dependency will decrease. This modulation is put into effect multiplying the initial share of the value of catches in United Kingdom Exclusive Economic Zone waters with the Member State's dependency index. The resulting modulated distribution key is rescaled to ensure that the sum of all Member States' shares equals 100%.</li> </ul>
<p>6. Would like local and regional authorities to be placed at the heart of the establishment of this new financial instrument. The Committee of the Regions recommends introducing criteria that take account of the regional intensity of the impact, and ensure a fair distribution of the</p>	<p>Firstly, the Commission agrees that the consultation, partnership and involvement of local and regional authorities are indeed important for the selection and implementation of the measures under the Brexit Adjustment Reserve. Hence, in order to reflect the territorial dimension of the</p>

resources based on the size of the economic impact on each region; As demonstrated by the Committee's studies on the consequences of Brexit, looking at impact only on a national level does not reflect its very localised intensity. Local authorities must be involved in impact assessments and the design of measures. This is all the more important given that, depending on their competences, local and regional authorities will need to pre-finance certain measures themselves, develop local strategies to mitigate the impact of Brexit and mobilise some of the European funds they manage. This involvement on the part of local and regional authorities will help to target needs and implement the Brexit Adjustment Reserve effectively.

14. Proposes that the Member States encourage the introduction of regional strategies in order to anticipate the timetable for implementing measures and changes in the medium term. This should be done in a way that is consistent with all relevant local and regional policies. At the time when the pre-financing is disbursed, the Member States should inform the European Commission of how they will ensure participation and consultation with local and regional authorities under a "partnership obligation".

15. Proposes that all provisions providing for the involvement of local and regional authorities should be made secure by means of a mechanism for informing the European Commission. Specifically, the Committee of the Regions recommends that, at the point when expenditure rises, the Member States should send the European Commission a new annex showing the breakdown of expenditure by sector and NUTS 2 region, including their contribution to climate and digital transition objectives. This quantitative and qualitative

impact of the withdrawal of the United Kingdom, the proposal contains references to the importance of 'regions, areas and local communities' (see in particular recital 5, Articles 5 and 10). Indeed, for contributing to economic, social and territorial cohesion, when designing support measures, Member States will have to take specifically into account the varied impact of the withdrawal on the regions and local communities and focus support on those most affected. In addition, in their implementation reports (Art.10 (2)(a) and (b)), Member States will have to describe the impact of Brexit on 'the regions and areas' most affected and how the measures they have taken alleviated 'the regional impact'.

Secondly, the Commission would like to clarify, that, in line with the conclusions of the European Council from July 2020<sup>2</sup>, enacted in the regulation laying down the EU's multiannual financial framework (MFF) for the years 2021-2027<sup>3</sup>, the Commission's proposal is addressed to Member States. Member States only are eligible under the Reserve and are responsible for the submission of the applications, the implementation and the management and control system, as well as for the collection of the necessary data.

Taking into account the above considerations, the Commission is of the opinion that it is for the Member States to decide on the processes of internal consultation and involvement of regional actors, while clearly setting up in the draft regulation the obligation for Member States to take into account the varied territorial impact of the withdrawal on the regions and local communities.

<sup>2</sup> <https://www.consilium.europa.eu/media/45109/210720-euco-final-conclusions-en.pdf>

<sup>3</sup> <https://eur-lex.europa.eu/eli/reg/2020/2093/oj>

<p>information will also contribute to the evaluation of the Brexit Adjustment Reserve and make it possible, prior to payment of the additional contributions made available in the second stage in accordance with Article 11, to assess how the Brexit Adjustment Reserve has been mobilised in each Member State and to ensure that the recommended partnership has indeed been implemented.</p>	
<p>7. Equally highlights the exposure of regions due to loss of trading opportunities with the UK and the fact that the TCA<sup>4</sup> does not fully meet the FTA<sup>5</sup> scenario. This impacts a wide range of sectors and has a cross value-chain effect, for example in tourism, hospitality and agri-food, translating to job losses on the ground. The Committee of the Regions appreciates that the impact is likely to have long-lasting socio-economic effects on communities across regions, and hence must be addressed immediately. Further highlights that the Brexit Adjustment Reserve is the only EU finance instrument dealing with Member States, regions and sectors suffering the adverse consequences of Brexit.</p>	<p>The Brexit Adjustment Reserve is an illustration of European Union solidarity: all Member States support those most affected Member States. Against this background, firstly, the Commission would like to underline that the allocation method, based on latest available, comparable official statistical data, was designed to take into account the level of impact of the withdrawal on the Member States and not at the level of regions.</p> <p>This method uses the interdependency between the Member States' economies and the United Kingdom economy as a reliable proxy. For this reason, the criterion on trade takes into account the actual value of exports and imports, but also the share of the Member States' Gross Domestic Product that it represents. Hence, the distribution method for the trade criterion combines the actual value of import and export from and to the United Kingdom with the relative importance of this trade as compared to the Gross Domestic Product of the Member State (index of dependency). Furthermore, the outcome of this combination is adjusted according to the relative level of prosperity of the Member State, measured as its Gross National Income / head level compared to the European Union average.</p> <p>Secondly, the Commission would like to clarify that the component of trade of goods and services of the allocation method for the first allocation in the form of a pre-financing covers all sectors of</p>

<sup>4</sup> The EU-UK Trade and Cooperation Agreement

<sup>5</sup> Free Trade Agreement

	<p>exchange between the United Kingdom and European Union Member States, including also the tourism sector for example. As the composition of national economies and the effects of the withdrawal on these economies differ between Member States, it is therefore up to Member States to identify and decide on the most affected economic sectors.</p>
<p>8. Calls for the eligibility period to be extended to June 2026, considering that European solidarity should not be limited to 2021 and 2022 and noting that there is no provision for resources to mitigate the impact of Brexit from 2023 on.</p> <ul style="list-style-type: none"> <li>- the Committee of the Regions highlights a major inconsistency between the length of the transitional period for the fisheries sector and the eligibility period of the Brexit Adjustment Reserve. Only an extension of the eligibility period for expenditure until June 2026 will allow the sector to be properly supported. While it is essential to have synergies with the EMFAF, the EMFAF will continue to be the structural instrument for implementing the common fisheries policy and cannot cater for the asymmetric territorial consequences of Brexit,</li> <li>- for the deployment of permanent control infrastructure, the Committee of the Regions notes that the health situation related to COVID-19 makes it impossible to measure real flows and make investments immediately;</li> <li>- some measures or investments may entail minimum preparation or implementation periods that do not allow for commitments or payments before 31 December 2022. The Committee of the Regions is referring here to both public procurement procedures and procedures to ensure that measures or investments comply with the EU or national rules in force (environmental impact</li> </ul>	<p>Firstly, the Commission proposes an eligibility period for implementing the measures, going from 1 July 2020 to 31 December 2022, i.e. 30 months. This proposal strikes the right balance between the need to act quickly and the need to support financially Member States as early as possible in the aftermath of the withdrawal of the United Kingdom from the Union. The Commission considers that the proposed eligibility period would give sufficient time to the Member States to set up and implement the specific necessary measures to counter the immediate consequences of the withdrawal. It also takes into account that some measures had to be taken before the transition period expired. Thus, the support from the Reserve will be focused on the immediate impact in the months leading up to and following the end of the transition period.</p> <p>The Commission also considers that an eligibility period until end of 2022 would allow the Commission to make the final additional payments to the eligible Member States as early as possible, already in 2024. Briefly, the architecture of the Brexit Adjustment Reserve is targeted to the extraordinary purpose and uncertainty in the immediate period after the end of the transition period to support Member States in the adjustment to the new situation. Therefore, the Commission cautions against the extension of the reference period up to 2026, which could dilute the purpose and funding and make the financial architecture and related derogations specific to a special, short-term instrument like the Reserve more prone to criticism.</p>

<p>assessments, planning permits, public inquiries, state aid notification procedures, etc.);</p> <p>- the Committee of the Regions stresses that the effects of Brexit vary across European regions and therefore warmly welcomes the flexibility given to the Member States to design measures that best meet their needs. It is important that measures can be developed both for industry, tourism, transport, research and innovation, and for the agricultural or agri-food sectors, according to local and regional needs. The Committee believes that the potential diversity of the reserve's areas of intervention must be made clear in the regulation to facilitate proper understanding and implementation of the fund.</p>	<p>Secondly, the Commission proposes, under article 5(1), a comprehensive yet non-exclusive list of types of eligible expenditure, including, for example, measures to support companies, sectors and communities adversely affected by the withdrawal, measures to support employment, and actions by the public administrations aimed at tackling the consequences for businesses and citizens. This means that Member States can support additional measures, as the ones recommended by the Committee, provided there is a link with the impact of the withdrawal of the United Kingdom from the Union, that such measures respect the applicable law and that double funding is avoided.</p>
<p>12. Considers that Member States should be given flexibility to define management systems: number of bodies and levels of management (national, regional or interregional). In return, Member States will need to justify their choice in terms of subsidiarity and, in particular, of capacity to respond to needs concentrated in certain regions and/or economic sectors that are more exposed; In any case, the regional level's participation in the management process must be ensured.</p>	<p>The Commission agrees with the Committee that Member States should be given flexibility to define their management and control systems for the implementation of the contributions from the Reserve. Therefore, in terms of management and control, the Commission proposes the implementation of the contributions from the Reserve under shared management between the Member States and the Commission, guaranteeing full respect of the principles of sound financial management, transparency and non-discrimination and the absence of conflict of interest. In doing so, the proposal strikes the right balance between keeping the management and control measures proportionate to the size and objective of the Reserve on the one hand, and assurance of legality and regularity of the expenditure on the other hand.</p> <p>In concrete terms, the Commission's proposal envisages one designated body responsible for the management of the financial contribution from the Reserve, one independent audit body and a single body to which the Commission pays the pre-financing, per Member State (article 13(1)(a) and (d)). In addition, in order to avoid arrangements that may be too burdensome, Member States could</p>

	<p>also roll over existing bodies designated and systems set up for the purpose of the management and control of cohesion policy funding or the European Union Solidarity Fund. In doing so, the Commission considers that it is entirely the prerogative of the Member States to design their systems and delegate tasks, in line with their institutional and governance structures and levels of management (national, regional or interregional).</p>
<p>18. Calls for provision to be made for flexibility with regard to state aid, to ensure rapid implementation of the measures and to provide the capacity to intervene in favour of the economic operators most heavily affected. The temporary arrangements made for COVID need to be extended to the direct impact of Brexit throughout the eligibility period for expenditure under the Brexit Adjustment Reserve. In the fisheries and agriculture sectors, the provisions applicable to the European Maritime Fisheries and Aquaculture Fund (EMFAF) and the European Agricultural Fund for Rural Development (EAFRD) must apply to the Brexit Adjustment Reserve.</p>	<p>The Commission takes note of the Committee's proposal to introduce specific exemptions to the state aid rules for the fisheries sector, and the sector for primary production of agricultural products. The Commission would reiterate its position that, pursuant to Article 5(4) of the proposal, the measures supported under the Reserve have to comply with applicable law, including State aid rules.</p> <p>At the same time, the Commission would like to inform the Committee that the Commission services provided the Member States, already in March 2021, with guidance on the types of aid measures that may be considered in this context, in the field of fisheries. The Commission services indicated to the Member States that, for a limited period, Member States might grant direct aid to fishers for their income loss related to the quota share reductions resulting from the European Union/ United Kingdom Trade and Cooperation Agreement.</p>

**N°2      Action Plan for Critical Raw Materials**  
**COM(2020) 474 final**  
**COR-2021-01703 – ECON VII/011**  
**143<sup>rd</sup> plenary session – March 2021**  
**Rapporteur: Isolde RIES (DE/PES)**  
**DG GROW – Commissioner BRETON**

**Points of the European Committee of the  
Regions opinion considered essential**

**European Commission position**

Given that this own initiative opinion is fully aligned with the Communication ‘Critical Raw Materials Resilience: Charting a Path towards greater Security and Sustainability’ presented in September 2020 and that the Commission agrees with the thrust of the opinion and also with most of the details, a reply is deemed not necessary.

The Commission welcomes in particular the points stressing the specific role of local and regional authorities in implementing the action plan on critical raw materials.

<p><b>N°3 Trade Policy Review</b>  <b>Own initiative opinion</b>  <b>COR-2020-03380 – ECON-VII/010</b>  <b>143<sup>rd</sup> plenary session – March 2021</b>  <b>Rapporteur: Willy BORSUS (BE/RENEW E.)</b>  <b>DG TRADE – Executive Vice-President DOMBROVSKIS</b></p>	
<p><b>Points of the European Committee of the Regions opinion considered essential</b></p>	<p><b>European Commission position</b></p>
<p>2. Believes that trade policy needs to be thoroughly overhauled in order to ensure consistency with the European Green Deal commitments for sustainable and inclusive growth, meet the challenges of the digital transition, increase the competitiveness of EU industry and contribute to the growth of employment in Europe and to enhancing the standard of living of all citizens; emphasises, finally, that trade policy must enhance the resilience of the European Union and ensure it has the capacity to mitigate current and future systemic shocks, especially those arising from climate change, heightened geopolitical tensions and the risk of further pandemics and health crises.</p>	<p>Trade is a vital vehicle for jobs and opportunity. It connects people to global growth centres and can make a significant contribution to the economic recovery, with 35 million European jobs already depending on exports and 16 million European jobs depending on foreign investment. Trade policy can also bring a major contribution to the other political priorities of the EU, including the green and digital transitions.</p> <p>As part of its recently published Trade Policy Review Communication – An Open, Sustainable and Assertive Trade Policy<sup>1</sup> the Commission has outlined the three core objectives of the EU’s trade policy:</p> <ol style="list-style-type: none"> <li>1. supporting the recovery and fundamental transformation of the EU economy in a way that is consistent with the green and digital ambitions – this should notably ensure that trade policy plays its part in supporting a global transition towards a climate neutral economy and promote value chains that are circular, responsible and sustainable;</li> <li>2. shaping global rules for a more sustainable and fair globalisation;</li> <li>3. increasing the capacity to pursue interests and enforce rights, autonomously if necessary.</li> </ol>
<p>5. Notes that socio-economic difficulties are compounded by the increasingly widespread questioning by citizens of how the benefits of</p>	<p>The Commission considers of the utmost importance to ensure transparency, outreach and communication in a structured way about the</p>

<sup>1</sup> COM(2021) 66 final.

globalisation are distributed, at every stage of value chains, in all economic sectors and in society as a whole; considers in this regard that it is important for local and regional authorities – the level closest to citizens – to continue to be fully involved and fully consulted by the Commission with regard to EU trade agreements; in this context, is concerned about the approach adopted by the Commission in the recent trade negotiations – in the wake of the judgment delivered by the Court of Justice of the European Union in the Singapore case (opinion 2/15 of May 2017) – with a view to avoiding "mixed" trade relations by only negotiating trade agreements in which the EU has exclusive competences.

benefits of trade agreements and open and fair trade in general. This is necessary to ensure broad stakeholder involvement and the wide take up of the opportunities that the trade agreements offer, including in particular also for small and medium-sized enterprises (SMEs). This also involves local and regional authorities. This is why the Commission annually reports to the Committee on the implementation of EU trade agreements and systematically engages with the Committee on its opinions on international trade, e.g. on its Opinion of 23 March 2018 on the Trade Package<sup>2</sup>. The Commission also carries out ex ante assessments of the economic, social and environmental impact of the trade agreement in question informed by a public consultation.

The Commission is not ‘avoiding’ mixed agreements. Decisions on the nature of trade agreements are taken based on their content, which also depends on the negotiating partner, and on whether or not they only cover matters of EU exclusive competence. The free trade agreements with Japan, Singapore and Vietnam have for example entered into force as agreements that cover only matters of EU exclusive competence whereas the investment protection agreement with Vietnam and Singapore are mixed agreements. If an agreement is negotiated which contains matters of shared competence, it is for the Council to decide whether to conclude an ‘EU-only’ or a ‘mixed’ agreement.

In any case, whatever type of agreement is concluded, the Commission agrees on the need for an informed discussion across the EU. National parliaments can and should be involved early on in this process, particularly through direct engagement with their governments.

In order to allow an informed debate on trade agreements to take place, the Commission systematically publishes draft negotiating

<sup>2</sup> ECON-VI/029 (COR-2017-05423-00-01-AC-TRA-EN)

	<p>directives when they are sent to Council – and encourages the Council to then publish the adopted negotiating directives. The Commission also publishes initial negotiating proposals, the negotiated text at the end of the negotiation and reports of every negotiating round.</p>
<p>7. Considers that greater consistency must be ensured between trade policy and the EU's agricultural, industrial, digital, competition, tax, social, environmental, transport, climate, energy, development and cohesion policies, as well as with the fundamental rights of the EU; regrets that the Commission communication does not place sufficient emphasis on this need for consistency among the various EU sectoral policies.</p>	<p>The Commission fully supports the need for consistency between various sectoral policies. This is notably why the Trade Policy Review indicates that EU's trade and investment must bring a major contribution to EU's broader policy objectives, notably as regard the green and the digital transition.</p> <p>Moreover, the Trade Policy Review Communication underlines that a stronger and more resilient EU requires joined up internal and external action, across multiple policy areas, aligning and using all trade tools in support of EU interests and policy objectives.</p>
<p>11. Stresses that the EU should strive for a global solution to the taxation of digital services, accompanied by appropriate governance and rules at global level; if an international solution cannot be found in the coming months – particularly at OECD level – the EU should consider acting alone.</p>	<p>The Commission shares the Committee's views on the need to find a global solution to the taxation of digital services and is fully committed to the process at the Organisation for Economic Co-operation and Development (OECD) that has now resulted in an agreement endorsed by G20 ministers. Following consensus on the technical details, the Commission will move swiftly to propose measures for their implementation in the EU..</p>
<p>13. Emphasises that where agricultural policy is concerned, having trade policy that does not ensure outside markets are held to the high European standards with regard to sustainability and food safety can severely undermine the internal market, and can endanger the agricultural sector particularly if it is already in difficulty, thereby threatening the EU's food supply, which is a key objective of the Common Agricultural Policy, and the management of European land, which depends</p>	<p>The EU agri-food-sector, including primary producers, benefits from trade opportunities opened by the EU trade policy, through additional market access in third countries and other supporting instruments, such as the protection of European Geographical Indications. This has been done without undermining the stringent sanitary and phyto-sanitary standards, which are considered a global benchmark. As a result, the EU is the biggest world exporter of agri-food and second importer after the US. For 11 years in a</p>

on the sector's workers; considers that the revised trade policy should, together with agricultural policy, help maintain overall employment and safeguard farming as a way of life by guaranteeing a fair return. Trade policy regarding the agricultural sector should guarantee an equal level playing field between the internal market and the external market, prioritising supply within the EU itself over products from external markets. At the same time internal rules governing the markets should stimulate diversification of our internal market to ensure competitiveness. However, this must not undermine efforts to strengthen fair trading relations with African countries.

row, the EU has reported a positive trade balance reaching a value of €62 billion in 2020. The EU agri-food exports totalled €184 billion, up 1.4% on 2019, and imports were up by 0.5% at €122 billion.

The 2021 study on the cumulative economic impact of 12 free trade agreements (FTAs) on EU agriculture in 2030<sup>3</sup> showed that the EU's trade agenda is set to have an overall positive economic impact on the EU agri-food sector. Trade policy, in terms of removing trade and sanitary and phytosanitary barriers to EU's exports, keeping existing markets open, supporting multilateralism, pursuing the implementation of free trade agreements (FTAs), plays a key part in promoting growth and jobs in the EU.

All imports into the EU must comply with relevant EU regulations and standards. FTAs negotiated by the EU do not affect or undermine EU food safety and animal and plant health legislation, as these standards are not negotiable, under any circumstances. Trade agreements, together with other international organisations, offer platforms for the EU to cooperate on improving standards worldwide on an increasing number of areas, e.g. antimicrobial resistance, animal welfare, etc. These efforts will be further stepped up in the future, in line with the Green Deal and the Farm to Fork Strategy, e.g. by introducing a Sustainable Food Systems chapter in trade agreements to foster dialogue and cooperation.

Farmers and consumers have greatly benefited from open markets, e.g. to import raw materials and export added-value products. The EU's trade agenda is essential to the future development of the EU farm sector. When a trade agreement is negotiated, the EU sensitivities in the agricultural sector are taken into account. This is done for

<sup>3</sup> [https://ec.europa.eu/info/sites/info/files/food-farming-fisheries/trade/documents/jrc-cumulative-economic-impact-of-trade-agreements-on-eu-agriculture\\_en.pdf](https://ec.europa.eu/info/sites/info/files/food-farming-fisheries/trade/documents/jrc-cumulative-economic-impact-of-trade-agreements-on-eu-agriculture_en.pdf)

	<p>instance through carefully calibrated tariff rate quotas, in- quota duties and product segmentation, long staging periods and safeguard instruments – in order to ensure a fair and balanced deal with opportunities and benefits on both sides. On top of this, the Common Agricultural Policy and Horizon Europe instruments will accompany the transition to more sustainable agri-food systems.</p> <p>To support a resilient and sustainable agri-food supply, diverse channels and food system models should be combined and coexist, from local and short chains within the EU single market, to international trade. The COVID-19 crisis has clearly shown that only open, interconnected and diversified chains can ensure a stable food supply, in Europe and worldwide.</p>
<p>14. The Committee is disappointed that the European Commission's communication does not contain any solutions to mitigate the negative impact that trade agreements may have on certain agricultural sectors which are already under pressure or internally fragile; calls for reflection on the establishment of a support mechanism for the most heavily impacted sectors; in this regard, remains particularly concerned about the negative impact that the draft EU-Mercosur association agreement is doubtless capable of having on certain agricultural sectors.</p>	<p>Although the Trade Policy Review Communication does not enter into such level of detail, the Commission traditionally negotiates several mitigating factors for sensitive products in FTAs, such as limited volumes of tariff rate quotas (TRQs) with a gradual phasing in over years as well as safeguard clauses. These tools, which have been extensively used in particular under the negotiation of the Mercosur agreement, play a significant role and are very effective in reducing potential adverse impacts from FTAs for EU sensitive products, as shown in the recently published study on the cumulative impact of free trade agreements on the agri-food sector<sup>4</sup>. Furthermore, the Sustainability Impact Assessment released in December 2020<sup>5</sup> confirms that increased market access for agri-food products from Mercosur will only have a minor effect on EU production while the agreement will at the same time have a positive impact on the economies of all signatories.</p> <p>However, the Commission will continue</p>

<sup>4</sup> [https://ec.europa.eu/info/sites/default/files/food-farming-fisheries/trade/documents/jrc-cumulative-economic-impact-of-trade-agreements-on-eu-agriculture\\_en.pdf](https://ec.europa.eu/info/sites/default/files/food-farming-fisheries/trade/documents/jrc-cumulative-economic-impact-of-trade-agreements-on-eu-agriculture_en.pdf)

<sup>5</sup> [https://trade.ec.europa.eu/doclib/docs/2021/march/tradoc\\_159509.pdf](https://trade.ec.europa.eu/doclib/docs/2021/march/tradoc_159509.pdf)

	<p>monitoring closely the market situation in the different agricultural sectors, and will activate the Common Agricultural Policy market instruments, should the need arise.</p>
<p>22. Believes that this requires our value chains to be mapped, with the involvement of the relevant regional bodies, in order to identify and reduce areas of dependence in strategic sectors and boost the resilience of the most sensitive industrial ecosystems, in particular in remote and isolated regions such as the outermost regions, and specific areas such as health, defence, space, food, digitalisation and critical raw materials; will pay close attention to the outcome of the work currently being carried out by the Commission on listing areas of strategic dependence and the most sensitive industrial ecosystems.</p>	<p>The Commission is carrying out a first analysis of strategic dependencies in the context of the update of the 2020 Industrial Strategy, which will be a basis for then engaging with Member States and industry to deepen the work.</p> <p>The update of the Industrial Strategy was adopted by the College on 5 May 2021<sup>6</sup>.</p>
<p>38. Considers that it is necessary to re-examine the competition rules in the light of the challenges of external competitiveness, third-country practices and the new situation created by innovation ecosystems; competition on the internal market and SME access to European and global value chains must remain key aspects of balanced, effective and independent European competition rules.</p>	<p>The Commission considers that EU competition rules are sound and sufficiently flexible for protecting competition in a more globalised and digital world economy. At the same time, the Commission regularly reviews its tools to make sure that they are fit for purpose.</p> <p>In this vein, in March 2021 it published the results of the Evaluation of selected aspects of merger control and adopted guidance for a strengthened use of referrals to the Commission under Article 22 of the EU Merger Regulation<sup>7</sup>. The revised approach to referrals will help reviewing at EU level transactions involving targets having significant competitive potential, including (but not limited to) start-ups or important innovators in the digital or pharmaceutical sectors.</p> <p>In the area of antitrust, the Commission is currently reviewing the two horizontal block exemption regulations exempting certain research and development and specialisation agreements</p>

<sup>6</sup> COM(2021) 350 final.

<sup>7</sup> [https://ec.europa.eu/commission/presscorner/detail/en/ip\\_21\\_1384](https://ec.europa.eu/commission/presscorner/detail/en/ip_21_1384)

	<p>from the application of Article 101 of the Treaty on the Functioning of the European Union (TFEU), and the Horizontal Cooperation Guidelines, which provide guidance on horizontal cooperation agreements. In this review, the Commission will pay particular attention to address the developments of the last ten years in terms of digitalisation and sustainability and to give SMEs more flexibility to conclude pro-competitive cooperation agreements, which may contribute to the EU's industrial strategy, the Green Deal and the EU digital strategy as well as increase innovation and competitiveness in the EU.</p> <p>The State aid rules have been evaluated in the context of the Fitness Check. The Fitness Check found that the State aid rules are broadly fit for purpose. There is no need to reform the State aid system as such. Only some individual rules need revision and/or updating. The revision of a first package of guidelines is under way.</p> <p>Moreover, following a public consultation and an Impact Assessment on the White Paper on levelling the playing field as regards foreign subsidies, a legislative proposal was adopted by the College on 5 May 2021<sup>8</sup>. This draft Regulation will address the distortions on the internal market that can arise when foreign subsidies, which are not subject to the EU state aid rules, play a role in concentrations, EU public procurement procedures or in other market situations.</p>
<p>45. Firmly believes that it is necessary to revise the impact analysis model and to carry out full, in-depth impact analyses (by sector and sub-sector, by geographical area - country/region - within the EU, in terms of impact on SMEs and in the social, environmental, climate and human rights sphere) of each existing agreement, together with aggregated impact</p>	<p>The Commission employs a wide set of evidence-based tools covering the full policy cycle. In particular, Directorate General for Trade evaluates the impact of major trade initiatives at the initial design stage through its impact assessments (IAs), during the negotiations through its sustainability impact assessments (SIAs), after the conclusion of the negotiations and before the signature of the</p>

<sup>8</sup> COM(2021) 223 final.

<p>analyses (based on the same criteria) of all existing agreements, in order to ensure that the EU's trade policy is conducted to the advantage of all, citizens and businesses; regrets the Commission communication's shortcomings in this respect; notes that the Commission communication makes provision only for carrying out an ex post evaluation of the impact of the EU's agreements on key environmental aspects, including the climate, carrying out work to develop a better understanding of the gender equality implications of various parts of trade policy and undertaking further analytical work (without giving any further details) on the impacts of trade policies on employment and different aspects of social development.</p>	<p>agreement through its economic assessments of the negotiated outcome and after implementation through its ex post evaluations.</p> <p>These tools are complementary and instrumental in the formulation of sound, evidence-based trade policies and are important instruments for mainstreaming sustainable development issues into trade policy. All these evaluations look into four dimensions of sustainability: economic, social, Human Rights and environmental issues. Climate change impacts are systematically quantified. Studies also look specifically for any impact on SMEs, outermost regions, and gender.</p> <p>The Commission does not provide assessments at Member-State level. Trade policy is a common EU policy. The overall impact on the EU as a whole must remain the guiding principle of whether a trade initiative should be carried out or not. The Commission supports studies carried out by Member States at their level, and is available to provide help and expertise in this field on request. Furthermore, territorial impact assessment raise considerable methodological difficulties. It is not feasible in practice to assess all the possible impacts across the many European regions. This would considerably increase the cost of the studies, as well as the time it takes to produce them. Furthermore, data availability is not sufficient to produce such assessments with the required level of reliability.</p>
<p>47. Considers that the Enterprise Europe Network (EEN), present in 60 countries, and the network of national and regional trade promotion organisations that make up the European Trade Promotion Organisations' Association (ETPOA), present in 180 countries altogether, could be more widely mobilised with regard to their tasks of supporting SMEs in entering foreign markets. Similarly, the EU should set up "FTA contact points", as close as possible to the SMEs and taking into account</p>	<p>The Enterprise Europe Network (EEN) already plays an important role in helping SMEs to increase their competitiveness in the single market and internationally. The EEN is currently helping SMEs by creating partnerships, providing information and supporting innovation. It provides specialised advisory services on internationalisation, access to finance, intellectual property rights.</p> <p>EEN puts in place FTA contact points in all regions to support SMEs on FTA-related issues</p>

<p>the "think small, act regional" principle, with regional trade promotion organisations playing a leading role.</p>	<p>and to help them better exploit the business opportunities.</p> <p>Going forward, the services provided by the EEN will be adapted and widened to better suit the SME needs. For example, dedicated sustainability advisors will be put in place to address sustainability challenges and opportunities for SMEs.</p>
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**N°4 A Renovation Wave for Europe - greening our buildings, creating jobs,  
improving lives  
COM(2020) 662 final  
COR-2020-02786 – ENVE-VII/008  
143<sup>rd</sup> plenary session – March 2021  
Rapporteur-general: Enrico ROSSI (IT/PES)  
DG ENER – Commissioner SIMSON**

**Points of the European Committee of the  
Regions opinion considered essential**

**European Commission position**

The follow-up given by the Commission to this opinion will be included in a subsequent report.

**N°5 Adequate minimum wages in the European Union**  
**COM(2020) 682 final**  
**COR-2020-05859 – SEDEC-VII/014**  
**143<sup>rd</sup> plenary session – March 2021**  
**Rapporteur: Peter KAISER (AT/PES)**  
**DG EMPL – Commissioner SCHMIT**

**Points of the European Committee of the Regions opinion considered essential**

**European Commission position**

Amendment 1, Recital 21:  
 Minimum wages are considered adequate if they are fair in relation to the wage distribution in the country and if they provide a decent standard of living. The adequacy of statutory minimum wages is determined in view of the national socio-economic conditions, including employment growth, competitiveness as well as regional and sectoral developments. Their adequacy should be assessed at least in relation to their purchasing power, to the productivity developments and to their relation to the gross wage levels, distribution and growth. The *internationally recognised* indicators of 60% of the gross median wage and 50% of the gross average wage help guide the assessment of minimum wage adequacy in relation to the gross level of wages.

The Commission takes note of the opinion and reminds that the Proposal is currently under discussion by the co-legislators. The Commission is therefore not in a position to accept or reject the amendments proposed and will only point out potential issues related to the amendments proposed.  
 Setting specific binding reference values would exceed the limitations of EU competences set by Article 153(5) of the Treaty on the Functioning of the European Union (TFEU). The obligation created by the article is that Member States use reference values ‘in relation to the general level of gross wages’, not to set the minimum wage at the reference values mentioned in Recital 21.

Amendment 2, Article 3(3):  
 "collective bargaining" means all negotiations which take place between an employer, a group of employers or one or more employers' organisations, on the one hand, and one or more *trade unions*, on the other, for determining working conditions and terms of employment; and/or regulating relations between employers and workers; and/or regulating relations between employers or their organisations and *trade unions*.

The terms of workers' and employers' organisations are used in the fundamental Conventions of the International Labour Organisation (ILO) 87 on the Freedom of Association and Protection of the Right to Organise and Convention 98 on the Right to Organise and Collective Bargaining Convention. These are conventions ratified by all Member States.  
 This wording is in line with Article 2 of ILO's Collective bargaining Convention 154 and aims to encompass in general and practical terms the way collective bargaining is defined across the

	<p>EU. It takes into account internationally recognised terminology and leaves room for national specificities.</p> <p>Furthermore, the draft Directive does not define the term ‘workers’ organizations’ because its interpretation and the decision as to which organisations are recognized to take part in collective bargaining in line with ILO Convention 135 on Workers’ Representatives depend on the law or practice applicable in the Member State concerned in the field of social dialogue.</p>
<p>Amendment 3, Article 4(2):</p> <p>Member States where collective bargaining coverage is less than 70% of the workers defined within the meaning of Article 2 shall in addition provide for a framework of enabling conditions for collective bargaining, either by law after consultation of the social partners or by agreement with them, and shall establish an action plan to promote collective bargaining <b><i>and to build and strengthen the capacities of the social partners.</i></b> The action plan shall be made public and shall be notified to the European Commission.</p>	<p>Article 4(1) asks all Member States to ‘promote the building and strengthening of the capacity of social partners to engage in collective bargaining on wage setting at sector or cross-industry level’ in order to increase the coverage of collective bargaining.</p>
<p>Amendment 4, Article 5(1):</p> <p>Member States with statutory minimum wages shall take the necessary measures to ensure that the setting and updating of statutory minimum wages are guided by criteria set to promote adequacy with the aim to achieve decent working and living conditions, social <b><i>and territorial</i></b> cohesion and upward convergence. <b><i>At the level of the</i></b> Member States, those criteria <b><i>shall be defined</i></b> in accordance with practices <b><i>in the Member States</i></b>, either in relevant legislation, in decisions of the competent bodies or in tripartite agreements. The criteria shall be</p>	<p>Article 5(2) leaves sufficient flexibility to Member States to determine the criteria and how to apply them, as they consider it most appropriate in light of national practices and socio-economic conditions. Therefore, Member States can take into account the impact of setting and updating minimum wages on territorial cohesion.</p> <p>As indicated in the Impact Assessment accompanying the proposal<sup>1</sup>, clear and stable frameworks for updating minimum wages are associated with more adequate minimum wages. The use of clear and stable criteria contributes to a stable economic environment, which in turn is</p>

<sup>1</sup> <https://ec.europa.eu/social/BlobServlet?docId=23093&langId=en>

<p>defined in a clear way <i>and with a timeline</i>.</p>	<p>conducive to good working conditions.</p>
<p>Amendment 5, Article 5(2):</p> <p>The national criteria referred to in <i>paragraph 1 should include at least the following elements:</i></p> <p>(a) <i>the purchasing power of statutory minimum wages, taking into account the cost of living with reference to the harmonised indices of consumer prices (HICP) pursuant to Regulation (EU) 2016/792;</i></p> <p>(b) <i>the general level of gross wages and their distribution by sector and NUTS-2 region;</i></p> <p>(c) the growth rate of gross wages.</p>	<p>The Commission considers that the proposed change from ‘shall’ to ‘should’ would not be in line with the nature of a Directive, which sets binding minimum requirements.</p> <p>Concerning the suggested amendments to mention specific statistical indicators to define the first two criteria, the proposed Directive does not give an exact statistical definition of the four criteria listed in Article 5(2) leaving room to Member States to decide the exact definition of these criteria and the methodology to determine and apply them.</p> <p>The criteria in Article 5(2) of the draft Directive reflects the spirit of Principle 6 of the European Pillar of Social Rights, which states that ‘adequate minimum wages shall be ensured, in a way that provide for the satisfaction of the needs of the worker and his / her family in the light of national economic and social conditions’. This approach is also consistent with the ILO Convention 131 on minimum wage fixing, which refers to taking into account economic conditions such as ‘productivity’.</p>
<p>Amendment 6, Article 5(3):</p> <p>Member States <i>remain competent to set the rate</i> of statutory minimum wages. <i>Member States shall ensure in any case that statutory minimum wages are adequate and that a convergence process is launched, and assessed on an annual basis, with a view to achieving a lower threshold of at least 60% of the full-time gross national median wage and 50% of the full-time national gross average wage as quickly as possible.</i></p>	<p>Due to the limitations set by Art 153 (5) TFEU, the draft Directive does not set a binding minimum wage level. However, the proposed Directive can lay down provisions for statutory minimum-wage setting frameworks in order to ensure that they deliver adequate minimum wages.</p> <p>To this end, the draft Directive asks Member States to use indicative reference values to guide the assessment of minimum wage adequacy, such as those commonly used at international level, without prescribing any specific indicator or reference value. Thereby, it could contribute to a national debate on appropriate levels.</p>

<p>Amendment 7, Article 6(1):</p> <p>Member States <i>shall ensure that no categories of workers are excluded from their</i> statutory minimum wage <i>protection</i>.</p>	<p>The proposed Directive applies to workers in the Union who have an employment contract or employment relationship as defined by law, collective agreements or practice in force in each Member State, as indicated in its Article 2.</p> <p>To promote the adequacy of statutory minimum wages for all groups of workers, Article 6(1) proposes to limit the use of statutory minimum wage variations and their application in time and extent.</p>
<p>Amendment 8, Article 6(2):</p> <p>Member States may allow deductions by law – <i>through the granting of social benefits and benefits in kind</i> – that reduce the remuneration paid to workers to a level below that of the statutory minimum wage. Member States shall ensure that these deductions from statutory minimum wages are necessary, objectively justified and proportionate. <i>Member States shall ensure that tips, overtime and other extra-payments be excluded from the calculation of the statutory minimum wages and are paid on top of them.</i></p>	<p>In line with its legal nature, the draft Directive leaves to the national authorities the choice of form and methods to implement Article 6(2).</p>
<p>Amendment 9, Article 9:</p> <p>In accordance with Directive 2014/24/EU, Directive 2014/25/EU and Directive 2014/23/EU, Member States shall take appropriate measures to ensure that in the performance of public procurement or concession contracts economic operators comply with <i>remuneration and other working conditions</i> set out by collective agreements for the relevant sector and geographical area and with the statutory minimum wages where they</p>	<p>The draft Directive asks Member States to ensure that economic operators comply with the applicable labour law obligations in the performance of public procurement and concession contracts, in accordance with the social clause of the public procurement Directives<sup>2</sup>. This provision will contribute to its effective implementation in the area of minimum wages.</p> <p>The inclusion of a provision to make the benefiting from public procurement conditional</p>

<sup>2</sup> 1) Directive 2014/23/EU of the European Parliament and of the Council of 26 February 2014 on the award of concession contracts; OJ L 94, 28.3.2014, p. 1–64;  
2) Directive 2014/24/EU of the European Parliament and of the Council of 26 February 2014 on public procurement and repealing Directive 2004/18/EC; OJ L 94, 28.3.2014, p. 65–242  
3) Directive 2014/25/EU of the European Parliament and of the Council of 26 February 2014 on procurement by entities operating in the water, energy, transport and postal services sectors and repealing Directive 2004/17/EC; OJ L 94, 28.3.2014, p. 243–374

<p>exist, <i>and the right to collective bargaining. Member States shall also ensure that economic operators, as a condition for the award of public procurement contracts, are required to comply with wages and other working conditions, established by laws and/or collective agreements and to respect the right to collective bargaining and to recognise and negotiate with trade unions.</i></p> <p>20. Highlights, in connection with public procurement, the judgment of the European Court of Justice in case C-115/14 (17 November 2015); according to that judgment, EU law does not rule out excluding, from a contract award procedure, a tenderer who refuses to undertake to pay the staff concerned the statutory minimum wage.</p>	<p>on the respect for collective bargaining would go beyond the scope of this proposal, which is establishing a framework for setting adequate minimum wage levels and access to minimum wage protection.</p>
<p>7. Draws the Commission's attention to the need for a multifaceted approach to combating in-work poverty. The Commission's own analysis shows that combating in-work poverty is a complex challenge, with other factors such as the tax system, training initiatives, the level of social benefits and employment policies, as well as the monitoring of the positive law also playing a crucial role. [...]</p>	<p>The Commission agrees that a multifaceted approach is warranted to address in-work poverty. However, the draft Directive focusses on the role of adequate minimum wages and a multifaceted approach is beyond the scope of the current proposal.</p>
<p>8. [...] The proposal for a directive takes account of the parties' input, in particular with regard to the autonomy of the social partners. It is therefore particularly important for the Commission to support both future capacity building and the autonomy of the social partners at European and national level, as legislation does not guarantee strong social partners. [...]</p> <p>17. Warns that there are significant differences between the amount of people depending on minimum wage in urban and rural areas and highlights that in order to be able to cover the request for convergence towards more adequate minimum wages, innovative approaches need to be found to help local and regional authorities</p>	<p>The Commission would like to note that Article 4, on the promotion of collective bargaining on wage setting, asks Member States to promote the building and strengthening of the capacity of social partners to engage in collective bargaining on wage setting at sector or cross-industry level.</p> <p>As set out in Recital 31, the Technical Support Instrument and the European Social Fund Plus are available to Member States to develop or improve the technical aspects of minimum wage frameworks, including the general capacity building related to the implementation of said frameworks. Member States are of course in a position to develop concrete measures themselves</p>

<p>obtain the necessary funding in their budgets, which have been severely devastated by the COVID-19 pandemic.</p>	<p>with which they can help build the capacity of social partners.</p>
<p>11. Stresses that the principle of equal pay for work of equal value should be respected in cases where minimum wages are set by sector.</p>	<p>The Commission would like to note that, in accordance with Article 157 TFEU, each Member State shall ensure that the principle of equal pay for male and female workers for equal work or work of equal value is applied. This principle also applies to minimum wages.</p>
<p>15. Stresses the strong regional dimension of the issue of adequate minimum wages, even though this is not sufficiently reflected in the Commission proposal. The regional dimension stems from the existence of regional collective agreements, from the strong interplay between minimum pay and social and territorial cohesion, and from the fact that local and regional authorities bear ultimate responsibility for wage-setting based on local and regional conditions, including in their capacity as employers.</p>	<p>The proposal establishes a framework to improve the adequacy of minimum wages and increase the access of workers to minimum wage protection, always ensuring full respect of the specificities of national competences, national practice and social partners' autonomy.</p> <p>The Commission would like to stress that the proposed Directive provides sufficient flexibility to take into account social and economic developments, as well as the impacts at local and regional level.</p>
<p>18. Considers that the establishment of national action plans to promote collective bargaining in Member States, as described in Article 4(2), could have been spelt out in greater detail by identifying possible elements of such plans.</p>	<p>The action plan to promote collective bargaining referred to in Article 4(2) shall be consulted or agreed with social partners, in full respect of the autonomy of social partners, as well as their right to negotiate and conclude collective agreements. The Commission considers that the design of the action plans is a national responsibility and should be established in accordance with the national law and/or practice, with the involvement of social partners.</p>
<p>19. Asks, in principle, whether the concept of the worker underpinning the directive should be revised at EU level. However, the reference to case-law of the European Court of Justice from 1986 (Lawrie Blum case) does not take account of the emergence of new forms of work, especially precarious jobs in the platform economy.</p>	<p>Article 2 of the Proposal sets out the scope of the Directive and is not meant to provide a definition of a worker. Definitions, for the purpose of the Directive, are included in Article 3.</p> <p>Moreover, the content of Recital 17, according to which new forms of work that fulfil the criteria established by the Court of Justice of the EU, could fall within the scope of the Directive.</p>

21. Underlines that the draft directive does not explicitly mention that monitoring its implementation could be linked to the European Semester process, by adapting the social scoreboard for example; would be critical of such an option unless the Semester process overall were to undergo in-depth reform to ensure greater transparency, democratic governance (right of consultation for the European Parliament) and the involvement of local and regional authorities and social partners following an approach based on partnership.

The proposed Directive foresees that Employment Committee (EMCO) carries out every year an examination of the promotion of collective bargaining on wage setting and the adequacy of minimum wages in the framework of the process of economic and employment policy coordination at EU level.

**N°6 Achieving the European Education Area by 2025**  
**COM(2020) 625 final**  
**COR-2020-04756 – SEDEC-VII/012**  
**143<sup>rd</sup> plenary session – March 2021**  
**Rapporteur: Emil BOC (RO/EPP)**  
**DG EAC – Commissioner GABRIEL**

<b>Points of the European Committee of the Regions opinion considered essential</b>	<b>European Commission position</b>
<p>2. Considers that local and regional authorities (LRAs) have an instrumental role to play in delivering on the vision of the European Education Area, as they have direct and comprehensive ties to the communities where education policies shaped at European level will have to be implemented and where those policies have a direct impact. LRAs are responsible for implementing 70% of EU legislation. Ultimately, education is inherently local, and so on the basis of the subsidiarity principle we must include the regional and local levels in the plan alongside the European and national levels, enabling them to take part in decision-making procedures from the very outset. The Commission and the Committee of the Regions clearly need to work closely and steadily together on this key issue.</p>	<p>The Commission recognises the important role of local and regional authorities play in implementing the European Education Area. In this respect, the Joint Action Plan being implemented by the Committee and the Commission is strengthening cooperation in delivering the European Education Area, notably in the following areas:</p> <ul style="list-style-type: none"> <li>- the Committee is involved in consultations related to the implementation of the European Education Area, when local and regional authorities have an important role in delivery. For 2020-2021, this notably includes the initiatives on ‘Pathways to School Success’, ‘Education for environmental sustainability’, ‘European Education Strategy for universities’, the ‘European Student Card initiative’ and ‘mobility for volunteering and solidarity purposes’;</li> <li>- strengthening the links of European Universities with their regions and cities, in particular with the aim to foster knowledge ecosystems;</li> <li>- highlighting initiatives at the regional and local level (through the European Education Area portal), and funding opportunities;</li> <li>- strong involvement of the Committee in the ‘Education for Climate’ Coalition;</li> <li>- close cooperation in the context of the Digital Education Action Plan 2021-2027.</li> </ul>

<p>3. Points out that the strategic objectives of the European Education Area need to be matched with clear, identifiable financial resources available to LRAs.</p>	<p>In supplement to Member States actions, local and regional authorities will have access to EU financial resources to implement the objectives of the European Education Area, either as direct beneficiaries or through investments benefitting the local and regional level. These financial resources include the European Regional Development Fund, the European Social Fund Plus and the Recovery and Resilience Facility.</p> <p>Regional and local authorities may also participate as applicants and as partners in the centralised and decentralised actions of Erasmus+ and Horizon Europe programmes.</p> <p>Moreover, the InvestEU fund will also make financial instruments available for local and regional authorities to leverage investment in education and training.</p>
<p>4. Considers that attaining the Sustainable Development Goals, pursuing environmental sustainability and strengthening the European, national and regional identities should be key goals of the European Education Area.</p>	<p>The Communication on achieving the European Education Area by 2025<sup>3</sup> clearly states the importance of education in facilitating the twin transitions towards a green and digital Europe. Activities such as the establishment of the Education for Climate Coalition<sup>4</sup>, the proposed Council Recommendation on education for environment sustainability<sup>5</sup>, or the greening of education infrastructure clearly contribute to the Sustainable Development Goals and the overall priorities of the European Commission.</p>
<p>5. Points out that a roadmap, annual indicators and benchmarks need to be developed in order to assess progress towards European Education Area objectives at European, national and, where relevant, at regional and local level. It is necessary to support the assessment of the local and regional current situation and the goals, objectives and support system are</p>	<p>Based on the proposal of the Commission, Member States have agreed on a coherent set of seven relevant targets for monitoring education and training in Europe as presented in the Council Resolution of 18 February 2021 on a strategic framework for European cooperation in education and training towards the European Education Area and beyond (2021-2030).<sup>6</sup></p>

<sup>3</sup> COM(2020) 625 final.

<sup>4</sup> [https://ec.europa.eu/education/education-in-the-eu/european-education-area/education-climate-coalition\\_en](https://ec.europa.eu/education/education-in-the-eu/european-education-area/education-climate-coalition_en)

<sup>5</sup> [https://eur-lex.europa.eu/legal-content/FR/TXT/?uri=PI\\_COM:Ares\(2021\)2493131](https://eur-lex.europa.eu/legal-content/FR/TXT/?uri=PI_COM:Ares(2021)2493131)

<sup>6</sup> OJ C 66, 26.2.2021, p. 1–21:

<p>defined accordingly.</p>	<p>Besides monitoring progress on existing targets, it is important to develop with all stakeholders an innovative approach to indicators and targets for the European Education Area, closely following its six dimensions. The Commission intends to work with Member States and wider education and training community to gather evidence and develop indicators with a view to fostering evidence-based policymaking in achieving the European Education Area.</p> <p>In 2022, the Commission will publish a Progress Report assessing developments towards achieving the European Education Area by 2025. A full report on the European Education Area will also follow in 2025.</p> <p>UNESCO-OECD-Eurostat (UOE) and EU-Labour Force Survey (LFS) data – used for the early childhood education and care (ECEC), early leavers from education and training (ELET), adult learning (AL) and vocational education and training (VET) targets – are available by Nomenclature of Territorial Units for Statistics 2 (NUTS2) level, so regional differences can be discerned.</p> <p>As far as targets on digital and basic skills are concerned: while the International Computer and Information Literacy Study (ICILS) data are only available at national level, the Programme for International Student Assessment (PISA) 2018 covers some regional data. Within the EU, regional data are available for Belgium, Italy and Spain.</p>
<p>13. Points out that making teaching a more attractive profession (including in financial terms) and continuous training of teachers who are motivated and competent are key to achieving the European Education Area. It is impossible to frame a successful education strategy without fully understanding the</p>	<p>Supporting teachers and trainers is one of the key dimensions of action in achieving the European Education Area, with a number of initiatives aiming to better support the competence development and career paths of teachers, trainers and school education leaders, and to support the attractiveness of the education profession.</p>

<p>fundamental role of teachers. Investing in areas such as training teachers, effective teacher selection, recruitment and assessment procedures and making teaching more attractive, especially in rural areas, is crucial for maintaining the standards and competitiveness of the Member States' education systems and for strengthening the EU's position as a major international player.</p>	<p>The Erasmus+ Teacher Academies are designed to bring benefits to European teachers by the creation of Erasmus+ projects, in which teacher education institutions and other stakeholders of teacher education can take part. These projects aim at creating networks and communities of practice of existing teacher education providers. They will offer teachers with learning opportunities on common issues such as promoting inclusion or digital learning or supporting effective teaching on sustainable environment.</p> <p>Furthermore, the Commission will develop a European policy guidance for the development of national career frameworks, thus supporting the career progression of school education professionals. This action will build on mutual learning between countries.</p> <p>In 2021, the Commission is also launching the European Innovative Teaching Award to recognise the work of teachers (and their schools) who make an exceptional contribution to the profession.</p>
<p>14. Highlights the increasing importance of building strategic partnerships between LRAs and their universities (central players in the "knowledge square": education, research, innovation and service to society). Universities play a key role in developing resilient local communities and regions. University education can promote brain gain and brain circulation and can help Europe attract a high level of international talent. The EU has proposed far-reaching reforms in university education, such as the European Universities, student mobility, the European Student Card Initiative, monitoring the employment outcomes of graduates, and mutual recognition of higher education qualifications. LRAs must be able to develop strategic partnerships with universities and to contribute to this transformation;</p>	<p>The Commission agrees on the need to strengthen cooperation between higher education institutions as well as VET and Higher VET institutions and their local and regional authorities, as well as with the wider local and regional, industrial and innovation ecosystems. The Erasmus+ programme can offer support on this matter, and will as such help strengthening the so-called 'knowledge square' (which refers to the interaction between Education, Research, Innovation and Service to Society).</p> <p>The European Universities initiative is exemplary in this respect. The creation of European knowledge teams of students and academics, together with local and regional actors (including the authorities), researchers, businesses, and civil society to address together societal challenges (on the basis of a 'challenge-based approach') in a</p>

	<p>multi-disciplinary approach will be instrumental to reinforce the links with the local and regional communities.</p> <p>Local and regional authorities are also expected to be major promoters of huge partnerships established within the Pact for Skills, along with higher education institutions, Centres for Vocational Excellence and such actors as companies, unions, chambers of commerce and civil society organisations. Such partnerships can among other be funded to address skills challenges in a given region, or in a sector strategic for a region.</p>
<p>15. Stresses the close links between the European Education Area and the European Research Area and calls for "a fresh approach for a European Education and Research Area, pointing to the need for a cross-cutting approach to these issues, which are closely linked to regional policies"<sup>7</sup>.</p>	<p>In line with the spirit of the Commission Communication on ‘Achieving the European Education Area by 2025’ and ‘A new ERA for Research and Innovation’<sup>8</sup>, the Commission is committed to creating synergies between the two areas, focusing on all dimensions of higher education (education, research, innovation and service to society), both on the policy and the programme level. When doing so, it will link with relevant other policies and programmes, such as those linked to regional development and employment.</p>
<p>18. Considers that it is imperative to identify and shine a spotlight on success stories in the delivery of European Education Area objectives at local and regional level. Studying and disseminating these good practices can provide increased added value for the measures taken by LRAs in the Member States.</p>	<p>The new European Education Area portal will serve as a public gateway to provide information and access to actions, instruments and services, as well as to support cooperation and exchanges through a comprehensive overview of and links to existing portals, platforms and hubs in the fields of education and training at EU level. This also includes showcasing success stories and good practices at the local and regional level.</p>
<p>22. Asks the European Commission to include in the Education for Climate Coalition the regions and local communities and initiatives</p>	<p>The design of the Education for Climate Coalition will involve existing grass-roots initiatives and various education systems' stakeholders including</p>

<sup>7</sup> Committee of the Regions opinion on ‘A new European Research Area (ERA) for research and innovation’ (COR-2020-04749).

<sup>8</sup> COM(2020) 628 final.

<p>such as the Global Covenant of Mayors for Climate and Energy in order to ensure a link between bottom-up initiatives and EU-level action, supporting pledges and concrete actions for sustainable behaviour across the EU.</p>	<p>representatives from the regions and local representatives. The Coalition's future success will depend on the concrete cooperation on the ground and the broad involvement of the communities the education institutes are embedded in. The Commission counts strongly on the regions' and local communities' support to facilitate their education institutions' involvement through concrete pledges and cooperation with other Coalition partners.</p>
<p>24. Flags up the importance of improving education at local and regional level as this can do much to curb brain drain, and points to the important role played by support mechanisms implemented by the European Commission and the EU in combating brain drain and turning it into brain circulation.</p>	<p>The Commission agrees to the importance of education at local and regional level to ensure proper brain circulation. European Universities, selected under Erasmus+ and also supported under Horizon 2020, can contribute to this. They will link closely with their local communities and regions, as well as with the business world and other societal actors within their eco-systems, to ensure a transformative recovery. In addition, European Universities will be centers of gravity for upskilling and reskilling adult learners, including active professionals, with high-level and forward-looking competences amidst a twin transition: digital and climate. This can support job creation/preservation at local and regional level, promoting brain circulation.</p> <p>European Universities moreover aim for seamless and embedded mobility in order to create true brain circulation through inter-university European campuses. They will enable the full variety of higher education institutions across Europe to pool their resources and study programmes in geographically inclusive alliances covering Northern, Southern, Eastern and Western Europe, allowing students from these alliances to access the same excellent education and training from wherever they are, again promoting brain circulation.</p> <p>Enabling all young people to acquire key competences that allow them to thrive in life, irrespective of socio-economic background or geographical location is a key objective of the</p>

	<p>European Education Area.</p> <p>Another initiative which the Commission plans to put forward for 2022 is the ‘Pathways to School Success’. Its objective is to promote better educational outcomes for young Europeans, in particular by reducing underachievement in basic skills (reading, maths and science) and early leaving from education and training, and by increasing the number of young people with an upper secondary qualification.</p>
<p>25. Considers that LRA support for education and digital inclusion is pivotal both for pupils/students and for members of the public and civil servants (in connection with the Commission's new Digital Education Action Plan).</p>	<p>Due to their close proximity to the education and training field local and regional authorities (LRA) play a key role in advancing digital education across Europe and are therefore considered an important stakeholder for the implementation of the Digital Education Action Plan. The Committee will be involved in several of its actions, including the European Digital Education Hub, the primary purpose of which is to exist as a space for exchange and co-operation, information sharing and mapping, and enabling innovation in digital education. It will stimulate dialogue between diverse stakeholders – including LRA – and reinforce cross-sector cooperation, collaboration and synergies for digital education in Europe.</p> <p>More concretely, local and regional authorities could play a role in the network of national advisory services on digital education (national advisory services are defined as any structure, institution or department part of an organisation that may exist currently in a Member State in relation to digital education). The main role of local and regional authorities could be, for example, to provide expertise, advice and recommendations for the formulation and development of digital education policy at national but also on regional level. The goal of the network will be to link national and regional digital-education initiatives and strategies and foster collaboration at European level. This will make local and regional best practices more</p>

visible on EU level and enhance cooperation between the regional and national level.

The Commission welcomes the adoption of the opinion on the 'Digital Education Action Plan 2021-2027', undertaken by rapporteur Gillian Coughlan (IE/Renew E).

**N°7 New Pact on Migration and Asylum**  
**COM(2020) 758 final**  
**COM(2020) 609 final**  
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**COR-2020-04843 – CIVEX VII/005**  
**143<sup>rd</sup> plenary session – March 2021**  
**Rapporteur: Antje GROTHEER (DE/PES)**  
**DG HOME – Commissioner JOHANSSON**

<b>Points of the European Committee of the Regions opinion considered essential</b>	<b>European Commission position</b>
<p>Amendment 1 – Recital 26 – addition of a reference to a list of safe countries:</p> <p>The European Commission shall draw up and regularly update a list of safe countries for the purposes of any return procedures.</p>	<p>The provisions concerning the lists of safe countries (safe countries of origin and safe third countries) are contained in the proposal for an Asylum Procedure Regulation<sup>1</sup> put forward in 2016. They have not been modified by the amended proposal for an Asylum Procedure Regulation tabled in 2020.</p>
<p>Amendment 5 - Article 2(w)</p> <p>'migratory pressure' means a situation at local, regional and/or national level where there is a large number of arrivals of third-country nationals or stateless persons, or a risk of such arrivals, including where this stems from arrivals following search and rescue operations, as a result of the geographical location of a Member State or a region and the specific developments in third countries which generate migratory movements that place a burden even on well-prepared asylum and reception systems and requires immediate action;</p>	<p>It is to be noted that the assessment of 'pressure' - as per Article 50 and following the proposal - is carried out on a national basis, taking into account the national competence of each Member State to organise its asylum and reception system.</p>
<p>Amendment 9 – deletion of the first entry</p>	<p>The proposal for an Asylum and Migration Management Regulation maintains the criterion of</p>

<sup>1</sup> COM(2016) 467 final.

criterion:

1. Where it is established, on the basis of proof or circumstantial evidence as described in the two lists referred to in Article 30(4) of this Regulation, including the data referred to in Regulation (EU) XXX/XXX [Eurodac Regulation], that an applicant has irregularly crossed the border into a Member State by land, sea or air having come from a third country, the first Member State thus entered shall be responsible for examining the application for international protection. That responsibility shall cease if the application is registered more than 3 years after the date on which that border crossing took place.

the country of first entry, but it remains at the bottom of the hierarchy and is only applicable when none of the other criteria can be applied.

The Commission has added a number of elements to those criteria that will allow to better balance the responsibility with other Member States; this includes the widening of the definition of family members, the extended application of the criteria linked to residence permits and visas, as well as the addition of a criterion linked to the possession of diplomas and qualifications.

Keeping the first entry criterion is essential to ensure that persons who decide *not* to apply for protection in the Member State of first entry (in which they are obliged to apply) cannot go to another Member States and choose it as Member State responsible based on Article 8(2), should no other criteria be applicable to them. This would incentivise unauthorised movement and persons to be left in orbit, which the proposal specifically aims to address.

A key element of the comprehensive approach to migration management set out in the proposed New Pact is that different intertwined policies of asylum, migration and return are coherently coordinated and implemented based on the principle of solidarity and fair sharing of responsibility.

The proposed Regulation on migration and asylum management introduces a system of mandatory and constant solidarity. The system combines flexibility on the form of solidarity given with strong safeguards to ensure that Member States under pressure will have the burden on their national systems alleviated. Solidarity contributions that Member States will be under the obligation to provide consist of either relocation or assistance for the purpose of return, as well as the possibility to contribute to measures in the field of strengthening capacities or the external dimension.

The Commission believes that the approach set out in the New Pact will ensure that each Member State

	<p>is playing its part in providing effective solidarity, while leaving Member States with viable alternatives to relocation.</p> <p>In support to the Member States of first entry, the new Regulation introduces a system of solidarity based on a wider range of measures ranging from relocation to solidarity in the field of return of those with no right to stay. Where needed, solidarity in the field of capacity-building for asylum, reception or return, operational support or support in the external dimension can also be effective to help relieve migratory pressure.</p>
<p>Amendment 15</p> <p>i) Recital 10 is replaced by the following:</p> <p>(10) The resources of the Asylum, Migration and Integration Fund should be mobilised to provide adequate support to Member States' efforts in applying this Regulation, in particular to those Member States which are faced with specific and disproportionate pressures on their asylum and reception systems. Adequate resources should be made available also to local and regional authorities, including the possibility to access the Asylum, Migration and Integration Fund directly. The EU also needs to allocate specific funds to enable regions under higher migration pressure, primarily those at the EU's external borders, to accommodate and assist unaccompanied minors who arrive on their territory.</p> <p>ii) Recital 31 is replaced by the following:</p> <p>(31) In order to guarantee the rights of the applicant, a decision concerning his or her application should be given in writing. Where the decision does not grant international protection, the applicant should be given reasons in fact and in law, information on the</p>	<p>In relation to the new Recital 10 proposed by the Committee: recital 10 is part of the original Asylum Procedures Regulation (APR) proposal of 2016 and has not been modified by the amended proposal.</p> <p>In relation to the Committee's proposal regarding Recital 31: the Commission respectfully considers that the proposed addition is superfluous as it is clear that a return decision will not be issued if some kind of residence permit is granted.<sup>2</sup></p>

<sup>2</sup> See Article 6(4) and (5) of Directive 2008/115/EC of the European Parliament and of the Council of 16 December 2008 on common standards and procedures in Member States for returning illegally staying third-country nationals; OJ L 348, 24.12.2008, p. 98–107.

<p>consequences of the decision and the modalities for challenging it.</p> <p>(31a) In order to increase the efficiency of procedures and to reduce the risk of absconding and the likelihood of unauthorised movements, there should be no procedural gaps between the issuance of a negative decision on an application for international protection and of a return decision. A return decision should immediately be issued to applicants whose applications are rejected <i>and to whom the Member State has not decided to grant an autonomous residence permit or other authorisation offering a right to stay on grounds of hardship, humanitarian or other reasons</i>. Without prejudice to the right to an effective remedy, the return decision should either be part of the negative decision on an application for international protection or, if it is a separate act, be issued at the same time and together with the negative decision.'</p>	
<p>Amendment 16 – deletion of reference to detention of minors/families:</p> <p>When applying the border procedure for carrying out return, certain provisions of the [recast Return Directive] should apply as these regulate elements of the return procedure that are not determined by this Regulation, notably those on definitions, more favourable provisions, non-refoulement, best interests of the child, family life and state of health, risk of absconding, obligation to cooperate, period for voluntary departure, return decision, removal, postponement of removal, return and removal of unaccompanied minors, entry bans, safeguards pending return, detention, conditions of detention, <i>detention of minors and families</i> and emergency situations. To reduce the risk of unauthorised entry and movement of illegally staying third-country nationals subject to the border procedure for</p>	<p>The reference to the ‘detention of minors and families with minors’ and the provisions of the Return Directive referred to ensure higher protection in the exceptional situations when those persons are detained. The EU asylum and return acquis enable the detention of minors and families with minors as a measure of last resort and for the shortest appropriate period of time.</p>

<p>carrying out return, a period for voluntary departure not exceeding 15 days may be granted to illegally staying third-country nationals, without prejudice for the possibility to voluntarily comply with the obligation to return at any moment.</p>	
<p>Amendment 17</p> <p><b>Rejection of an application and issuance of a return decision</b></p> <p>Where an application is rejected as inadmissible, unfounded or manifestly unfounded with regard to both refugee status and subsidiary protection status, or as implicitly or explicitly withdrawn, <i>and the Member State has not decided to grant the person an autonomous residence permit or other authorisation offering a right to stay on hardship, humanitarian or other grounds</i>, Member States shall issue a return decision that respects Directive XXX/XXX/EU [Return Directive]. The return decision shall be issued as part of the decision rejecting the application for international protection or, in a separate act. Where the return decision is issued as a separate act, it shall be issued at the same time and together with the decision rejecting the application for international protection.</p>	<p>The Commission respectfully considers that the proposed addition is superfluous as it is clear that a return decision will not be issued if some kind of residence permit is granted.<sup>3</sup></p>
<p>Amendments 18 and 19</p> <p>Article 40 is amended as follows:</p> <p>(a) in paragraph 1 the following point is added:</p> <p><i>'(i) the applicant's application may, on the basis of the findings of an initial interview, be decided upon on a case-by-case basis within a short period of time and, should the application be rejected, there is a reasonable prospect of rapid return to the home State or to a third country which has agreed to allow that</i></p>	<p>The new ground for accelerated/border procedure <b>is not</b> a sanction. It is an objective circumstance that justifies the use of a certain type of procedure. It has a built-in safeguard that guarantees that it will not be applied automatically. The amendments suggested by the Committee cannot be used as a ground/criteria: they refer to <i>how</i> the procedure should unfold whereas the Commission proposal refers to <i>when</i> a certain type of procedure should apply. In any case, the elements contained in the Committee amendment are included in the guarantees and safeguards foreseen by the text of</p>

<sup>3</sup> See Article 6(4) and (5) of Directive 2008/115/EC.

<p><i>person to reside.</i>'[...]</p> <p>[...] (b) in paragraph 5 the following point is added:</p> <p><i>'(c) the applicant's application may, on the basis of the findings of an initial interview, be decided upon on a case-by-case basis within a short period of time and, should the application be rejected, there is a reasonable prospect of rapid return to the home State or to a third country which has agreed to allow that person to reside.'</i></p>	<p>the proposal for an Asylum Procedure Regulation for all types of asylum procedure (e.g. individual assessment, interview etc.).</p>
<p>Amendment 20</p> <p>Member State shall examine an application in a border procedure in the cases referred to in paragraph 1 where the circumstances referred to in Article 40(1), point (f) or (i), apply, <b>and in point (c) only where circumstances indicate that a rapid decision and return can be expected in the individual case concerned.</b></p>	<p>Article 41(4) ensures the flexibility allowing Member States not to apply the mandatory border procedure regardless of the ground, when the person cannot be returned due to lack of cooperation on readmission by the third country concerned.</p>
<p>Amendment 21</p> <p>The border procedure may only be applied to minors and their <b>accompanying</b> family members in the cases referred to in Article 40(5) (b) <b>or in cases where a rapid granting of international protection can be expected following an examination in accordance with Article 40(5)(c). Minors should not be kept in detention in border procedures.</b></p>	<p>The amended proposal is crafted in a way that aims at ensuring a careful balance between the need to have an efficient border procedure easy to apply and the need to protect the most vulnerable. This is the rationale behind the differentiated system of exemptions.</p> <p>The mandatory application of the border procedure is limited to three well-defined cases and there are provisions aimed to protect vulnerable persons, including minors, either by explicitly excluding certain categories from the border procedure or by ensuring a sound set of safeguards and guarantees. In this sense, the explicit exemption of unaccompanied minors and minors below 12 years old and their family members from the application of the border procedure is a change compared to the text of the current Asylum Procedure Directive. The border procedure may apply to these categories only if they may be considered, for serious reasons, a danger to the national security or public order of</p>

	<p>the Member States. In addition, the provision allowing Member States not to apply the border procedure to persons with special procedural needs if the necessary support cannot be provided, will also be applied to minors, unaccompanied or with their family, regardless of their age.</p> <p>Furthermore, all safeguards and guarantees foreseen for the asylum procedure apply also in the framework of the border procedure. Finally, for those minors who will be in the border procedure, the appropriate accommodation, the access to education and all the relevant rights and benefits foreseen in the proposal for a Reception Conditions Directive<sup>4</sup> will need to be ensured.</p> <p>The proposed regulation does not refer to systematic use of detention for applicants, including minors, subject to border procedure. Detention may only be used as a measure of last resort and following a case-by-case assessment based on the principle of proportionality and consideration of less coercive alternative measures in accordance with grounds and conditions foreseen in the Reception Conditions Directive. In the case of minors, the circumstances in which detention is allowed are very limited and exceptional and the best interest of the child is always considered.</p>
<p>Amendment 22</p> <p>Member States shall not apply or shall cease to apply the border procedure at any stage of the procedure where: [...]</p> <p><b><i>(b) applicants have special procedural needs, unless steps are taken to ensure on a case-by-case basis that the necessary support can be provided in the locations referred to in paragraph 14;</i></b></p>	<p>The text of the Commission proposal aims at ensuring that persons with special procedural needs are removed from the border procedure if their needs cannot be catered for.</p>
<p>Amendment 23</p> <p>The border procedure shall be as short as possible, <b><i>in order to help alleviate pressure on</i></b></p>	<p>The Commission considers that the proposed deadline of 12 weeks is appropriate and reasonable as it is meant to cover both the</p>

<sup>4</sup> COM(2020) 611 final.

<p><i>border regions</i>, while at the same time enabling a complete and fair examination of the claims. It shall encompass the decision referred to in paragraph 2 and 3 and any decision on an appeal if applicable and shall be completed within <b>8</b> weeks from when the application is registered. Following that period, the applicant shall be authorised to <i>move further onto</i> the Member State's territory except when Article 41a(1) is applicable. By way of derogation from the time limits set in Articles 34, 40(2) and 55, Member States shall lay down provisions on the duration of the examination procedure and of the appeal procedure which ensure that, in case of an appeal against a decision rejecting an application in the framework of the border procedure, the decision on such appeal is issued within <b>8</b> weeks from when the application is registered.</p>	<p>administrative and the appeal stage of the procedure.</p>
<p>Amendment 24</p> <p>(...) Each Member State shall notify to the Commission, [two months after the date of the application of this Regulation] at the latest, the locations where the border procedure will be carried out, at the external borders, in the proximity to the external border or transit zones, including when applying paragraph 3 and ensure that the capacity of those locations is sufficient to process the applications covered by that paragraph. <b><i>This notification shall be accompanied by a report on the consultation of the competent local and regional authority in whose area these procedures are to be carried out. (...)</i></b></p>	<p>It is up to each Member State to organise itself in the regions where the border procedure will take place and to decide how to consult local authorities. The Commission considers that the proposed amendments would create too much of a bureaucratic burden on the Member States.</p>
<p>Amendment 25</p> <p>In situations where the capacity of the locations notified by Member States pursuant to paragraph 14 is temporarily insufficient to process the applicants covered by paragraph 3, Member States may, <b><i>after first consulting the</i></b></p>	<p>It is up to each Member State to organise itself in the regions where the border procedure will take place and to decide how to consult local authorities. The Commission considers that this should not be regulated at EU level.</p>

<p><i>competent local and regional authorities</i>, designate other locations within the territory of the Member State and upon notification to the Commission accommodate applicants there, on a temporary basis and for the shortest time necessary.</p>	
<p>Amendment 26</p> <p>Persons referred to in paragraph 1 shall be <i>accommodated</i> for a period not exceeding 8 weeks in locations at or in proximity to the external border or transit zones; where a Member State cannot accommodate them in those locations, it can, <i>after first consulting the competent local and regional authorities</i>, resort to the use of other locations within its territory. The 8-week period shall start from when the applicant, third-country national or stateless person no longer has a right to remain and is not allowed to remain.</p>	<p>The Commission considers that the proposed deadline of 12 weeks is appropriate and reasonable as it is meant to cover both the administrative and the appeal stage of the procedure. Moreover, contrary to the reasoning presented, the situation in the transit zone is not by default a ‘deprivation of liberty’.</p>
<p>Amendment 27</p> <p><i>In relation to a decision taken in the context of the border procedure, Member States shall provide for a remedy in accordance with Article 47 of the Charter of Fundamental Rights. For appeals, the time limits foreseen in national law apply in accordance with Article 55. Applicants have the right to remain on the territory during the period of appeal and pending its outcome in accordance with Article 54.</i></p>	<p>According to the European Court of Justice case-law<sup>5</sup> there is no obligation to provide for several levels of appeal. One level of appeal is adequate and fully in line with Article 47 of the Charter (effective remedy). The aim of Article 53(9) is to ensure a balance between the rights of an applicant to an effective remedy and the need to wrap-up the procedure in a limited deadline. Articles 53 and 54, together with the provisions on legal assistance and representation, provide all the necessary safeguards for an effective remedy. The provisions regarding the right to remain and deadlines foreseen in the relevant articles apply to appeals lodged in the framework of the border procedure and do not need to be included in Article 53(9).</p>
<p>Amendments 29 and 33 (location of screening)</p> <p>The Member States should determine appropriate locations for the screening taking</p>	<p>The Commission agrees with the idea that Member States should be allowed to choose the appropriate locations, at or in proximity to the external border, according to their national</p>

<sup>5</sup> C-69/10, Samba Diouf

<p>into account <i>the opinions of the competent local and regional authorities</i>, geography and existing infrastructures, ensuring that apprehended third-country nationals as well as those who present themselves at a border crossing point can be swiftly submitted to the screening. The tasks related to the screening may be carried out in hotspot areas as referred to in point (23) of Article 2 of Regulation (EU) 2019/1896 of the European Parliament and of the Council<sup>23</sup>.</p> <p>Amendment 33</p> <p>Article 6</p> <p>Requirements concerning the screening</p> <p>1. In the cases referred to in Article 3, the screening shall be conducted at <i>appropriate locations in the Member State concerned. These locations shall be determined after consultation with the competent local or regional authority.</i></p> <p>2. In the cases referred to in Article 5, the screening shall be conducted at any appropriate location within the territory of a Member State. <i>These locations shall be determined after consultation with the competent local or regional authority.</i></p> <p>3. (...) <i>In any case, the procedures must ensure the adequate assessment of each case to prevent discriminatory conduct in the process.</i></p> <p>(...)</p> <p>7. Member States shall designate competent authorities to carry out the screening <i>in accordance with Articles 3 and 5.</i> (..)</p>	<p>circumstances and possibilities. In particular, they should be able to take account of the particular pressure placed on regions, at or near external borders, and of the needs of the competent local and regional authorities. The Commission considers that Article 6(1) and 6(2) provides for sufficient flexibility in that regard.</p>
<p>Amendment 31 (screening authorities)</p> <p>(...) <i>Those</i> persons <i>shall be subject to</i></p>	<p>The Commission respectfully considers that the proposal to designate the authority responsible for</p>

<p><i>screening by the authority responsible for refusing entry in accordance with Article 14(2) of Regulation (EU) 2016/399 (Schengen Borders Code) in accordance with national law, regardless of whether they have applied for international protection.</i></p>	<p>refusing entry in accordance with Article 14(2) of Schengen Borders Code<sup>6</sup> as screening authority, would unduly limit the ability of Member States to organise screening in the most efficient way. It should be up to each Member State to address the organisational challenges of screening, deploying appropriate staff and sufficient resources as set out in Article 6(7) of the Commission’s proposal.</p>
<p>Amendment 34 (vulnerabilities and special needs)</p> <p>Where there are indications of vulnerabilities or special reception or procedural needs, the third-country national concerned shall receive timely and adequate support in view of their physical and mental health <i>by qualified specialist advisory services or the competent authorities, also ensuring the availability of adequate professionals for the specific needs of certain groups of third-country nationals, such as pregnant women, victims of gender-based or sexual violence, and people with disabilities, and LGBTIQ people.</i> In the case of minors, support shall be given by personnel trained and qualified to deal with minors, and in cooperation with child protection authorities. <i>To this end, the presence of minors shall be reported immediately to the national authorities responsible for child protection. Unaccompanied minors shall not be screened; they must be forwarded immediately to the competent child protection authorities. In addition, where there are indications of serious security concerns within the meaning of Article 40(5)(b), the competent authorities shall be informed.</i></p>	<p>The Commission fully supports the emphasis given to identifying situations of vulnerabilities as well as special reception or procedural needs at the earliest possible moment. Timely and adequate support needs to be provided, as soon as possible, during screening as well as in ensuing asylum or return procedures. This applies to <i>all</i> vulnerable groups of persons including minors. The Commission considers that Article 9 of its proposal provides for sufficient safeguards in that regard.</p>
<p>Amendment 36</p> <p>(...) <i>In particular, unaccompanied minors</i></p>	<p>As regards the relocation of unaccompanied minors, it should be noted that unaccompanied minors are a priority for relocation, and that</p>

<sup>6</sup> Regulation (EU) 2016/399 of the European Parliament and of the Council of 9 March 2016 on a Union Code on the rules governing the movement of persons across borders (Schengen Borders Code); OJ L 77, 23.3.2016, p. 1–52.

<p><i>should be relocated to the Member States that are responsible for them as soon as is possible or to other parts of the EU if they have family members in other Member States. (...)</i></p>	<p>includes also crisis situations.</p>
<p>Amendment 39 and 42</p> <p><i>(...) In a crisis situation, the Member State should also have the discretion to grant immediate protection status to children and particularly vulnerable persons as well as to other groups of persons in need of immediate protection, if provided under national law. (...)</i></p> <p><i>(...) In a crisis situation, the Member State should also have the discretion to grant immediate protection status to children and particularly vulnerable persons, and other groups of persons in need of immediate protection, if provided for in national law. (...)</i></p>	<p>Children and particularly vulnerable persons would qualify for immediate protection only if they belong to a nationality that is covered by the scope of the proposal of displaced persons who, in their country of origin, are facing an exceptionally high risk of being subject to indiscriminate violence, in a situation of armed conflict, and who are unable to return to that third country. The need to apply those provisions and the precise group of people concerned is to be determined by the Commission in an implementing act.</p>
<p>Amendment 37 and 41</p> <p><i>(...) and an asylum crisis management procedure should allow Member States, in consultation with the Commission, to apply the regular asylum procedure so as to alleviate the impact on the border regions under migrant pressure.</i></p> <p><i>(...) (a) By way of derogation from Article 41(2)(b) of Regulation (EU) XXX/XXX [Asylum Procedures Regulation], Member States may – in consultation with the Commission - decide not to apply a border procedure.</i></p> <p><i>(b) By way of derogation from Article 41(11) and (13) of Regulation (EU) XXX/XXX [Asylum Procedures Regulation], the maximum duration of the border procedure for the examination of applications set out in that Article may be prolonged by an additional period of maximum six weeks. Following this</i></p>	<p>The proposal gives Member States the possibility to derogate from the asylum border procedure under Article 41, by taking decisions in a border procedure on the merits of an application where the applicant is of a nationality with below an EU-wide recognition rate of 75% or lower. This is a possibility in addition to the cases listed under Article 41 of the proposed Asylum Procedures Regulation with no obligation for Member States to request a derogation from the border procedure rules.</p>

<p>period, the applicant shall be authorised to enter the Member State's territory for the completion of the procedure for international protection.</p>	
<p>Amendment 40 [...] 2. For the purposes of this Regulation, a situation of crisis is to be understood as: (a) an exceptional situation of mass influx of third-country nationals or stateless persons arriving irregularly in a Member State or disembarked on its territory following search and rescue operations, being of such a scale, in proportion to the population and GDP of the Member State concerned, and nature, that it renders the Member State's asylum, reception or return system <i>at local, regional and/or national level</i> non-functional and can have serious consequences for the functioning the Common European Asylum System or the Common Framework as set out in Regulation (EU) XXX/XXX [<i>Asylum and Migration Management</i>], or (b) an imminent risk of such a situation.</p>	<p>To trigger the specific rules for solidarity, as well as the procedural derogations, the Commission must establish that a Member State is confronted with a crisis situation. Where specifically necessary, the Commission may, in proposing an implementing act for that purpose, have regard to the concerned Member State's asylum, reception or return system at local, regional and national level.</p>
<p>II. POLICY RECOMMENDATIONS 14. Proposes setting the age threshold for biometric data collection within the framework of Eurodac at the age of 12 years in order to align it with the age requirements of the Visa Code and the Entry/Exit system. Storage of biometric data always entails risks in relation to data protection legislation. It is therefore recommended to ensure that the data of persons who may not yet understand the issue at stake may not be stored for law enforcement purposes.</p>	<p>The age as from which Member States are obliged to take the fingerprints of minors was not modified by the amended proposal. The co-legislators have agreed with six years old in their provisional agreement as the situation is not comparable to that of the children who, to enter the EU, must first be identified.  Identification of younger children entering the EU irregularly, and in the vast majority of cases undocumented, is crucial to ensure that they can be traced in the territory of the EU and to help avoid possible scenarios of exploitation.</p>
<p>16. Calls on the Commission and the Member States to further expand resettlement programmes, set up more humanitarian</p>	<p>The New Pact sets out the Commission's intention to support the use of legal pathways to provide protection in the EU to persons in need, including</p>

<p>reception programmes, such as community sponsorship programmes, and encourage the recruitment of skilled and talented workers from third countries.</p>	<p>through resettlement and community sponsorship schemes.</p> <p>The Commission will continue to support Member States in their resettlement efforts. By mid-2021, the next pledging exercise will be launched to ensure the continuity of EU-sponsored resettlement programmes. In addition, financial support for humanitarian admission is available as of 2021.</p> <p>The European Asylum Support Office has created a specific working group on community sponsorship (as part of the resettlement network). In closed cooperation with the Commission, this working group will take the work on the European approach to community sponsorship further and support the roll out of such schemes in the Member States. The projects on private/community sponsorship selected under the 2019 Asylum, Migration and Integration Fund (AMIF) have started their implementation phase.</p> <p>Based on experience with pilot projects on legal migration, the Commission will launch Talent Partnerships with selected third countries. They will reflect real labour market demand and supply in EU and partner countries and be open to all skill levels and sectors.</p> <p>As part of an upcoming ‘Skills and Talent package’ to be adopted in late 2021, the Commission will also set out options for developing an EU Talent Pool, which could operate as an EU-wide platform for international recruitment.</p>
<p>17. Stresses that many local and regional authorities across the EU are willing to be actively involved in the reception and integration of vulnerable migrants, and points to the potential of the CoR's "Cities and Regions for Integration" initiative; suggests that the European Commission take note of regions' and cities' best practices in the area of integration so as to promote their</p>	<p>On 19 March 2021 the Commission launched a new partnership with the Committee to increase support for cities and regions in their integration action. The partnership will promote the sharing of successful integration practices at local and regional level and will help build an open dialogue between the EU and local and regional authorities on integration.</p>

<p>implementation elsewhere, encourage the emergence of new initiatives and help instigate a more constructive public debate on asylum and migration law.</p>	
<p>18. Calls for effective policies for cooperation with third countries to be established and developed. To that end, the EU needs to develop a new strategy to support the sustainable development of these third countries, especially States in Africa, encouraging sustainable economic development and promoting democracy in those countries, with initiatives relating to healthcare, production, education, training, infrastructure building and sustainable and democratic economic progress that will mean that their inhabitants do not have to migrate.</p>	<p>As part of the comprehensive approach to migration set out in the New Pact on Migration and Asylum, engagement with partner countries is being stepped up through dialogue and cooperation in the context of all EU's and Member States' policies, tools and instruments, pulled together to build mutually beneficial partnerships.</p> <p>In the March 2020 joint Communication 'Towards a Comprehensive Strategy with Africa'<sup>7</sup>, the Commission together with the EU High Representative proposed the basis for a new strategy with Africa. The communication sets out proposals to intensify cooperation on all aspects of the EU-Africa partnership, and propose a comprehensive framework for future partnership that will enable both sides to achieve their common goals and to tackle global challenges.</p> <p>This proposal for a new strategy is a starting point to take the partnership to a new level based on a clear understanding of the respective and mutual interests and responsibilities. Concretely: developing a green growth model, improving the business environment and investment climate, boosting education, research, innovation, the creation of decent jobs through sustainable investments, maximising the benefits of regional economic integration and trade, combatting climate change, ensuring access to sustainable energy, protecting biodiversity and natural resources, as well as promoting peace and security, ensuring well-governed migration and mobility and working together to strengthen the multilateral rules based order that promotes universal values, human rights, democracy and gender equality.</p> <p>Based on this Communication, Europe is engaging</p>

<sup>7</sup> JOIN(2020) 4 final.

	<p>in discussions with African partners towards a new joint strategy to be endorsed at the next European Union – African Union Summit.</p>
<p>22. Stresses the need for easier, clearer access for local and regional authorities, including at macro-regional level, to EU funding for integration and inclusion.</p>	<p>The Action Plan for integration and inclusion 2021-2027 calls on Member States to:</p> <ul style="list-style-type: none"> <li>– ensure a coordinated approach at national, macro-regional, regional and local level in the programming and implementation of EU funds contributing to integration and inclusion;</li> <li>– facilitate access to EU funding for local and regional authorities through specific calls for proposals for local and regional authorities;</li> <li>– involve local and regional authorities, civil society organisations, including organisations representing migrants and diaspora, and social and economic partners in preparing, revising, implementing and monitoring programmes for the 2021-2027 EU funds.</li> </ul> <p>The Commission will increase knowledge and awareness of funding opportunities for local and regional authorities through webinars and a toolkit on the use EU funds for integration in the 2021-2027 programming period.</p>

**N°8 A new approach to the Atlantic maritime strategy – Atlantic action plan 2.0**  
**COM(2020) 329 final**  
**COR-2020-04163 – NAT VII/012**  
**143<sup>rd</sup> plenary session – March 2021**  
**Rapporteur: Paula FERNANDEZ VIANA (ES/RE)**  
**DG MARE – Commissioner SINKEVIČIUS**

<b>Points of the European Committee of the Regions opinion considered essential</b>	<b>European Commission position</b>
<p>1. Points out that the Atlantic regions are facing a twofold economic crisis. The – as yet unquantified – consequences of Brexit for fisheries, tourism, trade and transport will come on top of those generated by COVID-19. The drastic reduction in mobility we are suffering is having a particular impact on infrastructure, maritime links, logistics chains and the tourism industry.</p>	<p>The revised action plan contributes to the recovery efforts in the blue economy focussing on key sectors that combine sustainable transformation with a high job creation potential in the Atlantic coastal communities. For example, besides promoting sustainable coastal tourism, the transition to off-shore renewables offer significant employment opportunities in the Atlantic. Green shipping and innovative port activities as suggested by this action plan will contribute to reducing the EU’s carbon and environmental footprint.</p>
<p>2. Calls, therefore, for mitigation measures to be specifically developed in Atlantic coastal and maritime regions and for account to be taken of the outcome of the Brexit negotiations and its possible impact on the future of the Atlantic maritime strategy and related action plan. In this regard, it is concerned about the possible consequences of the withdrawal of the United Kingdom for the Common Fisheries Policy (CFP).</p>	<p>As of 1 February 2020, the United Kingdom (UK) is no longer a member of the European Union, hence not a member of the Atlantic maritime strategy anymore. Its current status as a third country will determine the scope and terms of the UK’s participation in the Atlantic action plan. The implementation of the revised action plan however does not require changes to EU legislation.</p> <p>Regarding the future relations with the UK, as stated in the Communication on the revised Atlantic Action Plan (AAP)<sup>1</sup>, the participating Member States may decide, in consultation with the Commission, to expand membership of the Atlantic strategy to any interested State, which potentially can include the UK as well.</p>
<p>3. Points out that the goals and actions of the four pillars are cross-cutting in nature and that their achievement will depend on good</p>	<p>The action plan does not have the ambition to be exhaustive. One of the lessons learnt of the mid-term review of the first action plan was to focus on a</p>

<sup>1</sup> COM(2020) 329 final.

cooperation between the various Commission departments, national supervisory authorities and project coordinators. Warns, however, that, although appropriate, the current pillars must be redefined as the review of European sectoral policies has shown them to be inadequate, and that a proper exercise coordinating them with the Atlantic strategy is necessary.

6. Calls, therefore, for marine food supply to be included as a pillar in the Atlantic Action Plan (AAP) as it is a priority of the European Green Deal. In addition, the development of marine ecosystems and their potential for increased carbon storage should also be included.

7. Considers, with regard to pillars I and III, concerning possible sectors of activity in the blue economy (ports and renewable energies), that making only these sectors pillars of the AAP limits its reach in that other existing and emerging areas of action, which are of particular relevance in the Atlantic regions, are not included.

8. Suggests, therefore, combining these two pillars to form a single pillar entitled "Blue economy activities as drivers for sustainable development of coastal areas", and developing five goals within that pillar: Ports as catalysts for the regional blue economy ecosystem; Ports as innovation hubs for incorporating technological solutions; Improving activities in mature sectors (fisheries, transport and maritime logistics, etc.) and bringing them into line with the Sustainable Development Goals; Promoting activities in emerging blue growth sectors and, in particular, renewable marine energies; and Digitalisation of blue economy activities.

9. Points out that port and port catchment area connectivity is another key topic and welcomes the inclusion in the AAP of a pillar dedicated to Atlantic ports. It is essential to remove

limited number of priorities, knowing that other fora of cooperation exist notably in traditional sectors (e.g. fisheries advisory councils).

The four thematic pillars were identified and described jointly with the participating Member States and regions through a bottom up consultation process. The Action plan 2.0 tries to address significant challenges that the region is facing (e.g. marine litter and coastal erosion) and grasp opportunities (the Atlantic region has the highest potential in terms of ocean energy; ports are transforming into hubs for innovation).

In its conclusions on sustainable blue economy, the Council endorsed the new Action plan 2.0. Any change or redefining of thematic pillar should be primarily considered and decided by the Atlantic Strategy Committee. More specifically:

- *fisheries and aquaculture*: marine food supply is indeed very important but cooperation in these sectors is already well developed under the Common Fisheries Framework, including at regional level (through the advisory councils) and under certain thematic platforms like the European Aquaculture Technology and Innovation Platform – EATiP;
- *on the merge of pillar 1 and 3*: while indeed the development of marine renewable energy is part of the transformation of ports, they deserve specific attention – especially in the Atlantic where new forms of marine renewable energy are under development. The development of marine renewable energy requires coordination at regional level and raises specific questions in terms of maritime spatial planning, as highlighted by the Commission Communication on offshore energy<sup>2</sup>;
- *connectivity*: connectivity of ports is indeed an important issue and specific programmes are addressing this issue like the Trans-European

<sup>2</sup> COM(2020) 741 final.

<p>bottlenecks in rail transport and on connecting roads (the last mile), whether caused by capacity problems or by redistribution of freight. It is right to include a reference to ports as gateways for trade in the Atlantic and catalysts for business, but their crucial role generating wealth and employment in their catchment areas is overlooked.</p>	<p>Transport Network (TEN-T) and motorways of the sea. These issues are well reflected under Pilar 1 priorities.</p>
<p>5. Regrets that key blue economy activities are excluded from the Atlantic Action Plan, such as the naval and maritime construction and transport industries, recreational boating, along with its services and ancillary industry, and sustainable tourism activities relating to the marine environment, including water sports, cruise tourism and ferries, and that neither fisheries, shellfishing or aquaculture are dealt with as subjects in their own right in the AAP.</p> <p>16. Criticises the fact that none of the pillars are dedicated to tourism and cultural heritage, which are the hallmark of the European Atlantic area because of the way they contribute to the continent of Europe's brand.</p>	<p>The 2018 mid-term review clearly showed that the previous action plan was lacking a thematic focus with too many objectives. Therefore, the purpose of the revised action plan was to bring in a thematic focus that is centered on four thematic pillars, which were identified jointly with the participating Member States and regions through a bottom up consultation process.</p> <p>The action plan has not the ambition to cover all sectors. More specifically, on tourism, while important for the blue economy, the need to move to more sustainable models of tourism goes far beyond coastal areas. In comparison with other areas like the Mediterranean, marine and coastal tourism in the Atlantic has been less affected by the COVID-19 crisis. This being said, this issue will be clearly taken into consideration under pillar IV and II (skills).</p>
<p>10. Advocates broadening the scope of Motorways of the Sea in the Atlantic, allowing new connections to be established between ports in the TEN-T global network, and basing the criteria for including European ports in general and Atlantic ports in particular in TEN-T on their strategic importance for the EU and its territories. Stresses, in this regard, the strategic value of Motorways of the Sea in connecting Ireland with mainland Europe after Brexit.</p>	<p>The Commission has launched the process of revision of the TEN-T regulation.</p> <p>In the latest Detailed Implementation Plan of June 2020<sup>3</sup>, the European TEN-T Coordinator in charge of the development of Motorways of the Sea, Kurt Bodewig, raised a number of ideas for the future. For instance, a project of Motorways of the Sea could include ports, which are only on the comprehensive network (i.e. no need to have at least one core port included as it is the case today). Another example is to open up Motorways of the Sea for intra-national connections between two ports from the same Member State.</p>

<sup>3</sup> [https://mcusercontent.com/c260ca6b4be6fb10a4fe9a3dd/files/28849e06-cfe0-40c7-9b33-3ca81f2a1eae/MoS\\_DIP\\_FINAL.pdf](https://mcusercontent.com/c260ca6b4be6fb10a4fe9a3dd/files/28849e06-cfe0-40c7-9b33-3ca81f2a1eae/MoS_DIP_FINAL.pdf)

	<p>Ports certainly deserve a particular attention to ensure good connectivity between Ireland and mainland Europe after Brexit.</p>
<p>11. Calls for those Atlantic ports which are strategically important to structure the European transport network but which are currently outside the TEN-T core network to be included in it. Also calls for funding to be provided for measures for developing Motorways of the Sea and for short sea shipping services to be improved as sustainable, inclusive transport services in the area. These investments should be made in both ports and land connections, including both in "last-mile" connecting roads and, in particular, in modernising and upgrading railway lines, which are essential for creating a sustainable transport network and for the cohesion of outlying regions.</p>	<p>In the context of the revision of the TEN-T Regulation, the Commission is reviewing the list of ports included in the annex to the TEN-T regulation. This review will be based on an objective and transparent methodology and in relation in particular with the volume of (freight/passenger) traffic in years 2017, 2018 and 2019.</p>
<p>15. Proposes that, since there are a number of studies on the use of waves, currents and wind in the Atlantic area, they should be incorporated into a map of potential resources, and that, within Pillar III, account should be taken of the compatibility of the activity of producing renewable energy from marine sources or areas with pre-existing activities such as fishing, shellfishing and aquaculture; consideration should also be given to marine ecosystems and biodiversity.</p>	<p>The Commission agrees with these suggestions. The Thematic pillar and related Task force on Marine Renewable Energy will indeed take into account these recommendations in their work programme.</p>
<p>17. Considers that a specific economic and budgetary instrument should be developed for the Atlantic strategy, to facilitate its implementation and the roll-out of its linked actions in a more attractive way. The integration of the goals of the AAP and the Atlantic strategy into the Multiannual Financial Framework (MFF) is particularly relevant with regard to the United Kingdom's decision to leave the European Union.</p>	<p>Although the action plan is not accompanied by a dedicated funding scheme, the European Funds including the future territorial cooperation programme (Interreg) in the Atlantic area and the EMFAF (European Maritime Fisheries and Aquaculture Fund) are expected to be the main sources of funding. In addition to the national and regional funding opportunities, the action plan will also rely on other available EU funding sources such as Horizon Europe, Connecting Europe Facility, LIFE programme and innovative financial instruments managed by the European Investment</p>

	<p>Bank, such as the InvestEU programme for decarbonisation and the circular economy. It is essential to mobilise the European Regional Development Fund operational programmes at regional level as well as the future Atlantic Interreg programme in support of the priorities of the Atlantic action Plan.</p>
<p>21. In view of the increase in the number of financial instruments available, invites the European Commission to organise, potentially together with the European Committee of the Regions, information campaigns for local and regional authorities on best practices for accessing and deploying those financial instruments.</p>	<p>The Commission welcomes this suggestion. The Atlantic Assistance Mechanism will facilitate the organisation of such information campaigns in the future.</p>
<p>25. Proposes that the European Committee of the Regions compile an inventory of blue economy activities in each of its regions and areas, thus creating a real map of the development of the blue economy in the European Union. This should be regularly updated, under the umbrella of the NAT commission, by the specific stakeholders in each region, in order to identify good practice in this area.</p>	<p>The Commission welcomes this proposal.</p>
<p>26. Supports the new governance structure and monitoring framework and proposes that specific roadmaps or milestones be included for each goal in order to make the actions defined more specific.</p> <p>28. Strongly advocates effective multi-level governance, while respecting the institutional framework of each Member State, and believes that the renewed maritime strategy should enable the regions to play an active part in Atlantic governance.</p>	<p>The newly established thematic pillars led by a designated pillar coordinator have already developed specific roadmaps with milestones and a timeline highlighting the implementation plan linked to the actions and the goals of the AAP 2.0.</p> <p>The regional voice is represented as member of the group in the Atlantic Strategy Committee (ASC) by the Conference of Peripheral Maritime Regions of Europe. In addition, participating Member States are entitled to invite their respective regions to attend the meetings of the ASC, which has already been the case in the past (e.g. Pays de la Loire).</p>
<p>27. Considers it appropriate to recognise the importance of the LEADER approach to the development of the Atlantic strategy, and the</p>	<p>The development of a sustainable blue economy strongly relies on partnerships between local stakeholders that contribute to the vitality of coastal</p>

<p>support provided by applying it, through community-led local development strategies associated with Fisheries Local Action Groups, a specific instrument linked to the coast and its economic and social stakeholders, where experience and knowledge are available.</p>	<p>and inland communities and economies. The European Maritime Fisheries and Aquaculture Fund will provide tools to foster such partnerships. For that purpose, it will support community-led local development under shared management. Community-led local development has been a very successful instrument during the 2014-2020 period. Compared to the 2014-2020 period, the scope of community-led local development strategies supported by the EMFAF will be extended to the whole blue economy (and not only to fishing and aquaculture).</p>
<p>29. Stresses the need to align the agendas and objectives of the multiple EU processes and policies, as often what is no longer a priority on an agenda ending on a given date becomes a priority on the agenda of another process with a different end date. This governance problem reflects the existence of a fragmented structure and the lack of proper coordination and correct, up-to-date information.</p>	<p>The Commission is keen to coordinate parallel processes to support the implementation of the AAP 2.0. In particular, the Commission is aiming to ensure coherence and strong alignment between the AAP 2.0 and the existing and future funding programmes such as the cross-border and inter-regional programmes covering the Atlantic Area. To that end, several Commission services are involved in the implementation of the action plan (DGs MARE, MOVE, ENV, RTD and REGIO).</p>
<p>31. Calls for cross-border cooperation beyond sea boundaries and within regions to be increased by developing simpler calls for cross-border projects, strengthening Interreg programmes and other budgetary tools.</p>	<p>In the Border orientation papers prepared by the Commission, it is recommended that programmes take into account strategies - such as the Atlantic strategy - to ensure that projects are in line with its requirements when it comes to the coastal areas. Due to Brexit, the cross-border programmes with a link to the Atlantic have been reduced and therefore the impact of Interreg strand A on the actual strategy is also limited.</p>
<p>33. Notes that, if cooperation is to be improved, greater mutual understanding is also needed. It would therefore be very useful to draw up a list of stakeholders, problems and opportunities and distribute it to the operators in each country and/or region, and also to establish lines of action or technology agendas for the various sectors of the blue economy geared to the particular specialisation of each region, promoting mutual cooperation and providing a</p>	<p>The thematic pillar coordinators are operating along these lines and implementing concrete actions in the specific thematic areas of the blue economy, taking into account regional specificities promoting mutual cooperation in the Atlantic area.</p> <p>The implementation of the action plan benefits from a technical assistance mechanism composed of national hubs that ensure direct contacts with stakeholders in the different participating countries.</p>

<p>joint offer, without the need to compete.</p>	<p>The large network of stakeholders already exists and an Atlantic stakeholder conference is organised every year.</p>
<p>40. Considers that, taking into account the Council conclusions on the implementation of EU macro-regional strategies, it is time to create and develop a macro-regional strategy for the Atlantic area, with a specific budgetary and implementation framework geared to its current situation and potential.</p>	<p>A decision to expand the Atlantic sea-basin strategy into a macro-regional one lies solely in the hands of the participating Member States and it is up to them to express such an interest towards the Council.</p>