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From: General Secretariat of the Council

To: Delegations

Subject: Conference on the Future of Europe
- Proposals and related specific measures contained in the report on the final outcome of the Conference on the Future of Europe: Preliminary technical assessment

Delegations will find attached a table with a preliminary technical assessment of the proposals and related specific measures contained in the report on the final outcome of the Conference on the Future of Europe¹.

¹ Doc. 8933/2022

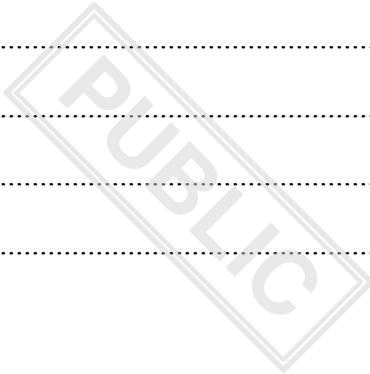
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I. CLIMATE CHANGE AND THE ENVIRONMENT

1. Proposal - Agriculture, food production, biodiversity and ecosystems, pollution

Objective: Safe, sustainable, just, climate responsible, and affordable production of food, respecting sustainability principles, the environment, safeguarding biodiversity and ecosystems, while ensuring food security:

	Measures	To what extent are the EU Institutions already working on the measures addressed in the proposal (What is being done)?	How could the proposal/measure be implemented, if at all (assessment of feasibility)? (Please refer to the legal basis on which this could be done – if any)?
1.	Bring the concept of green and blue economy to the fore, by promoting effective environmentally and climate friendly agriculture and fishery in the EU and worldwide, including organic farming as well as other forms of innovative and sustainable farming, such as vertical farming, that allow to produce more food with less input whilst reducing emissions and environmental impact but still guaranteeing productivity and food security (Panel 3 – recommendation 1, 2 and 10; Panel 2 – recommendation 4)	<p>Agriculture: this measure is covered by the new CAP. The extent to which it will be implemented will depend on Member States' choices in their Strategic Plans, although incentives exist in the CAP in this regard.</p> <ul style="list-style-type: none"> – Organic farming: in May 2021, the Commission adopted an action plan for organic farming that includes the target, also mentioned in the Farm to Fork strategy, of having 25 % of the total agricultural area of the EU dedicated to organic production by 2030. – The CAP as adopted in December 2021 allows Member States to grant support for organic farming both in the form of direct payments and rural development interventions. – The Commission also plans to dedicate 30% of its 10 billion research budget in the agri-food sector under Horizon Europe to projects related to 	<p><u>Agriculture</u> CAP Strategic Plans Regulation (Regulation 2021/2115 + Article 43 TFEU), potentially Article 192 TFEU.</p> <p><u>Environment</u> Reductions of emissions to reach the economy-wide climate objectives are pursued on the environment legal basis. As indicated two relevant proposals are currently pending before the Council in the FF55 package.</p>

		<p>organic farming.</p> <p>Vertical farming:</p> <ul style="list-style-type: none"> – Under its second pillar (rural development), the CAP allows Member States to grant support for investments, which could also encompass vertical farming. <p>Reducing emissions and environmental impact:</p> <ul style="list-style-type: none"> – The CAP adopted in December 2021 continues to make financial support conditional on the respect of certain environmental standards. – Within the CAP, Member States must also set up eco-schemes to support farmers who commit to observe agricultural practices that are beneficial for the environment, including actions for a sustainable and reduced use of pesticides. – The Farm to Fork strategy contains reduction targets for the use of chemical pesticides, antimicrobials and fertilisers in the EU. – In its Soil Strategy presented in November 2021, the Commission envisages 1) a revision of the Directive on the Sustainable Use of Pesticides by 2022 and 2) an improvement and harmonisation of the consideration of soil quality and soil biodiversity in EU risk assessments for chemicals, food and feed additives, pesticides, fertilisers, etc... <p>Fisheries: this measure is also covered by the objectives of the Common Fisheries Policy which pays specific attention to the environmental,</p>	
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		<p>economic and social dimensions of fisheries. It is also supported by the European Maritime and Fisheries Fund and the new European Maritime, Fisheries and Aquaculture Fund.</p> <p>This measure could also be implemented through projects under the Research Programme Horizon Europe.</p> <p>Land Use, Land-Use Change and Forestry (LULUCF): Emissions from agriculture are today covered by the Effort Sharing Regulation (ESR) currently under revision to ensure compliance with the European Climate Law (COD 2021/200). The Commission has proposed to include the agriculture sector in the LULUCF Regulation for the period 2030 to 2035 with a target (COD 2021/201).</p>	
2.	<p>Redirect subsidies and strengthen incentives towards organic farming and sustainable agriculture which comply with clear environmental standards and help achieving the global climate goals (Panel 3 – recommendations 1, 12)</p>	<p>The measure is already covered by the new CAP, which makes the granting of financial support conditional on the respect of an enhanced set of environmental and other standards.</p> <p>In addition, Member States will have to ring-fence 25% of their direct payment envelopes for eco-schemes to support farmers who make commitments to observe agricultural practices beneficial for the climate, the environment and animal welfare and combatting antimicrobial resistance. Member States will also have to ring-fence at least 35% of their EAFRD (European agricultural fund for rural development) envelopes for interventions addressing</p>	<p>New CAP - CAP Strategic Plans Regulation: Regulation 2021/2115 + Art. 43 TFEU. However, it should be noted that the first pillar of the CAP still remains an income support tool (Article 39 TFEU).</p> <p><u>Environment</u> As above, the achievement of the climate goals are currently negotiated within the context of the FF55 on the environment legal basis (Article 192 TFEU). That legal basis is also relevant for environmental standards.</p>

		environmental and climate-related specific objectives. Furthermore, at least 15% of the operational programmes in the field of fruits and vegetables must cover environmental and climate-related interventions.	
3.	Apply circular economy principles in agriculture and promote measures against food waste (WG debate, Multilingual Digital Platform (MDP))	<p>One of the new CAP's specific objectives is to reduce food waste, which may include its reuse and valorisation.</p> <p>The current shortage and price hike of fertilisers could provide a further incentive to valorise agricultural waste according to the circular economy principles.</p>	
4.	Significantly reduce the use of chemical pesticides and fertilizers, in line with the existing targets, while still ensuring food security, and support for research to develop more sustainable and natural based alternatives (Panel 3 – recommendation 10, WG debate)	<p>The Farm to Fork Strategy contains political targets for the reduction of the risk and use of chemical plant protection products in the EU.</p> <p>Four new tertiary legislative acts have been prepared by the Commission, which will simplify the process of approval and authorisation of biological plant protection products containing micro-organisms.</p> <p>At the request of the Council, the Commission is preparing a study on the Union's situation and options regarding the introduction, evaluation, production, marketing and use of invertebrate biological control agents as a possible alternative to chemical plant protection products.</p>	<p>Commission legislative proposal on the sustainable use of pesticides expected for June 2022.</p> <p>Legal basis: Article 192 TFEU.</p>
5.	Introduce a certification of carbon removals, based on robust, solid and transparent carbon accounting (Plenary discussion)		Commission legislative proposal on carbon removal certification (to be based on Article 192 TFEU) expected for the end of 2022.

<p>6.</p>	<p>More research and innovations, including in technological solutions for sustainable production, plant resistance, and precision farming, and more communication, advisory systems, and training for and from farmers (Panel 3-recommendation 10, WG debate, Plenary discussion)</p>	<p>The measures on communication, advisory systems and training for farmers are already covered by the new CAP, which also offers investment support for precision farming. Within rural development, Member States may support investments in installation of digital technologies in agriculture such as precision farming.</p> <p>Training for farmers: The CAP obliges Member States to offer farmers advisory services that cover all requirements, conditions and management commitments set out in their CAP Strategic Plans such as those related to the use of pesticides and fertilisers.</p> <p>Horizon Europe provides support for research and innovation towards achieving the UN Sustainable Development Goals. It also provides for synergies with other EU programmes, including for agriculture and fisheries. The EU mission 'A Soil Deal for Europe' is aimed to lead the transition towards healthy soils by 2030. Horizon Europe also supports the European Innovation Partnership "agricultural productivity and sustainability".</p>	<p>New CAP-CAP Strategic Plans Regulation: Regulation 2021/2115 + Art. 43 TFEU.</p> <p>The Research Framework Programme is based on Article 173(3) TFEU, Article 182(1) TFEU, Article 183 TFEU, and the second paragraph of Article 188 TFEU. These legal bases may be used for further implementation of related measures.</p>
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7.	Eliminate social dumping and enhance a just and green transition to better jobs, with high quality safety, health and working conditions, in the agriculture sector (WG debate)	<p>With regard to workers, beneficiaries receiving certain direct payments under the CAP will be subject to penalties if they do not comply with the main requirements related to the applicable working/employment conditions at the latest as from 2025.</p> <p>Art. 14 of Regulation 2021/2115 already establishes a social conditionality regime, referring to the requirements related to applicable working and employment conditions or employer obligations arising from the legal acts referred to in Annex IV.</p> <p>As regards "social dumping" in general, Directive 96/71/EC on posting of workers (revision adopted in 2018), further strengthened the protection of posted workers by widening the list of working conditions in the host Member State that are applicable to posted works (e.g. remuneration; maximum work periods and minimum rest periods; minimum paid annual leave etc).</p>	<p>Legal basis: CAP Strategic Plans Regulation (Regulation 2021/2115).</p> <p>Article 153 TFEU allows for minimum harmonization in relation to measures that would improve working conditions and contribute to fighting so-called "social dumping".</p>
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<p>8.</p>	<p>Address aspects such as plastic use in agricultural films and ways to reduce water consumption in agriculture (MDP)</p>	<p><u>Water consumption</u> The new CAP already contains measures that contribute to the reduction of water consumption in agriculture. The 2023-2027 CAP reform added under enhanced conditionality a new standard of good agricultural and environmental conditions of land.</p>	<p><u>Plastic uses in agricultural film</u> The management of agriculture plastic wastes would require a specific legislation framework, based on Article 192 or Article 43(2) TFEU depending on the center of gravity.</p> <p><u>Water consumption</u> Further measures could be decided in accordance with Art. 192 TFEU.</p> <p>These aspects will be expected to be addressed in the upcoming Circular Economy package II (July 2022) including an initiative on biodegradable plastics and a revision of the Urban Waste Water Treatment Directive.</p>
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<p>9.</p>	<p>Reasoned breeding and meat production with a focus on animal welfare and sustainability, using measures such as clear labelling, high standard and common norms for animal farming and transport, strengthening the link between breeding and feeding (Panel 3- recommendation 16 and 30)</p>	<p>Currently applicable legal framework on animal welfare: Council Directive (EC) No 98/58 on the protection of animals kept for farming purposes; Council Regulation (EC) No 1/2005 on the protection of animals during transport and related operations; and Council Regulation (EC) No 1099/2009 on the protection of animals at the time of killing.</p> <p>Moreover, several Council conclusions have been adopted over the recent years specifically cover animal welfare.</p>	<p>In its communication on the Farm to Fork Strategy, the Commission has announced that it will evaluate and revise the animal welfare legislation.</p> <p>On 30 June 2021, the Commission responded positively to the European Citizens Initiative ‘End the cage age’. In its Communication, the Commission set out plans for a legislative proposal to prohibit cages for a number of farm animals. The proposal is expected to be part of the revision of the animal welfare legislation.</p> <p>The Commission is also considering options on animal welfare labelling.</p> <p>Applicable legal bases on animal welfare: Article 43 TFEU and, as regards labelling, Article 114 TFEU could also be used.</p>
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2. Proposal - Agriculture, food production, biodiversity and ecosystems, pollution

Objective: Protect and restore biodiversity, the landscape and oceans, and eliminate pollution

	Measures	To what extent are the EU Institutions already working on the measures addressed in the proposal (What is being done)?	How could the proposal/measure be implemented, if at all (assessment of feasibility)? (Please refer to the legal basis on which this could be done – if any)?
1.	Create, restore, better manage, and extend protected areas – for the conservation of biodiversity (FR recommendation, Panel 3 – recommendation 11)	<p>This is one of the elements of the new post 2020 Global Biodiversity Framework which is currently under discussion in the UN framework.</p> <p>Moreover, this is part of the EU biodiversity strategy for 2030, which sets the target of protecting 30% of EU land and sea by 2030.</p> <p>The Common fisheries policy under the 2013 basic regulation² “<i>should ensure coherence with (...) the biodiversity targets (...)</i>”.</p> <p>The EU works on planning at sea, as well as on the delimitation of marine protected areas, i.e. on Maritime Spatial Planning (MSP). According to the latest data from 2021, 12% of the EU’s sea area is</p>	<p>Marine Protected Areas (MPAs) primarily pursue an environmental objective and therefore fall within shared competence (Articles 4 and 192 TFEU). The Marine Strategy Framework Directive sets out the principles (Article 13)³: “<i>Programmes of measures established pursuant to this Article shall include (...) marine protected areas as agreed by the Community or Member States concerned in the framework of international or regional agreements to which they are parties</i>”.</p> <p>In light of the principle of subsidiarity, the designation of individual protected areas is currently carried out at the level of each</p>

² Regulation (EU) No 1380/2013 of the European Parliament and of the Council of 11 December 2013 on the Common Fisheries Policy, amending Council Regulations (EC) No 1954/2003 and (EC) No 1224/2009 and repealing Council Regulations (EC) No 2371/2002 and (EC) No 639/2004 and Council Decision 2004/585/EC, OJ L 354, 28.12.2013, p.22-61

³ Directive 2008/56/EC of the European Parliament and of the Council of 17 June 2008 establishing a framework for community action in the field of marine environmental policy (Marine Strategy Framework Directive), OJ L 164, 25.6.2008, p. 19-40

		<p>protected.</p> <p>Within the framework of Regional Fisheries Management Organisations (RFMOs) of which it is a member, the EU supports measures to minimise the negative impact of fishing activities and aquaculture on marine biodiversity and marine ecosystems and their habitats.</p> <p>The Marine Strategy Framework Directive is aimed at the protection of the marine environment and natural resources and establishes a framework for the sustainable use of marine waters.</p> <p>In addition, in its Soil Strategy presented in November 2021, the Commission envisages 1) a revision of the Directive on the Sustainable Use of Pesticides by 2022; and 2) an improvement and harmonisation of the consideration of soil quality and soil biodiversity in EU risk assessments for chemicals, food and feed additives, pesticides, fertilisers, etc.</p>	<p>Member State within the targets set by the EU.</p> <p>This is also expected to be addressed in a legislative proposal for legally binding EU nature restoration targets (legal basis: Article 192 TFEU).</p>
2.	<p>Have in place a coercion and reward system to tackle pollution applying the polluter pays principle, which should also be embedded in taxation measures, combined with increasing awareness and incentives (Panel 3 – recommendation 32, FR recommendation, Plenary discussion)</p>	<p>The Council is discussing the proposal on the revision of the Energy Taxation Directive according to which fossil fuels are envisaged to have higher minimum taxation levels than less polluting energy products.</p> <p>The polluter pays principle is also the core idea behind the emissions trading system, ETS, currently being revised as part of the FF55.</p>	<p>Legal basis of the Commission proposal on the energy taxation directive: Articles 113 and 192(2) TFEU.</p> <p>ETS legal basis: Article 192 TFEU</p>

3.	Enhance the role of municipalities in urban planning and construction of new buildings supporting blue-green infrastructure, avoid and stop further sealing of land and obligatory green spaces of new constructions, in order to promote biodiversity and urban forests (Panel 3 - recommendation 5, Panel 1- recommendation 18, FR recommendation)	Referred to in the Soil Strategy as presented in November 2021.	This could be considered in the Soil health legislative initiative, expected for 2023. This could be based on Article 192 TFEU.
4.	Protect insects, in particular indigenous and pollinating insects, including through protection against invasive species and better enforcement of existing regulation (Panel 1 – recommendation 18)	This is part of the EU Biodiversity Strategy and EU Soil Strategy. Also an element of the new post 2020 Global Biodiversity Framework being discussed under the United Nations Convention on Biological Diversity.	Article 192 TFEU could be used as a legal basis for such measures. Enforcement is part of the powers of the Commission.
5.	Support reforestation, afforestation, including forests lost by fire, enforcement of responsible forest management, and support better use of wood replacing other materials. Setting binding national targets across the EU Member States for reforestation of native trees and local flora, taking into account different national situations and specificities (Panel 3 – recommendation 14, Panel 1 – recommendation 18).	The 2021 proposal for Regulation on deforestation, currently under discussion, aims at reducing to a minimum the consumption of products coming from supply chains associated with deforestation or forest degradation. In addition, the use of the forest as a carbon sink is covered by the LULUCF Regulation currently being revised to notably set a Union wide objective for 2030 and new rules on the carbon capturing of wood products.	Environmental legal basis for both deforestation and LULUCF: Article 192 TFEU.
6.	Enforce and extend the ban on single use plastics (MDP)	The single use plastics directive entered into force in June 2019.	This issue is expected to be addressed in the upcoming Circular Economy package II

			(July 2022) including in relation to biodegradable plastics (Legal basis: Article 192 TFEU).
7.	Protect water sources and combat river and ocean pollution, including through researching and fighting microplastic pollution, and promoting of environmentally friendly shipping by using best available technologies and establishing EU research and funding for alternative maritime fuels and technologies (MDP, WG debate)	<p>The protection of water resources and the reduction of marine pollution is included in the Green Deal.</p> <p>In November 2020, the Commission adopted a Communication on an EU Strategy to harness the potential of offshore renewable energy for a climate neutral future.</p> <p>The issue of maritime fuels is being discussed in the current Fuels Maritime proposal.⁴</p> <p>The inclusion of shipping in the EU ETS is currently being discussed in the revision of the ETS Directive (COD(2021) 211).</p>	<p>This is expected to be addressed in the upcoming Circular Economy package II (July 2022) including an initiative on biodegradable plastics.</p> <p>Legal basis: environmental standards, climate action and water protection and water management (Article 192 TFEU).</p> <p>The legal basis for sea and air transport (Article 100 TFEU) is also relevant for this measure (shipping).</p>
8.	Limit light pollution (WG debate)		Possible legislative proposal could be based on Article 192 TFEU, being aware of the respect of the principle of subsidiarity due to the aspects related to, e.g., urban planning, and possible need for recourse to Art 192(2).

⁴ Proposal for a Regulation of the European Parliament and the Council on the use of renewable and low-carbon fuels in maritime transport and amending Directive 2009/16/EC (COM(2021) 562 final)

3. Proposal - Climate change, energy, transport

Objective: Enhance European energy security, and achieve the EU’s energy independence while ensuring a just transition, and providing Europeans with sufficient, affordable and sustainable energy. Tackle climate change, with the EU playing a role of global leader in sustainable energy policy, and respecting the global climate goals:

	Measures	To what extent are the EU Institutions already working on the measures addressed in the proposal (What is being done)?	How could the proposal/measure be implemented, if at all (assessment of feasibility)? (Please refer to the legal basis on which this could be done – if any)?
1.	Accomplish and whenever possible speed up the green transition, in particular through more investments in renewable energy, in order to reduce external energy dependency, recognizing also the role of local and regional authorities in the green transition (WG debate)	<p>This measure is addressed via multiple initiatives, including the most recent Revision of existing Renewable Energy Directive (discussed as part of the Fit-for-55 Package), the 2022 REPowerEU Plan and the new proposed rules to accelerate permitting of renewables projects.</p> <p>In November 2020, the Commission also adopted a Communication on an EU Strategy to harness the potential of offshore renewable energy for a climate neutral future.</p> <p>The Commission has proposed obligatory earmarking of revenues from the EU ETS that could be used to fund renewable energy.</p>	Energy (Art. 194 TFEU) and environment (Art. 192) legal bases relevant here.
2.	Consider within energy policies the geopolitical and security implications, including human rights, ecological aspect and good	The European Council Conclusions of 24-25 March 2022 asked the Commission to elaborate, in close coordination with Member States, an Action Plan aimed at phasing out the dependency on	Further legislative measures under the existing Treaties, in particular Articles 192 and 194 TFEU, as well as external policy under Article 21 TEU and EU international action under

	governance and rule of law, of all third country energy suppliers (WG debate)	<p>Russian gas, oil and coal imports.</p> <p>On 18 May 2022, the Commission published a communication "REPowerEU Plan". Building on the Fit for 55 package of proposals and completing the actions on energy security of supply and storage, the plan puts forward an additional set of actions to (i) save energy; (ii) diversify supplies; (iii) quickly substitute fossil fuels by accelerating Europe's clean energy transition and; (iv) combining investments and reforms.</p>	<p>relevant Treaty provisions.</p> <p>This measure could be considered in a possible revision of the Regulation of the Governance of the Energy Union and Climate Action that the Commission is currently considering in the context of the National Energy and Climate Plans provided for therein (legal basis: energy (Art. 194) and environment (Art. 192)).</p>
3.	Reduce dependencies from oil and gas imports through energy efficiency projects, support of affordable public transport, high-speed rail and freight network, expansion of clean and renewable energy provision (Panel 4 – recommendation 2, Panel 1 – recommendation 10, FR, DE recommendations)	<p>This measure is addressed via multiple initiatives, including the most recent Revision of existing Energy Efficiency and Energy Performance of Buildings Directives as part of the Fit-for-55 Package, the 2022 REPowerEU Plan and the priorities of the Recovery and Resilience Plans.</p> <p>In March 2022, the European Council asked the Commission to elaborate, in close coordination with Member States, an Action Plan aimed at phasing out the dependency on Russian gas, oil and coal imports</p> <p>Green transition is a key element of cooperation programmes with third countries.</p> <p>The EU promotes a European high speed rail network, e.g., through Council Conclusions on rail of 2021, and a subsequent Commission "Action plan to boost long distance and cross-border passenger rail" was adopted in December 2021.</p>	<p>Further legislative measures in particular under Articles 192 and 194 TFEU.</p> <p>The EU could also enhance its cooperation with third countries on energy efficiency projects (Article 212 TFEU).</p> <p>The December 2021 Commission Communication on a New EU Urban Mobility Framework envisages various initiatives to promote public transport, and in particular a multimodal and interconnected approach to mobility.</p> <p>Further support for affordable public transport and rail freight is expected in upcoming Commission proposals.</p>

		The current purely transport related programme of the EU (CEF-transport) prioritises rail in budget allocations, and the “CEF 2.0” adopted for the period 2021-2027 is expected to continue in this direction.	
4.	Improve quality and interconnectivity, ensure maintenance, and transform the electrical infrastructure and electrical grids in order to enhance safety and to enable the transition to renewable energy sources (Panel 1 – recommendation 10, WG discussion)	This is addressed via multiple initiatives, including the most recent Revision of existing Renewable Energy Directive as part of the Fit-for-55 Package, the TEN-E Regulation, 2022 REPowerEU Plan and the new proposed rules to accelerate permitting of renewables projects.	Upcoming new Connecting Europe Facility calls could also strengthen the resilience of EU electricity grid.
5.	Invest in technologies to produce renewable energy, such as efficient production and use of green hydrogen, especially in sectors which are difficult to electrify (Panel 3 – recommendation 31, WG debate)	This is addressed via multiple initiatives, including the most recent Revision of existing Renewable Energy Directive as part of the Fit-for-55 Package and the 2022 REPowerEU Plan that contains several initiatives to stimulate hydrogen production.	
6.	Invest in the exploration of new eco-friendly sources of energy and storage methods and, until tangible solution are found, additional investment into existing optimal solutions of energy production and storage (Panel 3 – recommendations 9 and 31)	This is addressed via multiple initiatives, including the 2022 REPowerEU Plan that contains several initiatives to stimulate new eco-friendly sources of energy and storage methods. Research efforts in this field are also coordinated via the Strategic Energy Technology Plan (EU SET Plan).	The Commission is considering a revision of the Strategic Energy Technology Plan.

7.	Make CO2 filters mandatory for fossil fuels power plants, and provide financial aid to Member States that do not have financial resources to implement the CO2 filters. (Panel 3 – recommendation 29)	Discussions on the EU Emissions Trading System (EU ETS) reform, which inter alia aims at reducing CO2 (and other Greenhouse gases) emissions from power plants, are part of the Fit-for-55 package.	
8.	Ensure a just transition, protecting workers and jobs, through adequate funding for the transition and further research, through reform of the tax system with fairer taxation and anti-tax fraud measures, and through ensuring inclusive governance approach in policy making at all levels (e.g. ambitious measures to reskill/upskills, strong social protection, keeping public service in public hands, safeguarding occupational health and safety rules) (Plenary discussion, WG debate, MDP)	<p><u>Agriculture:</u> Under the new CAP, beneficiaries receiving direct payments will be subject to penalties if they do not comply with the main requirements related to the applicable working/employment conditions at the latest as from 2025.</p> <p><u>Social policy:</u> The Council is due to adopt in June a recommendation on ensuring a fair transition towards climate neutrality, which contains a number of these measures.</p> <p>The Just Transition Fund, which aims to support the territories most affected by the transition towards climate neutrality, could also address some of the requests.</p> <p>The EU institutions are currently working on the transposition of an international agreement on a global minimum tax, which would contribute to the end of the race to the bottom on corporate taxes.</p> <p>The proposed Social Climate Fund which is currently under discussion would also address</p>	<p>Agriculture: CAP Strategic Plans could be used in this context. Regulation (Regulation 2021/2115)</p> <p>Social policy: Possible legal bases: Article 153 TFEU and Article 174 TFEU, to the extent that the EU does not interfere with MS' choices related to the form for providing public services.</p> <p>Taxation: Possible legal basis: Articles 113 and 118 TFEU, as well as Article 192(2)(a) (environment) and Article 194(3) (energy) TFEU</p>

		social impacts resulting from the new EU ETS.	
9.	Introduce an investment package for climate-friendly technologies and innovations, which should be financed through climate-related import tariffs and climate related carbon adjustment levies (DE recommendation)	<p>Horizon Europe research programme provides support for research and innovation towards fighting Climate Change and achieving the UN Sustainable Development Goals.</p> <p>The EU co-legislators are working on the establishment of a carbon-order adjustment mechanism (CBAM) which would subject certain imports to the same carbon pricing system as the one applicable to EU goods (ETS).</p> <p>The Commission has proposed that the increased revenue from phasing out free allowances for the CBAM products be used to finance the Innovation Fund.</p>	
10.	After a transition period, fossil fuels should no longer be subsidized and there should be no funding for traditional gas infrastructure (WG debate)	This is addressed via multiple initiatives, including the Fit-for-55 Package (in particular, the Energy Performance of Buildings Directive contains the bans for financing fossil fuels boilers), taxonomy, the 2022 REPowerEU Plan; the National Energy and Climate Plans and the Recovery and Resilience plans. In addition, a reference to the phase out of subsidies to fossil fuel is also in the 8th Environmental Action Programme.	The Commission is currently considering a revision of the Regulation of the Governance of the Energy Union and Climate Action or a specific initiative presumably based both on Art. 194 (energy) and Art. 192 (environment).
11.	Increase EU's leadership and taking a stronger role and responsibility to promote ambitious climate action, a just transition, and support to address the loss and damages, in the international framework with the	<p>This measure is addressed via multiple initiatives, including the 2022 REPowerEU Plan that included a new international energy strategy.</p> <p>This measure is also reflected in the EU position in UNFCCC (United Nations Framework Convention</p>	This measure is expected to be included in the framework of the EU position for COP 27.

	United Nations at the centre (NL recommendation, WG debate).	on Climate Change) discussions. The objectives of the European Green Deal and the Farm to Fork Strategy will continue to guide the EU's action in this regard both at EU and global level.	
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4. Proposal - Climate change, energy, transport

Objective: Provide high quality, modern, green, and safe infrastructure, ensuring connectivity, including of rural and island regions, in particular through affordable public transport:

	Measures	To what extent are the EU Institutions already working on the measures addressed in the proposal (What is being done)?	How could the proposal/measure be implemented, if at all (assessment of feasibility)? (Please refer to the legal basis on which this could be done – if any)?
1.	Support public transport and develop a European public transportation network especially in rural and island regions, which is efficient, reliable and affordable, with extra incentives for public transportation usage (Panel 3 – recommendation 36, Panel 4 – recommendation 2)	<p>The Commission launched in June 2021 the EU Rural Action Plan. One of the four priorities areas is to improve connectivity both in terms of transport and digital access.</p> <p>The EU’s transport policy mainly focuses on the completion of the main infrastructure networks across Europe. Funding opportunities for improving rural connectivity exist through regional development and cohesion policies, including under the Recovery and Resilience Facility.</p> <p>The Commission has proposed obligatory earmarking of revenues from the EU ETS that could be used to fund public transport.</p>	The Commission is preparing a proposal (2022) to facilitate the offer of multimodal tickets through online services, that could be based on Article 91 TFEU and possibly Article 100(2) TFEU.
2.	Invest in high-speed and night trains, and set single standard of railroad eco-friendly technology in Europe, to provide a credible alternative and facilitate the possibility to replace and discourage short distance flights	<p>Expansion of high-speed trains and revival of night trains are EU priorities, as reflected in the June 2021 Council conclusions and the December 2021 Commission action plan on rail.</p> <p>Capacity measures are being implemented</p>	

	(WG debate, MDP)	(European Rail Traffic Management System) or are in preparation. As regards investment, the rail is already by far the largest benefitting transport mode under EU the infrastructure budget “Connecting Europe Facility”.	
3.	Promote the purchase, bearing in mind the affordability for households, and promote (shared) use of electric vehicles complying with good standard of battery life, as well as investments in the necessary recharging infrastructure, and investments in the development of other non-polluting technologies for those vehicles whose electrification is difficult to achieve (Panel 3 – recommendation 38).	<p>This measure is addressed via multiple initiatives, including the Fit-for-55 Package (in particular the Energy Performance of Buildings Directive and AFIR).</p> <p>As part of the Fit-for-55 package, the Commission is proposing:</p> <ul style="list-style-type: none"> -Stronger CO2 emissions standards for cars and vans in order to accelerate the transition to zero-emission mobility (in 2035). -The Alternative Fuels Infrastructure Regulation (AFIR) (replacing the Alternative Fuels Infrastructure Directive) aims at ensuring the availability of recharging and refueling stations in order to encourage more individuals and businesses to make the switch to electric – or hydrogen fuel cell – vehicles. 	Transport legal basis (Article 91 TFEU), environmental legal basis (Article 192 TFEU), energy legal basis (Art 194 TFEU).
4.	Develop high speed internet and mobile network connectivity in rural and island regions (Panel 3 – recommendation 36)	<p>The Union develops actions leading to the strengthening of its economic, social and territorial cohesion. Particular attention is paid to rural areas and islands.</p> <p>The proposal of Trans European Network – Transport (TEN-T) regulation (currently examined by the EU co-legislators) could cover this kind of measure.</p>	Coordination of Member States’ economic policies within the existing instruments and processes; exchange of best practices in the context of relevant national economic policies.

		Furthermore, the RRF Regulation sets out a minimum 20% target for digital investments in the Recovery and Resilience Plans of Member States.	
5.	Improve existing transportation infrastructure from an ecological point of view (Panel 3-recommendation 37)	<p>One of the objectives of the proposal of Trans European Network – Transport (TEN-T) regulation (currently examined by the EU co-legislators) is to update and maintain existing infrastructures in full alignment with EU environmental and climate policies.</p> <p>The Alternative Fuels Infrastructure Regulation (AFIR) (replacing the Alternative Fuels Infrastructure Directive) aims at ensuring the availability of recharging and refueling stations in order to encourage more individuals and businesses to make the switch to electric – or hydrogen fuel cell – vehicles.</p>	<p>Legal basis for TEN-T: Article 172 TFEU.</p> <p>Legal basis for other acts such as AFIR: Article 91 TFEU.</p>
6.	Require urban development programs for “greener” cities with lower emissions, with dedicated car-free zones in cities, without harming commercial areas (Panel 3 - recommendation 6)	The proposal on new TEN-T guidelines currently discussed contains an obligation to include urban nodes with their “SUMPs” (sustainable urban mobility plans) into the core network.	
7.	Improve infrastructure for cycling, and give further rights and enhanced legal protection to cyclists and pedestrians including in case of accidents with motorised vehicles, guaranteeing road safety and providing training on road traffic	<p>The new EU Urban Mobility Framework adopted by the Commission in December 2021 complements the proposal revising the TEN-T Regulation to include:</p> <ul style="list-style-type: none"> – a more ambitious approach to maintain the continuity and accessibility of cycling paths, – guidance to increase the role of walking and 	Investments in bike lanes and car-free urban zones, better rights/ priority for cyclists and training for bikers fall within national competence. This should be considered in the context and within the limits of the current initiatives developed by the Commission.

	rules (Panel 3 – recommendation 4).	<p>cycling and,</p> <ul style="list-style-type: none"> – guidance on quality infrastructure requirements for vulnerable road users under Directive 2008/96/EC. <p>Training requirements are linked to driving licence requirements under EU 2006/126/EC Directive, currently under evaluation.</p> <p>Regulation (EU) No 168/2013 establishes the requirements for the approval and market surveillance of two- or three-wheel vehicles and quadricycles.</p> <p>EU funding opportunities are available under the Connecting Europe Facility and in Cohesion and Regional Development Policy.</p>	
8.	Regulate the mining of cryptocurrencies, which are using an enormous amount of electricity (MDP)		These could be regulated in the larger context of the regulation of cryptocurrencies, for instance on the basis of Article 114 TFEU. Recourse to an environmental legal basis (Article 192 TFEU) could also be possible, depending on the final content and objectives of the proposal.

5. Proposal - Sustainable consumption, packaging and production

Objective: Enhance the use and management of materials within the EU in order to become more circular, more autonomous, and less dependent. Build a circular economy by promoting sustainable EU products and production. Ensure all products placed on the EU market comply with common EU environmental standards:

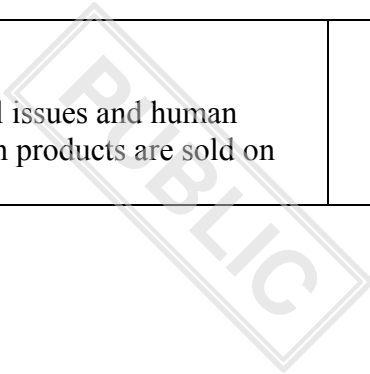
	Measures	To what extent are the EU Institutions already working on the measures addressed in the proposal (What is being done)?	How could the proposal/measure be implemented, if at all (assessment of feasibility)? (Please refer to the legal basis on which this could be done – if any) ?
1.	Stricter and harmonised production standards within the EU and a transparent labelling system for all products sold on the EU market regarding their sustainability/environmental footprint, as well as longevity, using a QR-code and eco-score, or the Digital Product Passport (Panel 3 – recommendations 8, 13, 20, 21, P1 - 16, Panel 4 - recommendation 13)	On 30 March 2022, the Commission adopted a proposal for an updated sustainable products initiative as part of a circular economy package. The eco-design proposal intends to complement energy labelling by harmonized European standards.	Article 114 TFEU could in principle be used as a legal basis for such measures.
2.	Review global supply chains, including in agricultural production, in order to reduce dependency of the EU and shorten the chains (MDP)	The 2021 EU’s updated New Industrial Strategy identifies the most sensitive ecosystems and value chains and provides the framework for identifying the EU response to the challenges related to those ecosystems and value chains. – The EU already prioritizes the inclusion of trade and sustainability chapters in all its bilateral and multilateral trade agreements.	This measure could be addressed by continuing the inclusion of trade and sustainability chapters in bilateral trade agreements, to push for global supply chains to be in line with the EU sustainability principles.

		<p>– Discussions are ongoing in the Council to ensure that products imported in the Union respect the same or equivalent environmental and health standards to those applied for EU products, in conformity with the WTO rules, and on a Commission legislative proposal to prevent the import of products that have been cultivated on deforested land.</p>	
3.	Further avoid waste by setting prevention and reuse targets and setting quality standards for waste sorting systems (WG debate, FR recommendation).	<p>This is part of the current Waste Framework Directive which entered into force in 2018.</p> <p>Also, the proposal for a Regulation on Batteries and Batteries waste provides for similar targets.</p>	This measure is expected to be addressed in the upcoming Circular Economy package II (July 2022) including a review of the packaging and waste packaging Directive.
4.	Phase-out non-sustainable form of packaging, regulate environmentally-safe packaging, and avoid wasting of material in packaging, through financial incentives and penalties, and investing in research into alternatives (Panel 3 – recommendations 15, 25, Panel 1 – recommendation 12, Panel 4 – recommendation 16)	<p>This is part of the current Waste Framework Directive.</p> <p>The Horizon Europe research programme provides support for research and innovation towards fighting Climate Change and achieving the UN Sustainable Development Goals.</p>	This measure is expected to be addressed in the upcoming Circular Economy package II (July 2022) including a review of the packaging and waste packaging Directive.
5.	Introduce EU wide packaging deposit return scheme and advanced standards for containers (Panel 3 – recommendations 22, 23, MDP)	This measure is part of the current Waste Directive.	This measure is expected to be addressed in the upcoming Circular Economy package II (July 2022) including a review of the packaging and waste packaging Directive.
6.	Launch an EU knowledge platform on how to ensure long-term and	On 30 March 2022, the Commission adopted a proposal for an updated sustainable products	This is expected to be addressed in the “right to repair” initiative, foreseen for the third

	sustainable use and how to “repair” products, including the available information from consumer associations (Panel 3 – recommendation 20)	initiative as part of a circular economy package. The eco-design proposal intends to enhance the reparability of products in their design process.	quarter of 2022.
7.	Introduce measures to tackle early, or pre-mature (including planned) obsolescence, ensure longer warranties, promote a right to repair, and ensure availability and accessibility of compatible spare parts (Panel 3 – recommendation 20, FR and DE recommendations, Panel 1 – recommendation 14)	Cf. measure 5.6	Cf. measure 5.6
8.	Establish a secondary raw materials market, also by considering requirements for percentages of recycled content and encouraging less use of primary materials (WG discussion)	<p>The 2021 EU’s updated New Industrial Strategy identifies the most sensitive ecosystems and value chains and provides the framework for identifying the EU response to the challenges related to those ecosystems and value chains, including strategic raw materials.</p> <p>Among the measures, re-use, recycling and diversification of sources are foreseen in order to reduce dependency of raw materials imports from third countries.</p> <p>The proposal for a Batteries and Batteries Waste Regulation provides targets concerning the use of recycled materials.</p>	Article 114 TFEU could in principle be used as a legal basis for such measures.

9.	Rapid implementation of an ambitious sustainable textile strategy and setting up a mechanism ensuring consumers can be aware the product meets sustainable criteria (Panel 3 - recommendation 28, WG debate)	The Commission has adopted a proposal for legislation on Corporate Sustainability Reporting and another one on Corporate Sustainability Due Diligence. Those proposals notably cover the textile value chains outside the EU, when products are sold on the EU Internal Market. Discussions on these two proposals are ongoing.	The Commission is expected to table during the second half of 2022 a revision of the EU design <i>acquis</i> .
10.	Take EU actions that enable and incentivize consumers to use products longer (Panel 3 - recommendation 20)		This measure is expected to be addressed in the upcoming Circular Economy package II (July 2022).
11.	Increase environmental standards, and enforce compliance, related to export of waste both within the EU and to third countries (Panel 4 - recommendation 15, MDP)	This is part of the Review of the Waste Shipments Regulation as proposed by the Commission in November 2021.	
12.	Introduce measures to limit advertising of products that are environmentally damaging, introducing a mandatory disclaimer for products that are particularly harmful for the environment (Panel 3 - recommendation 22)		Possible legal basis for a legislative initiative: Article 114 TFEU (internal market) or Article 192 TFEU (environment).
13.	Stricter manufacturing standards and fair working conditions throughout the production and entire value chain (Panel 3 - recommendation 21)	Under the new CAP, beneficiaries receiving direct payments will be subject to penalties if they do not comply with the main requirements related to the applicable working/employment conditions at the latest as from 2025. The Commission has adopted a proposal for legislation on Corporate Sustainability Reporting and another one on Corporate Sustainability Due	This could be tackled in the framework of the CAP Strategic Plans Regulation (Regulation 2021/2115).

		Diligence. It covers sustainability, social issues and human rights in third countries, when products are sold on the EU Internal Market.	
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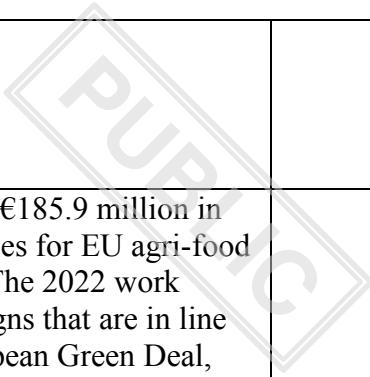
6. Proposal - Information, awareness, dialogue and life-style

Objective: Foster knowledge, awareness, education, and dialogues on environment, climate change, energy use, and sustainability:

	Measures	To what extent are the EU Institutions already working on the measures addressed in the proposal (What is being done)?	How could the proposal/measure be implemented, if at all (assessment of feasibility)? (Please refer to the legal basis on which this could be done – if any)?
1.	Create an interactive fact-checked information platform, with regularly updated and diverse scientific environmental information (Panel 3 - recommendation 33)	The European Green Deal explicitly supports initiatives by the Commission to facilitate information on climate change and the environment. The European Climate Pact promotes education awareness on climate change and environment.	
2.	Support information campaigns on eco-awareness, including a long-term EU campaign for sustainable consumption and lifestyle. (DE, NL and FR recommendations, Panel 3 – recommendation 7)	See measure 6.1 above. The Council is also discussing a Recommendation on learning for environmental sustainability. One of its key messages will focus on the need to develop the knowledge, skills and attitudes of learners of all ages to live more sustainably, ensure sustainable consumption and production patterns and adopt healthier and more environmentally-conscious lifestyles.	
3.	Promote and facilitate dialogue and consultations between all levels of decision making, especially with youth and at the local level (DE, NL	The EU institutions are encouraging dialogue and consultation with citizens via different instruments for citizen participation, including e.g. the European Citizen’s Initiative (ECI), Petitions to	The EU institutions could further pursue efforts to reach out to young audiences via existing and new channels.

	and FR recommendations, Panel 3 – recommendations 27, 35, Plenary discussion)	<p>the European Parliament, Public Consultations, the Citizens’ Dialogues.</p> <p>The European Economic and Social Committee and the Committee of the Regions have a consultative role in the EU decision making, as representatives of the organised civil society and of the regional and local authorities.</p>	
4.	The development by the EU, with assistance of Member States, of a common European charter targeting environmental issues and fostering environmental awareness among all citizens (Panel 3 - recommendation 7).	See measure 6.1 above.	
5.	Provide educational courses and teaching materials for all, in order to increase climate and sustainability literacy and to enable lifelong learning on environmental topics (Panel 1 – recommendations 15, 35, Panel 3 - recommendation 24, WG debate)	The Erasmus-funded School Education Gateway is an online platform for teachers and professionals working in school education. The material it offers concerns, among others, education for sustainable development, climate change and climate action.	This could be done within the existing supporting competence on education (see measure 6.6 below).
6.	Include food production and biodiversity protection as part of education, including the advantage of unprocessed over processed food, and promoting school gardens, subsidizing urban gardening projects and vertical farming. Consider	The Council is discussing a Recommendation on learning for environmental sustainability which covers encouraging learners of all ages to acquire the knowledge, skills and attitudes to live more sustainably and adopt healthier and more environmentally-conscious lifestyles.	EU competence on education and vocational training is provided for in Articles 165 and 166 TFEU (QMV). It is a so-called supporting competence, where the EU can only take encouragement or support measures, including financing programmes, such as Erasmus.

	<p>making biodiversity a mandatory subject in schools and raise awareness for biodiversity through the use of media campaigns and incentivised ‘competitions’ across the EU (local community scale competitions) (Panel 3 – recommendation 5, Panel 1 – recommendation 18)</p>	<p>Vertical farming is already covered by the new CAP and Horizon Europe, which both allow Member States to support vertical farming.</p> <p>School schemes The EU school scheme supports the supply of fruit, vegetables, milk and certain milk products to children together with educational activities teaching them about agriculture and developing healthy eating habits.</p>	<p>Art. 165(4), second indent, TFEU enables the Council to adopt recommendations. It could therefore recommend to include food production and biodiversity protection in education.</p> <p>However, the EU cannot adopt harmonisation measures. The content of teaching belongs to the responsibility of Member States. Therefore the EU cannot make an issue a mandatory part of education throughout the EU. Enabling the EU to make an issue a mandatory part of education curricula throughout the EU would require Treaty change.</p> <p>School schemes The Commission is expected to review the EU school scheme in line with the Farm to Fork Strategy.</p>
7.	<p>Strengthen the role and action of the EU in the area of environment and education, by extending the EU’s competence in the area of education in the area of climate change and environment and extending the use of qualified majority decision-making on topics identified as being of ‘European interest’, such as environment (FR recommendations).</p>	<p>The Council is discussing a Recommendation on learning for environmental sustainability which covers encouraging learners of all ages to acquire the knowledge, skills and attitudes to live more sustainably and adopt healthier and more environmentally-conscious lifestyles.</p>	<p>Cf. last column of measure 6.6</p> <p>While environment is a shared competence, education is a supporting competence (Article 6 TFEU), both by QMV.</p> <p>As mentioned in relation to measure 6.6, in order to have a stronger role and action of the EU in the area of education, the Council could adopt recommendations regarding climate change or biodiversity production.</p>



8.	Promote a plant-based diet on the grounds of climate protection and the preservation of the environment (MDP)	<p>The Commission has allocated €185.9 million in 2022 to fund promotion activities for EU agri-food products at home and abroad. The 2022 work programme focuses on campaigns that are in line with the ambitions of the European Green Deal, supporting objectives from the Farm to Fork strategy, Europe’s beating cancer plan and the EU organic action plan.</p> <p>Land Use, Land-Use Change and Forestry (LULUCF):The Commission has proposed to include the agriculture sector in the LULUCF Regulation for the period 2030 to 2035 with a target. (COD 2021/201). The effects would be indirect to the objective mentioned.</p>	

II. HEALTH

7. Proposal - Healthy food and healthy lifestyle⁵

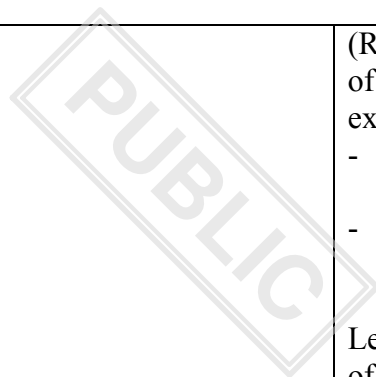
Objective: Ensure that all Europeans have access to education on healthy food and access to healthy and affordable food, as a building block of a healthy lifestyle, in particular by:

	Measures	To what extent are the EU Institutions already working on the measures addressed in the proposal (What is being done)?	How could the proposal/measure be implemented, if at all (assessment of feasibility)? (Please refer to the legal basis on which this could be done – if any) ?
1.	Setting minimum standards for food quality, as well as food traceability, including by limiting the use of antibiotics and other animal medicinal products to what is absolutely necessary to protect the health and well-being of animals instead of use in a preventive way and by making sure that controls are tightened in that respect. [#63, #17]	<p><u>Fisheries:</u> Regulation (EC) No 1224/2009 on fisheries control regulates the traceability of fishery and aquaculture products from the stage of catching/harvesting to retail. A process to amend Regulation (EC) No 1224/2009 is ongoing since mid-2018 and rules on traceability will most likely be strengthened.</p> <p><u>Agriculture/Food:</u> The Commission’s Farm to Fork Strategy sets a political target ‘to reduce overall EU sales of antimicrobials for farmed animals and in aquaculture by 50% by 2030’ to contribute to the development of sustainable food systems. In addition, it also aims at addressing antimicrobial resistance (AMR) globally.</p>	More measures could be based on: Articles 114 and 168(4)(b) of TFEU, as well as on Article 43(2) TFEU.

⁵ Citizens’ recommendations on which the proposal is mainly based: #3, #17, #18, #19

⁶ # = European Citizens’ Panel’s Recommendation

		<p>Animals and products of animal origin imported into the EU will have to comply with strict requirements on the use of antimicrobials in line with the new veterinary medicinal products Regulation (EU) 2019/6 (VMP Regulation), which is applicable as of January 2022.</p> <p>The Official Controls Regulation (EU) 2017/625 has been amended in order to provide the necessary legal framework to ensure compliance with the new legislation.</p> <p>Finally, the new CAP contributes to the fight against antimicrobial resistance.</p>	
2.	<p>Educating people about healthy habits from an early age, and encouraging them to make safe and healthy choices, through taxation of non-healthy processed food and by making information on the health properties of food readily available; for that purpose, establishing a European-wide evaluation system for processed food based upon independent and scientific expertise, and a label covering the use of hormonal substances and endocrine disruptors in the production of food. In this regard, reinforce monitoring and enforcement of existing rules and consider strengthening them. [#18, #19, WG]</p>	<p>The Council is discussing a Recommendation on learning for environmental sustainability which covers, among others, encouraging learners of all ages to acquire the knowledge, skills and attitudes to embrace healthier lifestyles.</p> <p>Foodstuffs are included in the list of supplies of goods and services to which Member States can apply a reduced VAT rate or exemptions on healthy foodstuffs (Article 98 Directive 2006/112).</p>	<p>EU competence on education and vocational training is provided for in Articles 165 and 166 TFEU (QMV). It is a so-called supporting competence, where the EU can only take encouragement or support measures, including financing programmes, such as Erasmus.</p> <p>Art. 165(4), second indent, TFEU enables the Council to adopt recommendations. It could therefore recommend Member States to take certain action in relation to food.</p> <p>Within the framework of the Farm to Fork strategy and Europe's beating cancer plan, the Commission is due to review the rules on the information provided to consumers</p>



			<p>(Regulation (EU) No 1169/2011) by the end of 2022. The legislative proposal is notably expected to:</p> <ul style="list-style-type: none">- set 'nutrient profiles' for restricting nutrition and health claims on foods;- introduce harmonised mandatory front-of-pack nutrition labelling; <p>Legal basis: Articles 114, 168(5), and 169(3) of TFEU.</p>
3.	Encouraging dialogue with the food chain actors from production to sales for corporate social responsibility regarding healthy food. [#19, WG]	On 5 July 2021, the Commission, alongside industry stakeholders, launched the EU Code of Conduct on Responsible Food Business and Marketing Practices. This Code is an essential part of the EU's efforts to increase the availability and affordability of healthy and sustainable food options that help reduce our overall environmental footprint.	This can be done through enhancing the dialogue with the stakeholders at all levels.
4.	Supporting at EU level the provision of healthy, varied and affordable food in establishments servicing the public, such as school canteens, hospitals, or nursing homes, including through dedicated funding. [#3, Plenary, WG]		In its communication on the Farm to Fork Strategy, the Commission announced the adoption of a legislative proposal for a framework for sustainable food systems by the end of 2023. This initiative is expected to make the EU food system sustainable and to integrate sustainability into all food-related policies. Possible legal basis: Article 114 TFEU.
5.	Investing in research on the impact of the use of antibiotics and the effects of hormonal substances and endocrine disruptors in human health. [#17, #18]	Within the framework of the Horizon Europe programme, the Commission provides support to research on protecting citizens and the environment from exposure to harmful chemicals, including endocrine disruptors.	

8. Proposal – Reinforce the healthcare system⁷

Objective: Reinforce the resilience and quality of our healthcare systems, in particular through:

	Measures	To what extent are the EU Institutions already working on the measures addressed in the proposal (What is being done)?	How could the proposal/measure be implemented, if at all (assessment of feasibility)? (Please refer to the legal basis on which this could be done – if any) ?
1.	The creation of a European health data space, which would facilitate exchange of health data; individual medical records could be made available – on a voluntary basis – through an EU individual electronic health passport, in compliance with data protection rules. [#41, WG]	The Commission proposal on the creation of a European Health Data Space (EHDS) presented on 3 May 2022 includes data quality, interoperability and data protection as key principles. Work is ongoing (OLP).	Legal basis: Articles 16 and 114 TFEU.
2.	Adequate working conditions, in particular through strong collective bargaining, including in terms of wages and working arrangements, and harmonisation of training and certification standards for health professionals; networking and exchange programmes should be developed such as an Erasmus for medical schools, contributing notably to skills development. In order to	All Union acquis in the labour field also applies to healthcare professionals. Moreover, there is a specific legislation for health professionals on adequate working conditions, in particular through strong collective bargaining, including in terms of wages and working arrangements in EU labour law. The working time directive contains some additional flexibilities for those specific professions. Regarding training standards, directive 2005/36/EC lays down the provisions regarding the recognition of	<u>Social policy:</u> The Union has competence to regulate matters of representation and collective defence of the interests of workers and employers in accordance with Article 153(1)(f) TFEU, in conjunction with Article 153(2) TFEU. Such a Union action must however respect the limitations imposed by Article 153(5) TFEU regarding the right of association.

⁷ Citizens' recommendations on which the proposal is mainly based: #39, #40, #41, #42, #43, #49, NL1, NL2, #51

	<p>ensure talent retention, young professionals' knowledge and working experiences, EU exchange programmes need to be established to motivate our best minds in Life Sciences not to be drained by third countries. [#39, WG]</p>	<p>professional qualifications, including for healthcare professionals.</p> <p>The opportunities offered by Erasmus+ (in terms of learning mobility, networking activities, transnational cooperative partnerships etc.) are accessible to both medical students and medicine schools.</p>	<p>The Union has competence to legislate on working conditions according to Article 153(1)(b) TFEU, in conjunction with Article 153(2) TFEU. Such a Union action must however respect the limitations imposed by Article 153(5) TFEU regarding pay.</p>
<p>3.</p>	<p>Ensuring strategic autonomy at EU level to avoid dependency on third countries [NL2]⁸ for medicines (in particular active ingredients) and medical devices (including raw materials); in particular, a list of essential and priority, but also innovative medicines and treatments (such as biotechnology solutions) should be established at EU level relying on existing European agencies and HERA, to guarantee their availability for citizens. Consider organising coordinated strategic stockpiling throughout the EU. In order to achieve the necessary coordinated, long-term action at Union level, include health and healthcare among the shared competencies between the EU and the EU Member States by amending Article 4 TFEU. [#40, #49, Plenary,</p>	<p>These issues, specifically related to crisis situations, are notably addressed in the revised mandate of the European Medicines Agency (EMA), the revised mandate of the European Centre for Disease Prevention and Control (ECDC) and the Council Regulation on the emergency framework regarding medical countermeasures.</p> <p>The Union Civil Protection Mechanism (UCPM) and rescEU stockpiles of medical equipment (PPE, ICU equipment, laboratory supplies, vaccines and therapeutics) allow for the organisation of coordinated strategic stockpiling. Under HERA, a budget is foreseen for additional medical and CBRN (chemical, biological, radiological and nuclear) material stockpiling under the UCPM/rescEU framework.</p> <p>Under the current proposal for a Regulation on serious cross-border threats to health, the possibility for Member States to engage in joint procurement activities for medical countermeasures, within the</p>	<p>EU competence on public health is provided for in Article 168 TFEU (QMV). It is a so-called supporting competence, where the EU can only take encouragement or support measures, including financing programmes.</p> <p>Most of the issues (measures to ensure the EU's autonomy in certain medicines, ingredients, raw material, stockpiling, or improve innovation, biotechnology, etc) could be taken under the current legal bases (internal market, industry, trade, etc.), with the aim of reinforcing the EU health policy.</p> <p>The Commission is expected to present a proposal for a revision of the pharmaceutical legislation by the end of 2022, a.o. to enhance security of supply and address shortages through specific measures.</p> <p>However, making health or healthcare a</p>

⁸ National Citizens' Panel's Recommendation

	WG]	<p>meaning of Article 165(2) of the current Financial Regulation, is under revision, with a view to improve its efficiency. An adjustment of the Joint Procurement Agreement, which lays down the practical arrangements for the procurement and the award of the contract, is also foreseen.</p> <p>The Council has agreed on a Regulation concerning a framework of measures to ensure the security of supply of crisis-relevant medical countermeasures. This regulation aims at strengthening the reactive measures at Union disposal for the procurement, production and stockpiling of crisis-relevant medical countermeasures, including research and innovation aspects, when such measures are appropriate to the economic situation in the event of a public health emergency at Union level. The legal basis of this regulation is Article 122 TFEU.</p>	matter of shared competence of the EU would require Treaty change.
4.	<p>Further developing, coordinating and funding existing health research and innovation programmes without undermining other health-related programmes, including for European Reference Networks as they constitute the basis of the development of networks of medical care for highly specialised and complex treatments. [42, 43, WG]</p>	<p>The EU has considerably increased its investment in health related research: "EU4Health" is the fourth and largest of the EU Health Programmes since their inception in 2003. One of the goals of the EU4 Health programme (2021-2027) is to strengthen health systems.</p> <p>Moreover, the Horizon Europe programme comprises a specific cluster on health in which innovation and the development of innovative solutions are important elements.</p>	
5.	<p>Investing in the health systems, in particular public and non-for profit, infrastructure and digital health and</p>	<p>Under the national recovery and resilience plans, several Member States have undertaken reforms to improve the resilience and accessibility of their health</p>	<p>Pursuant to Article 6 and 168 TFEU, the Union may support, coordinate or supplement the actions of Member States related to</p>

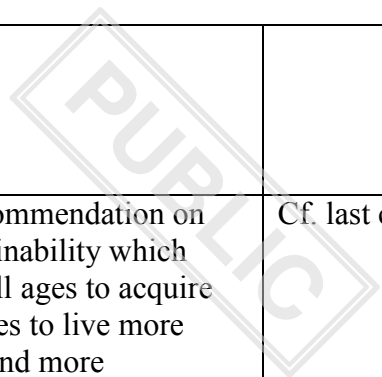
	ensuring that healthcare providers respect the principles of full accessibility, affordability and quality of services, hence ensuring that resources are not drained by profit-oriented health operators with little to no regard for the general interest [#51, WG]	systems. Cohesion funds also provided support in this regard.	health. The Union can therefore take incentive measures to improve public health but cannot interfere with the organisation of the health system of Member State, including on the choices between national publicly funded or private systems.
6.	Issuing strong recommendations to the Member States to invest in effective, accessible, affordable, high-quality and resilient health systems, notably in the context of the European Semester. The impact of the war in Ukraine on public health demonstrates the need to further develop resilient health systems and solidarity mechanisms. [#51, WG]	<p>European Semester and health: in the Spring of 2020, 17 Recommendations in the area of healthcare were reviewed on sustainability, accessibility, quality and cost effectiveness; three of them called for further investments, in curative care, health promotion and disease prevention.</p> <p>From 2021, the European Semester is coordinated with the Recovery and Resilience Facility. Country specific reports provide an overview of existing and newly emerging challenges, including on health.</p> <p>In the 2020 Semester cycle all Member States received a CSR (Country Specific Recommendation) in this domain, due to the outbreak of COVID-19 pandemic. Strengthening the resilience, effectiveness and accessibility of health systems were the most frequent policy actions pointed at in the Recommendations.</p>	<p>Cf. last column of measure 8.5</p> <p>The European Semester is, in principle, an economic instrument of coordination and surveillance. Its legal bases can be found in Article 121 TFEU and Article 148 TFEU, related respectively to the field of economic policy and employment. Assessment of health-related aspects under this exercise should therefore be framed and justified by the link and impact that such matters have on the Union employment situation, or on the closer coordination of economic policies and sustained convergence of the economic performances of the Member States.</p>

9. Proposal – A broader understanding of Health⁹

Objective: Adopt a holistic approach to health, addressing, beyond diseases and cures, health literacy and prevention, and fostering a shared understanding of the challenges faced by those who are ill or disabled, in line with the “One Health Approach”, which should be emphasized as a horizontal and fundamental principle encompassing all EU policies.

	Measures	To what extent are the EU Institutions already working on the measures addressed in the proposal (What is being done)?	How could the proposal/measure be implemented, if at all (assessment of feasibility)? (Please refer to the legal basis on which this could be done – if any) ?
1.	Improve understanding of mental health issues and ways of addressing them, including from early childhood and early diagnostics, building on good practices developed throughout the EU, which should be made readily accessible through the Public Health Best Practice Portal. To raise awareness, EU institutions and relevant stakeholders should organise best practices exchange events and help their members disseminate them in their own constituencies. An EU Action Plan on mental health should be developed, that would provide long term Mental Health Strategy, including on research and also tackle the issue of availability of	<p>The Council has invited the Commission in 2019 to propose a Mental Health Strategy for the Union, taking into account the cross-sectoral impacts of different policies on mental health.</p> <p>The EU4Health programme 2021-2027 (Regulation (EU) 2021/522) provides for support to actions to improve mental health and to reduce health inequalities.</p> <p>The effects of the COVID-19 pandemic have resulted in additional activities on the side of the Commission on mental health issues related to the pandemic.</p>	<p>A dedicated Year of Mental health would require a decision of the Council and the European Parliament on the basis of a proposal by the Commission.</p> <p>Possible legal basis: Article 168(5) TFEU.</p>

⁹ Citizens’ recommendations on which the proposal is mainly based: #44, #45, #46, #47, #50



	professionals, including for minors and the setting up in the near future of a dedicated European Year of Mental Health. [#44, #47, WG]		
2.	Develop at EU level a standard educational programme on healthy lifestyles, covering also sexual education. It should also encompass actions targeting both healthy lifestyle and environmental protection and how they can help prevent many diseases, such as for instance bicycling as a healthy mean for everyday mobility. It would be available free of charge to Member States and schools to use in their curricula, as appropriate. Such a programme would address stereotypes on those who are ill or disabled. [#46, WG]	The Council is discussing a Recommendation on learning for environmental sustainability which covers encouraging learners of all ages to acquire the knowledge, skills and attitudes to live more sustainably and adopt healthier and more environmentally-conscious lifestyles.	Cf. last column of measure 7.2 on education.
3.	Develop first aid courses – including a practical component – that would be made available to all citizens free of charge and consider regular courses as standard practice for students and in workplaces. There should also be a minimum number of defibrillators available in public places in all Member States. [#50]	Commission Directive 2000/56/EC provides for Member States to take measures to ensure that applicants for driving licences know how to behave in the event of a crash.	Cf. last column of measure 8.5 Under the current Treaties, it is possible to address recommendations to Member States and to support Member States action in the field. For instance, the Council could recommend that Member States provide for a number of defibrillators available in public places.

4.	Expanding the health week initiative, which would take place across the entire EU in the same week, when all health issues would be covered and discussed. Also consider health year initiatives, starting with the year on mental health. [#44, WG]		<p>A dedicated Year of Mental health would require a decision of the Council and the European Parliament on the basis of a proposal by the Commission.</p> <p>Possible legal basis: Article 168(5) TFEU.</p>
5.	Recognise as regular medical treatment in terms of taxation the hormonal contraception products used for medical reasons, such as in the cases of fibromyalgia and endometriosis, as well as female sanitary products. Ensure access to reproductive treatments for all individuals suffering fertility problems. [#45, WG]	<p>The EU has adopted a Directive (2022/542) which will allow Member States to apply reduced or zero rates on “pharmaceutical products used for medical and veterinary purposes, including products used for contraception and female sanitary protection, and absorbent hygiene products.”.</p> <p>Moreover, the freedom to provide services includes the freedom, for the recipients of services (and therefore for patients), to go to another Member State in order to receive a service there (Cases 286/82 and 26/83 <i>Luisi and Carbone v Ministero dello Tesoro</i>).</p> <p>cf. also Directive on patients rights (Directive 2011/24/EU of the European Parliament and of the Council of 9 March 2011 on the application of patients’ rights in cross-border healthcare)</p>	<p>Cf. last column of measure 8.5</p> <p>Under the current Treaties, it is possible to address recommendations to Member States and to support Member States action in the field. For instance, the Council could recommend that Member States ensure access to reproductive treatments.</p> <p>The Union may support action in the field of reproductive health through the EU4Health programme.</p>

10. Proposal – Equal access to health for all¹⁰

Objective: Establish a “right to health” by guaranteeing all Europeans have equal and universal access to affordable, preventive, curative and quality health care.

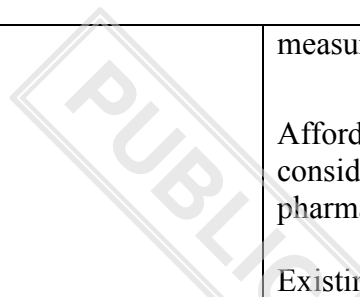
	Measures	To what extent are the EU Institutions already working on the measures addressed in the proposal (What is being done)?	How could the proposal/measure be implemented, if at all (assessment of feasibility)? (Please refer to the legal basis on which this could be done – if any)?
1.	Establish common minimum healthcare standards at EU level, covering also prevention and accessibility as well as proximity of care, and provide support to achieve these standards. [#39, WG]		Enabling the EU to adopt legislative provisions harmonising in a mandatory way healthcare standards would require Treaty change. See measure 10.3 below.
2.	Recognising the need to take full account of the principle of subsidiarity and the key role of local, regional and national players in health matter [NL3], ensure there is the ability to act at EU level when the right to health is best addressed there. To allow faster and stronger decision-making on key subjects and to improve the effectiveness of European governance towards the development of the European Health Union (such as, for example, in the event of a pandemic or for rare	<p>The principle of subsidiarity is recognised in the Treaties (Article 5(3) TEU and Protocol No 2). Draft legislative acts are justified with regard to the principles of subsidiarity and proportionality, also in the field of public health.</p> <p>In a move towards a European Health Union, the role of key EU agencies (EMA, ECDC) has been reinforced, a new service (HERA) has been created by the Commission and the health emergency framework is being strengthened. Moreover, the Council has adopted a decision authorising the EU to take part in the negotiations on an international treaty on pandemic prevention</p>	Cf. last column of measure 8.5

¹⁰ Citizens’ recommendations on which the proposal is mainly based: #39, #40, #45, #48, #49, #50, #51, FRchange8, FRwish11, NL2, NL3

	diseases). [#49, FR wish11, Digital Platform]	and preparedness.	
3.	Enhance the European Health Union using the full potential of the current framework and include health and healthcare among the shared competencies between the EU and the EU Member States by amending Article 4 TFEU. [#49, FRwish11, Digital Platform, WG] ¹¹	Cf. measure 10.2	<p>Action to reinforce the EU health policy is possible without necessarily changing the division of competences between the EU and its Members. For illustration, Article 168 (1) TFEU provides that "<i>a high level of human health protection shall be ensured in the definition and implementation of all Union policies and activities</i>".</p> <p>However, including health and healthcare among the shared competences of the EU would require Treaty change.</p> <p>Also cf. last column of measure 8.5</p>
4.	Make sure anyone can access existing treatments, wherever first available in the EU; to that purpose, facilitate cross-border cooperation, notably on rare diseases, cancer, cardiovascular diseases and highly specialised treatments, such as organ transplants and the treatments of severe burns. A European network for transplants and organ donations should be put in	<p>Equal quality of treatments is addressed in Horizon Europe and in the directive on the application of patients' rights in cross-border healthcare.</p> <p>Directive 2010/53/EU lays down the quality and safety standards of human organs intended for transplantation. It does not however establish a European network for transplants and organ donation. National Competent Authorities are in</p>	<p>Upcoming proposals and initiatives expected by the Commission in 2022:</p> <ul style="list-style-type: none"> • revision of EU legislation on blood, tissues and cells (June-July 2022) • revision of EU pharmaceutical legislation (December 2022) • revision of legislation on medicines for children and rare diseases (December 2022) • Council recommendation on cancer screening

¹¹ Dutch citizens' panel recommendations differ from the European citizen's panel recommendations, stating that health and healthcare should be primarily a national responsibility [NL3].

	place for the benefit of all European patients in need of a transplant. [Plenary and WG]	charge of the implementation of the requirements set out in EU legislation.	<ul style="list-style-type: none"> • Healthier Together initiative on Non-communicable diseases (launch on 22 June)
5.	Ensure affordability of care, through stronger investment in healthcare, in particular of dental care including prophylaxis, and ensure affordable dental care is available to everyone within 15 to 20 years. [#48, WG]		<p>Cf. last column of measure 8.5</p> <p>EU competence on public health is provided for in Article 168 TFEU (QMV). It is a so-called supporting competence, where the EU can only take encouragement or support measures, including financing programmes.</p> <p>The Union may support action in the field through the EU4Health programme.</p> <p>Additionally, the Union can explore the possibilities under Article 153 TFEU to adopt minimum standards in the area of social security and social protection of workers and supporting measures to combatting social exclusion.</p>
6.	Ensure that treatments and medicines across the EU are of equal quality and of fair local cost, including through tackling existing fragmentation of the Internal Market. [#40, NL3, WG, Plenary]	Regarding the request for reliable medicines, this is being ensured through the Union acquis, notably on authorisation of medicines (Directive 2001/83/EC and Regulation (EC) No 726/2004).	<p>EU competence on public health is provided for in Article 168 TFEU (QMV). It is a so-called supporting competence, where the EU can only take encouragement or support measures, including financing programmes.</p> <p>The Union may support action in the field through the EU4Health programme.</p> <p>Additionally, the Union can explore the possibilities under Article 153 TFEU to adopt minimum standards in the area of social security and social protection of workers and supporting</p>



			<p>measures to combatting social exclusion.</p> <p>Affordability of medicines is expected to be considered in the upcoming revision of the EU pharmaceutical legislation (December 2022).</p> <p>Existing legal bases: Article 168 TFEU: Public health (protection of public health and health promotion) Article 114 TFEU: Approximation of laws (aligning national laws to comply with the EU law)</p>
7.	<p>Fight health poverty by encouraging free of charge dental care for children, low-income groups and other vulnerable groups, such as for instance the disabled. Also consider the impact of poor-quality housing on health. [#48, WG]</p>		<p>EU competence on public health is provided for in Article 168 TFEU (QMV). It is a so-called supporting competence, where the EU can only take encouragement or support measures, including financing programmes.</p> <p>The Union may also support action in the field through the EU4Health programme.</p>
8.	<p>Consider the international dimension to health and recognise that medicines should be universally available, including in poorer countries. [NL2]</p>	<p>The international dimension of health has been repeatedly considered in Summit statements with international partners.</p> <p>The Council and representatives of the governments of the Member States approved conclusions on the role of the EU in strengthening the WHO.</p> <p>The EU is one of the initiators of the international agreement on pandemic prevention, preparedness</p>	<p>On 19 May 2022 the Commission announced the launch of the work on a new EU Global Health Strategy.</p> <p>Various measures are possible within the framework of the Treaties (Articles 168(3) and 208 TFEU).</p>

		<p>and response in the WHO framework. The Council has authorized the Commission to negotiate on behalf of the EU.</p> <p>The EU has also launched a 1 billion Team Europe Initiative (TEI) on manufacturing and access to vaccines, medicines and health technologies in Africa. Similar initiatives are being considered in Latin America.</p>	
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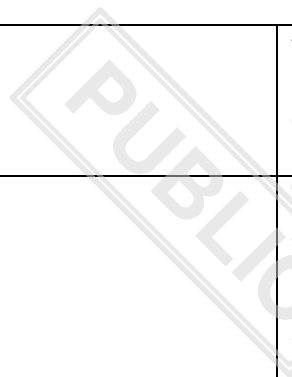
III. A STRONGER ECONOMY, SOCIAL JUSTICE & JOBS

11. Proposal - Sustainable Growth and innovation¹²

Objective: We propose that the EU supports the shift to a sustainable and resilient growth model, considering the green and digital transitions with a strong social dimension in the European Semester, and empowering citizens, trade unions and businesses. The conventional macroeconomic indicators and the GDP could be complemented with new indicators in order to address the new European priorities such as the European Green Deal or the European Pillar of Social Rights and to better reflect the ecological and digital transitions and the wellbeing of people. This objective could be achieved by:

	Measures	To what extent are the EU Institutions already working on the measures addressed in the proposal (What is being done)?	How could the proposal/measure be implemented, if at all (assessment of feasibility)? (Please refer to the legal basis on which this could be done – if any)?
1.	Promoting greener production processes by companies and supporting companies to identify the best solutions and providing positive and negative incentives (ECP 11 & 12), and by increasing local production and consumption; (discussions)	Cross-cutting policy objective of the European Green Deal. Horizon Europe provides support for research and innovation towards responsible consumption and production.	The proposed measure is partially addressed in the new Commission proposal on eco-design, which was tabled in March 2022. The proposed legal basis is Article 114 TFEU. Such overarching objectives could also be taken into account in the design of future legislation. An example could be the upcoming proposal in summer 2022 on the substantiation of green claims, aiming to have claims on the environmental performance of companies and products that is reliable, comparable and verifiable across the EU substantiated against a standard methodology to assess their impact on

¹² Citizens' recommendations on which the proposal is mainly based: European Citizens' Panel 1: 9, 10, 11, 12, 14; The Netherlands: 1; Italy: 1.1; Lithuania: 3, 8.



			the environment (possible legal basis: Article 114 TFEU -internal market, Article 192 TFEU - environment).
2.	Working towards a more sustainable and circular Economy by addressing the issue of planned obsolescence and ensuring the right of repair; (ECP14)		This proposed measure is expected to be addressed in the upcoming Commission’s Circular Economy package II (expected in summer 2022) and in the “Right to repair” initiative (expected by end-2023).
3.	Reviewing the EU's economic governance and the European Semester in order to ensure that the green and digital transitions, social justice and social progress go hand-in-hand with economic competitiveness, without ignoring the economic and fiscal nature of the European Semester. In addition, there is a need to better involve social partners and the local and regional authorities in the implementation of the European Semester in order to improve its application and accountability; (online platform, discussions)	<p>The Economic Governance Review, re-launched in October 2021 and still ongoing, is the forum of choice to determine how to integrate new approaches in the European Semester,</p> <p>The European Semester is being adapted to the recently adopted “Recovery and Resilience Facility.” The implementation of Member States’ recovery and resilience plans (RRPs) will drive their reform and investment agenda for the years ahead and the European Semester, will ensure the implementation and the monitoring of the RRP.</p> <p>In addition, in 2020, the Commission issued its Communication on the European Pillar of Social Rights Action Plan, proposing to turn the 20 principles of the Pillar into concrete actions to benefit citizens. The Action Plan proposes also three new headline targets for the EU to reach by 2030 (at least 78% of the 20-64 population should be in employment; at least 60% of people aged 25-64 should participate in learning activities each year; the number of people at risk of poverty or social</p>	<p>Art. 148 TFEU is the key provision setting the legal framework for the employment dimensions (and relevant social dimension) of the Semester cycle. In addition, the Treaties provide for the establishment of an Employment Committee (EMCO) (Art.150 TFEU) and a Social Protection Committee (SPC) (Art.160 TFEU), who can play a key role in this context.</p> <p>The delivering on the Pillar of Social Rights is a shared political responsibility for the EU institutions, national, regional and local authorities, social partners and civil society.</p> <p>In the framework of the Semester, while maintaining the focus on its economic nature, the monitoring of Member States' "economic policies" could also include factors such as specific social issues and green/digital transitions (especially in the context of the macroeconomic surveillance that, by nature, is very encompassing and deals with the overall performance of the economy).</p>

		<p>exclusion should decrease by at least 15 million compared to 2019).</p> <p>Finally, the Social Scoreboard includes 14 composite indicators (and 21 secondary indicators) in 12 areas, serving to screen employment and social performances in the Member States.</p>	
4.	Tackling the use of single use plastic packaging/containers; (ECP 12)		This measure is expected to be addressed in the upcoming Circular Economy package II (expected in summer 2022) including an initiative on biodegradable plastics.
5.	Expanding the use of European technology and make it a viable alternative to foreign technology; (discussions)	The EU's 2021 updated New Industrial Strategy identifies the most sensitive ecosystems and value chains and aims at improving EU strategic autonomy. The Strategy identifies measures to reduce strategic dependencies, notably in value chains related to raw materials.	It is for the Commission to assess the suitability of a specific legislative initiative in this regard, building on the 2021 updated New Industrial Strategy.
6.	Promoting research into new materials and technologies, as well as the innovative use of existing materials, while ensuring that research efforts are not duplicated; (ECP 9, NL 1)	Horizon Europe (HE) provides support for research and innovation toward combating climate change and achieving the UN Sustainable Development Goals. It also provides for synergies with other EU programmes.	
7.	Addressing the sustainability, affordability and accessibility of energy, considering energy poverty and the dependence on non-EU states, by increasing the share of sustainably sourced energy; (ECP 10, LT 3, IT 1.1)	This measure is addressed by several ongoing and mutually supportive initiatives including: i) the renegotiation of the 2030 targets for energy and climate and supporting legislation, ii) the implementation of the Just Transition mechanism and several initiatives on energy poverty; iii) the Initiatives under REPowerEU (including new dedicated chapters of the Recovery and Resilience	The CAP could also contribute by funding investments in producing biomethane from agricultural residues.

		Plans and new proposal to accelerate permitting of renewables projects); iv) New proposal on Gas Storage and ongoing initiatives on joint gas purchases; v) the October 2021 toolbox on measures to address energy prices and latest May 2022 Communication on energy market design.	
8.	Raising awareness among both companies and citizens how to behave in a more sustainable manner, and guarantee just transition, based on social dialogue and quality jobs; (ECP 12 & online platform)	The discussions on the draft legislation on Corporate Sustainability Reporting and on Sustainable Corporate Governance and Due Diligence which could address this measure are ongoing.	
9.	Including ambitious social, labour and health standards, including occupational health and safety, in new EU trade agreements; (LT8)	<p>Already implemented. Many EU trade agreements contain robust provisions in the sustainable trade chapters. The EU and its trade partners must:</p> <ul style="list-style-type: none"> - follow international labour and environment standards and agreements; - effectively enforce their environmental and labour laws; - avoid a 'race to the bottom'; - sustainably trade natural resources, such as timber and fish; - combat illegal trade in threatened and endangered species of fauna and flora; - encourage trade that supports tackling climate change, and; - promote practices such as corporate social responsibility/ responsible business conduct. <p>The EU is also a key driver of the related work at the</p>	<p>Legal basis: Article 207 TFEU.</p> <p>The Commission is currently reviewing the Action Plan on Trade and Sustainable Development, and will be presenting a proposal to the Council in the summer 2022.</p>

		<p>WTO.</p> <p>These provisions continue to evolve: for instance, some recent trade agreements (like the EU-Canada trade agreement) now include additional obligations on health and safety at work.</p>	
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12. Proposal - Enhancing EU's competitiveness and further deepening the Single Market¹³

Objective: We propose strengthening the competitiveness and resilience of the European Union's economy, single market, industry and addressing strategic dependencies. We need to promote an entrepreneurial culture in the EU, where innovative businesses of all sizes, and in particular Micro-, Small and Medium-sized Enterprises (MSMEs) , as well as start-ups are encouraged and can thrive in order to contribute to more resilient and cohesive societies. There is a need for a strong functioning market economy in order to facilitate the vision of a more social Europe. This objective could be achieved by:

	Measures	To what extent are the EU Institutions already working on the measures addressed in the proposal (What is being done)?	How could the proposal/measure be implemented, if at all (assessment of feasibility)? (Please refer to the legal basis on which this could be done – if any)?
1.	Developing a clear vision for the European economy and playing to Europe's strengths, quality and diversity while taking into account of economic and other differences between Member States, and promoting cooperation and competition between businesses; (NL 1 & 2)	The EU's 2021 updated New Industrial Strategy aims, overall, at improving the competitiveness and growth of the EU industry and economy. The Strategy identifies the most sensitive ecosystems and value chains and aims at improving EU strategic autonomy. It includes measures to reduce strategic dependencies, notably in value chains related to raw materials. Specific sectors – like semiconductors – are subject to ad-hoc measures.	Coordination of Member States' economic policies within the existing instruments and processes (for example, the European Semester); implementation of the EU's 2021 updated New Industrial Strategy.
2.	Consolidating what has been done in terms of the single currency and the interconnection of payment systems and telecommunications; (IT 4.a.2)	This is in principle covered by the work streams announced in the Commission Communication on a Retail Payments Strategy (incl. promoting Instant Payments and EU-wide payments solutions, the review of the Payment Services Directive 2 possibly	Further implementation is possible under current framework (Article 114 TFEU). As far as the digital euro (Article 133 TFEU) is concerned, it would also require decisions by the ECB Governing Council.

¹³ Citizens' recommendations on which the proposal is mainly based: European Citizens' Panel 1: 10, 11 & 14; Germany: 2.1, 2.2; The Netherlands: 1, 2; France: 3, 9; Italy: 1.2, 1.3, 1.4, 1.5, 2.1, 2.2, 2.4, 4.a.2, 6.1; Lithuania: 1, 7.

		leading to PSD3, and a new Open Finance framework), which was supported in Council Conclusions. It in principle also covers the ongoing work on a digital euro by the ECB and COM, with close involvement of the Eurogroup. It might also cover the further development of the ECB's "Target" wholesale settlement services, on which the ECB decides independently.	
3.	Reducing the standardisation of products and recognising local and regional cultural and production peculiarities (respect for production traditions); (IT 2.2)	EU harmonisation of legislation is limited to the adoption of essential requirements in the public interest for safety, health and environmental protection. Local and regional productions respecting those essential requirements are guaranteed and allowed to circulate within the Internal Market.	The Commission proposal on craft and industrial geographical indications is currently under discussion in the Council (legal basis Articles 118(1) and 202(2) TFEU).
4.	Enhancing upward social and economic convergence in the Single Market, by completing existing initiatives, such as the Banking Union and the Capital Markets Union, and implementing a forward- looking reform of our Economic and Monetary Union; (discussions)	This is in principle covered by existing initiatives, including the Eurogroup's ongoing work on a holistic work plan for the completion of the Banking Union, and the ongoing work on the Capital Markets Union (CMU) for which the Commission has presented an updated Action Plan and legislative proposals. Earlier work on a common budgetary instrument for convergence and competitiveness (BICC) for euro area and ERMII Member States has been subsumed and superseded by NextGeneration EU / RRFs, which are being implemented. Discussions on the review of the EU's economic governance framework are ongoing, in particular on how to ensure that the Stability and Growth Pact safeguards both investment and debt sustainability.	Further implementation is possible under the current framework (Article 114 TFEU or Chapter 1 of Title VIII TFEU (Economic policy)).

5.	Promoting policies for a strong industrial base and innovation in key enabling technologies, and a forward-looking climate policy coupled with industrial competitiveness with a strong social dimension, based on social dialogue and well-functioning industrial relations; (discussions)	<p>This measure is expected to be implemented through the EU's 2021 updated New Industrial Strategy, that identifies the most sensitive ecosystems and value chains and aims at improving EU strategic autonomy. The Strategy identifies measures to reduce strategic dependencies, notably in value chains related to raw materials.</p> <p>Research and Innovation are considered growth and competitiveness engines, hence the funding foreseen within Horizon Europe.</p>	Social dialogue is mainly a matter for the national level, but action possible at EU level notably under Articles 152 (social dialogue) 153 (social policy legislative measures) and 155 (agreements between social partners) TFEU.
6.	Giving special attention in all new initiatives to SMEs, the backbone of our economy. The “Think Small First” principle must be respected in all EU’s legislative proposals and a SME test should be reinforced in the Commission's impact assessment in accordance with clear principles while fully respecting social and environmental standards and consumer rights; (discussions)	<p>This measure is expected to be implemented through the EU’s SME Strategy, closely linked to the 2021 updated New Industrial Strategy.</p> <p>On top of that, SMEs are subject to specific provisions within various legislative acts destined to minimize the administrative burden and to enhance their resilience, competitiveness and innovative behavior.</p>	
7.	Ensuring the participation of SMEs in funding applications, tenders and networks with as little administrative effort as possible. Access to finance for SMEs with high-risk innovation projects should be further developed by entities such as the European Innovation Council and the European	<p>This measure is expected to be implemented through the EU Capital Markets Union strategy where further increasing SME access to finance is key. SMEs are also frequently considered in sectorial legislation, notably in the area of financial services, in order to ensure their access to finance. (e.g. MiFID/R, Prospectus Regulation, etc.).</p> <p>The Horizon Europe research programme has a</p>	

	Investment Bank; (discussions)	<p>specific component dedicated to innovation (the European Innovation Council) and specific provisions for SMEs. Financing for SMEs is foreseen within the Single Market Programme but is also available within other EU programmes.</p> <p>The Recovery and Resilience Facility will boost the implementation of the EU SME Strategy and the updated EU Industrial Strategy. Supporting SMEs' access to finance is an area with a significant number of measures across Recovery and Resilience Plans.</p> <p>Finally, the EIB already has carried out substantial investments in SMEs, which is one of its priority areas, including through InvestEU.</p>	
8.	Creating a better framework for investments in R&I aimed at a more sustainable and biodiverse business models. (ECP 10, 11 & 14) Focusing on technology and innovation as drivers of growth; (IT 1.3)	<p>Research and Innovation are considered growth and competitiveness engines, hence the funding foreseen within Horizon Europe.</p> <p>All RRFs include measures related to research, development and innovation, for a total of EUR 44 billion so far. The amount of R&I investments represents typically between 4% and 13% of the RRF grants allocation of a Member State.</p>	Coordination of Member States' economic policies within the existing instruments and processes (for example, the European Semester); thematic discussions focusing on exchange of best practices in the context of relevant national economic policies. The way these objectives are addressed in the context of the RRF implementation could be monitored.
9.	Promoting collective economic performance through autonomous, competitive industry; (FR3)	This measure is expected to be implemented through the EU's 2021 updated New Industrial. See also measure 12.1.	
10.	Identifying and developing strategic sectors, including space, robotics and AI; (FR 3 & 9)	This measure is expected to be implemented through the EU's 2021 updated New Industrial Strategy, which identifies the most sensitive ecosystems and value chains and aims at improving EU strategic autonomy.	

		Regarding space, the proposed Union Secure Connectivity Programme aims to provide a secure and autonomous space-based connectivity system for the provision of guaranteed and resilient satellite communications (satcom) services.	
11.	Investing in an economy based on tourism and culture, including the many small destinations in Europe; (IT 1.2)	Tourism is one of the sensitive ecosystems identified in the EU's updated New Industrial Strategy. EU institutions are currently working on the design of a long-term European Agenda for Tourism to render the ecosystem more resilient, sustainable, digital and greener, while maintaining Europe as the first global tourist destination.	Coordination of national investment policies at EU level.
12.	Addressing the security of supply by diversifying input sources/raw materials and increasing the manufacture of key goods in Europe, such as health, food, energy, defence and transport; (FR 9, LT 1, IT 1.4)	This measure is expected to be implemented through the EU's 2021 updated New Industrial Strategy (see measure 12.10 above).	
13.	Promoting the digitalisation of European businesses, for instance through a specific scoreboard allowing businesses to compare their degree of digitalisation, with the overall aim of increasing competitiveness; (DE 2.1)	The 2030 digital compass communication lists the following key targets for companies by 2030: <ul style="list-style-type: none"> - 75% of European enterprises to have taken up cloud computing services, big data and Artificial Intelligence - More than 90% of European SMEs to reach at least a basic level of digital intensity - For Europe to grow the pipeline of its innovative scale ups and improve their access to finance, leading to doubling the number of unicorns in Europe. <p>Digital Intensity Index (DII) is a tool used by Eurostat and measures the use of different digital technologies</p>	It is for the Commission to assess the suitability of a specific legislative initiative in this regard, building on the 2030 digital compass Communication.

		by enterprises and its score (0-12) is determined by how many of the 12 selected digital technologies the enterprises use.	
14.	Promoting digital cohesion to contribute to economic, social and territorial cohesion as defined in the Treaty on the Functioning of the European Union; (discussions)	The RRFs include a range of measures supporting the digital transformation, such as very high capacity and 5G network deployment, digital skills development for the population and the workforce, integration of digital technologies in government processes, support to the digitalisation of SMEs as well as R&D and deployment of advanced technologies. The current cohesion policy regulatory framework makes investments in the digital area compulsory to Member States.	Coordination of Member States' economic policies within the existing instruments and processes (for example, the European Semester); thematic discussions focusing on exchange of best practices in the context of relevant national economic policies. The way these objectives are addressed in the context of the RRF implementation could be monitored.
15.	Strengthening cross-border cooperation in order to enhance cohesion and resilience within and beyond regions, by fostering the European Cross Border Mechanism and similar tools; (discussions)	Territorial cooperation is one of the key fields of activity of cohesion policy. In October 2021, the Council adopted conclusions inviting the Commission to continue exploring ways to boost the potential of EU border regions in close collaboration with Member States.	Coordination of Member States' policies within the existing instruments and processes; thematic discussions focusing on exchange of best practices in the context of relevant national economic policies.
16.	Enhancing and promoting the possibilities for cross-border training in order to upskill the European workforce and increase competitiveness, while at the same time boosting citizens' economic literacy; (DE 2.2, LT7). Promoting exchanges between workers in Europe through a European Job Centre. (IT 6.1) Encouraging young people to	The proposals are largely covered by existing tools. Cross-border training is being considered in the European Skills Agenda, and in most recent initiatives like the Individual Learning Accounts. Economic literacy is not necessarily connected or a default outcome of any cross-border training, being equally relevant within national borders. The European Labour Agency (ELA) includes in its programming for 2022-2024 support to the development of national information tools and	Further awareness raising could be carried out at EU level. Promoting exchanges between workers could be considered among the initiatives supported by ELA and EURES. EU competence on education and vocational training is provided for in Articles 165 and 166 TFEU (QMV). It is a so-called supporting

	<p>study science subjects; (IT 1.5)</p>	<p>activities targeted at mobile individuals and employers.</p> <p>The European Skills Agenda also focuses on increasing STEM graduates and fostering entrepreneurial and transversal skills. The Commission Communication on Europe's Digital Decade proposes a target of ICT Specialists: 20 million + Gender convergence by 2030.</p> <p>Offering diverse education opportunities jointly delivered across European inter-university campuses, in structures which encourage cooperation across disciplines and across borders, is one of the aims of the 'European Universities' initiative financed under the Erasmus+ programme.</p> <p>Fostering the acquisition of competences in sciences, technology, engineering and mathematics (STEM), and motivating more young people, especially girls and young women, to engage in STEM careers is a specific recommendation addressed to Member States in the 2018 Council Recommendation on key competences for lifelong learning.</p>	<p>competence, where the EU can only take encouragement or support measures, including financing programmes, such as Erasmus.</p> <p>Incentive measures may be adopted at EU level, excluding any harmonisation of national laws and regulations.</p> <p>Under Article 166 TFEU, the Union action may also support or supplement MSs action on vocational training, while respecting the Member States' responsibilities for the content and organization of vocational training.</p>
17.	<p>Reducing, where non-essential, bureaucracy (permits, certifications); (IT 2.1)</p>	<p>The Commission follows the principle of one in-one out when proposing new legislation. In addition, the Commission's regulatory fitness and performance programme (REFIT) aims to ensure that EU laws deliver on their objectives at a minimum cost for the benefit of citizens and businesses.</p>	

		The Commission presents every year an overview of its efforts for simplification and burden reduction in the Annual Burden Survey and monitors regularly the programme's progress in the REFIT scoreboard.	
18.	Combating counterfeiting and unfair competition; (IT 2.4)	Unfair competition is forbidden by the Treaty (Article 102 TFEU) and the Commission has the necessary powers to deal with this. Moreover, in accordance with the Directive on the Enforcement of Intellectual Property Rights, Member States are under the obligation to apply effective, dissuasive, and proportionate remedies and penalties against those engaged in counterfeiting and piracy. This Directive aims to create a level playing field for right holders in the EU.	Articles 102 and 114 or 118 TFEU.
19.	Ensuring greater participation of start-ups and SMEs in innovation projects as this increases their innovative strength, competitiveness and networking. (online platform, discussions)	This measure is expected to be implemented by the EU's SME Strategy, closely linked to the 2021 updated New Industrial Strategy. On top of that, SMEs are subject to specific provisions within various legislative acts, provisions destined to minimize the administrative burden and to enhance their resilience, competitiveness and innovative behavior. The Horizon Europe research programme has a specific component dedicated to innovation and specific provisions for SMEs. (see measure 12.7 above)	
20.	Consolidating and protecting the Single Market should remain a priority; measures and initiatives at	This is an ongoing process, all new initiatives seek to deepen the single market. Furthermore, the Commission has several tools to	

	EU and national level should not be detrimental to the Single Market and should contribute to the free flow of people, goods, services, and capital; (discussions)	monitor proper application and enforcement of the EU law by Member States (Single Market Enforcement Taskforce, Single Market Scoreboard, package meetings with MSs, etc).	
21.	New EU policy initiatives should undergo a “competitiveness check” to analyse their impact on companies and their business environment (cost of doing business, capacity to innovate, international competitiveness, level playing field, etc). Such check shall be in accordance with, the Paris Agreement, the Sustainable Development Goals, including gender equality, and shall not undermine the protection of human, social and workers' rights nor environmental and consumer protection standards. To this effect, we also propose the establishment of a European Advisory Competitiveness Body which should monitor how the competitiveness check is performed and in particular assess the cumulative impact of legislation, as well as put forward proposals to improve the right framework conditions for competitiveness of EU companies. Such body should include organised civil society and the social partners in	<p>Impact Assessments are generally included in Commission proposals. They include the impact on competitiveness if the proposal affects industry and / or economy.</p> <p>The Commission has established a network of working bodies, consultative and / or in accordance with various legislative acts, to deal with competitiveness issues.</p>	The possible creation of new bodies under the current legislative framework or via a new proposal should be assessed from the perspective of objectives, means and institutional role.

	its governance; (discussions)		
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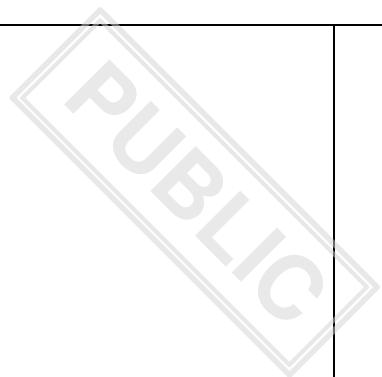
PUBLIC

13. Proposal - Inclusive labour markets¹⁴

Objective: We propose to improve the functioning of labour markets so that they ensure fairer working conditions and promote gender equality, employment, including that of young people and vulnerable groups. The EU, Member States and social partners need to work to end in-work poverty, address the rights of platform workers, ban un-paid internships and ensure fair labour mobility in the EU. We must promote social dialogue and collective bargaining. We need to ensure the full implementation of the European Pillar of Social Rights, including its relevant headline targets for 2030, at EU, national, regional and local level in the areas of “equal opportunities and access to the labour market” and “fair working conditions”, while respecting competences and the principles of subsidiarity and proportionality and to include a Social Progress Protocol in the Treaties. While doing so, there should be a respect of national traditions and the autonomy of social partners and a cooperation with civil society. This objective could be achieved by:

	Measures	To what extent are the EU Institutions already working on the measures addressed in the proposal (What is being done)?	How could the proposal/measure be implemented, if at all (assessment of feasibility)? (Please refer to the legal basis on which this could be done – if any)?
1.	Ensuring that statutory minimum wages guarantee that each worker can earn a decent and similar quality of living across all Member States. Clear criteria (e.g. living costs, inflation, above the poverty line, the average and median wage at national level) to be taken into account when setting minimum wages level should be set up. The levels of statutory minimum wages should be	The Directive on adequate minimum wages in the European Union has recently been politically agreed between Parliament and Council. It will soon be formally adopted.	The Directive is based on Article 153 TFEU. Article 153(5) TFEU reserves to Member States the power to directly regulate pay. Therefore, the competences to “ensure” adequate minimum wages are subject to the limitations under Art 153(5) TFEU. The competences of the Union related to collective bargaining are provided for in Article 153(2)(f) TFEU.

¹⁴ Citizens’ recommendations on which the proposal is mainly based: European Citizens’ Panel 1: 1, 2, 7, 28, 30; Germany: 4.1, 4.2; The Netherlands: 4; France: 6; Italy: 5.a.1, 5.a.4, 6.1, 6.2.



	<p>regularly reviewed in light of these criteria in order to ensure their adequacy. Special attention should be put on effective implementation of these rules and monitoring and tracking improvement in the standard of living. At the same time, collective bargaining should be strengthened and promoted throughout the EU; (ECP1 & 30; DE 4.2; online platform).</p>		
2.	<p>Taking stock and more strongly enforcing the implementation of the Working Time Directive (Directive 2003/88/EC) and other relevant legislation that ensures healthy work life balance while looking at new national policies in this domain; (ECP2)</p>	<p>At Union level, the Commission ensures the respect of Union legislation by overseeing the application of Union law under the control of the Court of Justice of the European Union.</p> <p>At national level, compliance with Union law is monitored, according to the relevant national regulations and practices.</p> <p>In addition, national employment policies are assessed in the context of the European Semester cycle.</p>	<p>It is up to the Commission to monitor implementation of EU law.</p> <p>Legal basis: Article 17 TEU, Articles 258 and 259 TFEU.</p>
3.	<p>Introducing or reinforcing existing legislation that regulates so-called 'smart working' and incentivising companies to promote it. (ECP 7) The EU should ensure the right to disconnect, do more to address the digital divide at the workplace and assess the implications of remote work on health, working time and companies performance. There is a need to guarantee fair digitalisation</p>	<p>The Council has approved Council conclusions on Telework in 2021.</p> <p>The European Parliament has issued an own-initiative report on the right to disconnect 2019/2181(INL), which is currently being examined by the Commission.</p>	<p>Article 153(2)(b) TFEU – working conditions - could be used as a basis for further measures in this field.</p>

	based on human rights, improved working conditions and collective bargaining; (discussions).		
4.	Having integrated employment policies at an EU level where active labour market policies remain central and increasingly coordinated (IT 6.2) while Member States focus on continuing their reform efforts to create favourable conditions for quality job creation. (discussions)	<p>According to Art. 148 TFEU, each year the Council adopts a Decision on the Employment Guidelines, which the Member States shall take into account in their employment policies.</p> <p>Employment Guideline No.6 included in 2020 Employment Guidelines (reconfirmed in 2021) invites Member States to promote a sustainable social market economy and facilitate and support investment in the creation of quality jobs.</p> <p>In addition, Employment Guideline No.7 invites Member States to strengthen the effectiveness of active labour-market policies by increasing their targeting, outreach and coverage and by better linking them with social services and income support for the unemployed.</p> <p>Employment and active labour market policies represent a key aspect of almost all Recovery and Resilience Plans. Almost all Member States included a range of reforms and investments to support job creation, upskilling and the modernisation of their labour market. These measures respond to the country-specific recommendation linked to employment support and labour market.</p>	<p>The coordination of employment policies at EU level is already in place via the European Semester cycle, which is the framework for integrated surveillance and coordination of employment, policies, including Active Labour Market Policies, across the Member States, in line with the annual Employment Guidelines.</p> <p>Each Member State shall provide the Council and the Commission with an annual report on the principal measures taken to implement its employment policy in the light of the guidelines for employment.</p> <p>Based on these reports, the Council shall each year carry out an examination of their implementation in the light of the guidelines.</p>

<p>5.</p>	<p>Taking steps to ensure that social rights are fully protected and safeguarded in case of conflict with economic freedoms including via the introduction of a social progress protocol in the Treaties. (online platform, discussions)</p>	<p>The balance between social rights and the four freedoms underpinning the internal market is ensured by several provisions of the Treaties, contained in particular in Title X of Part Three TFEU.</p> <p>Article 153 TFEU provides that the Union “<i>shall support and complement the activities of the Member States</i>” in several fields in order to achieve the social objectives provided under Article 151 TFEU (for instance, the promotion of employment, improved living and working conditions).</p> <p>Moreover, Article 3 TEU introduces the concept of “social market economy” which is now considered a “constitutional” objective for the Union inspiring all Union action.</p> <p>Article 9 TFEU, establishes the so-called “horizontal social clause” which is a provision of general application, to be respected in all Union policies.</p> <p>The EU Charter of fundamental rights which is primary law, also contains several social rights in Title IV (“Solidarity”). building on the 1989 Community Charter of the Fundamental Social Rights of Workers.</p> <p>The European Semester has a double focus on economic and employment/social policies. Employment/labour indicators have been inserted also in the Scoreboard regarding the Macroeconomic Imbalances Procedures.</p>	<p>The EU could better explore the possibilities under Article 153 TFEU to achieve the social objectives under Article 151 TFEU. Restructuring the treaties to create a new "social progress protocol" would be unnecessary for achieving the result aimed at by this measure.</p>
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		The Pillar of Social Rights is another important political instrument, which all three Union institutions have committed to.	
6.	Ensuring gender equality, in line with 2020-2025 EU Gender Equality Strategy. The EU should continue measuring the gender equality through a gender equality index (i.e. attitudes, salary gap, employment, leadership, etc.), monitor the strategy yearly and be transparent with the achievements; and encourage the sharing of expertise and best practices and set up a possible direct citizen-feedback mechanism (e.g. an Ombudsperson); (ECP28; IT 5.a.1). There is a need to address gender pay gap and introduce quotas in senior positions. There should be more support for women entrepreneurs in the business environment and women in STEM (discussions).	<p>The Commission's proposal for a Directive on pay transparency, which seeks to address the problem of the gender pay gap, is under negotiation.</p> <p>The European Institute for Gender Equality has already established a Gender Equality Index. The index covers six core domains (work, money, knowledge, time, power and wealth) and two additional domains (violence against women, intersecting inequalities).</p> <p>The co-legislators have recently reached an agreement on the Directive to improve gender balance on company boards. This directive is based on Article 157(3) TFEU.</p>	<p>A potential legal basis for any legislative action on the field of gender equality - interpreted as combating unjustified discrimination on grounds of sex - is Article 19 TFEU. This legal basis is "<i>without prejudice to the other provisions of the Treaties and within the limits of the powers conferred by them upon the Union</i>" (Article 19(1) TFEU).</p> <p>Article 157 TFEU empowers the EU to adopt measures to ensure equal opportunities and treatment between men and women in matters of employment and occupation.</p> <p>The possibility to apply positive discrimination (such as quotas) in favour of the under-represented sex is provided for in the Treaties, under Article 157(4) TFEU.</p>
7.	Promoting youth employment, for example through financial assistance for companies, but also by giving employers and workers additional support (NL 4) and support to young entrepreneurs and young self-employed professionals for example through educational tools and courses (discussions);	The proposed measures on youth employment are covered by several Union initiatives: the Youth Guarantee, which has been expanded to include all people under the age of 30; the new Youth Employment Support (YES) package, acting as a bridge to green and digital jobs and which led the majority of public employment services to improve and expand their services for young people; several of the Union Targets proposed by the European Pillar	<p>Several legal bases can serve the purpose of supporting young people, depending on the specific measures envisaged.</p> <p>The specific legal bases regarding education, vocational training and youth are Articles 165 and 166 TFEU.</p>

		of Social Rights Action Plan concern youth employment policies; the Erasmus + programme (2021-2027), which supports through lifelong learning the educational, professional and personal development of people in the fields of education and training, youth and sport, in Europe and beyond.	
8.	Promoting employment of disadvantaged groups (NL 4), in particular among people with disabilities (online platform);	<p>Alongside and in support of Member States' policies, the EU has introduced a series of legal provisions, initiatives and strategies to improve the employment situation of disabled people.</p> <p>In 2010, the EU signed the UN Convention on the Rights of Persons with Disabilities (CRPD), which is a legally binding international instrument. The main instrument supporting the CRPD's implementation in the EU is the European disability strategy 2021-2030, whose aim is to empower people with disabilities so that they can enjoy their full rights, participate in society and have equal access to employment as others.</p> <p>In 2019, the Council adopted a set of Conclusions recommending that persons with disabilities should receive tailored support for transitions to the general labour market, for labour market reintegration and for equal enjoyment of workers' rights, including in sheltered employment (Improving the employment of people in a vulnerable position in the labour market). The EU offers funding dedicated to the promotion of employment and social inclusion through the European Social Fund (ESF).</p>	<p>The legal basis for anti-discrimination measures is Article 19 TFEU.</p> <p>The Council is planning a set of conclusions on the integration persons with a disability into the labour market.</p> <p>It may be possible to also address this issue via complementary Union action on working conditions for disabled persons under Art. 153 TFEU.</p>

<p>9.</p>	<p>Promoting employment and social mobility and, therefore, to have a full chance of self-realisation and self-determination. (IT 5.a.4 & IT 6.1) There could be a long-term strategy to ensure everyone in our societies has the right skills to find a job and bring their talents to fruition, in particular the young generation (discussions). It is important to invest in people’s skills adapted to the changing labour market needs and promoting life-long learning through among others exchange programme at all stages of life and ensure the right to lifelong learning and the right to training. (FR 6; DE 4.1) To this end, there is a need to strengthen the cooperation between businesses, trade unions and vocational, education and training providers (discussions).</p>	<p>The reinforced Youth Guarantee is a commitment by all Member States to ensure that all young people under the age of 30 receive a good quality offer of employment, continued education, apprenticeship or traineeship.</p> <p>The mentioned desirable long-terms strategies already exist among others in the form of the European Skills Agenda and the education targets of the European Pillar of Social Rights Action Plan.</p> <p>The Council is currently discussing a Recommendation on Individual Learning Accounts that would promote individualized approach to life-long learning.</p>	<p>While the organisation and content of education remain the main responsibility of Member States, the EU supports lifelong learning by coordinating cooperation between them through a number of ongoing initiatives.</p> <p>The need to strengthen cooperation between all stakeholders is also recognized in concrete initiatives (for example in the upcoming Council Recommendation on Individual Learning Accounts).</p> <p>Substantive legal bases: Articles 149, 165 and 166 TFEU.</p>
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14. Proposal - Stronger social policies¹⁵

Objective: We propose to reduce inequalities, fight social exclusion and tackle poverty. We need to put in place a comprehensive anti-poverty strategy that could include, among other, a reinforced Child Guarantee and Youth Guarantee, the introduction of minimum wages, a common EU framework for minimum income schemes and decent social housing. We need to ensure the full implementation of the European Pillar of Social Rights, including its relevant headline targets for 2030, at EU, national, regional and local level in the area of “social protection and inclusion” with due regard for respective competences and the principles of subsidiarity and proportionality and to include a Social Progress Protocol in the Treaties. This objective could be achieved by:

	Measures	To what extent are the EU Institutions already working on the measures addressed in the proposal (What is being done)?	How could the proposal/measure be implemented, if at all (assessment of feasibility)? (Please refer to the legal basis on which this could be done – if any)? (with reference to the legal basis)
1.	Reinforcing the competences of the EU in social policies and proposing legislation to promote social policies and ensure equality of rights, including health, harmonised for the entire EU, which take into consideration agreed regulations and the minimum requirements throughout the territory. (ECP 19 & 21) The EU could support and complement the policies of Members State by among others proposing a common framework for minimum incomes to ensure that nobody is left behind; These actions should be	<p>The proposal reiterates principles already in place, including EU Charter of Fundamental rights and various principles of the European Pillar of Social Rights.</p> <p>This measure can be implemented through the European Pillar of Social Rights Action Plan, as the Commission will propose a Council Recommendation on minimum income in 2022 to effectively support and complement the policies of Member States.</p>	<p>The competence to adopt legislative measures to integrate persons excluded from the labour market is conferred upon the Union by Article 153(1)(h) TFEU, read jointly with Article 153(2)(a) and (b) TFEU.</p> <p>Measures aimed at combating social exclusion can be adopted on the basis of Article 153(1) (j) TFEU, read jointly with Article 153(2)(a) TFEU.</p>

¹⁵ Citizens’ recommendations on which the proposal is mainly based: European Citizens’ Panel 1: 19, 20, 21, 25; Italy: 4.a.1.

	carried in the framework of the full implementation of the European Pillar of Social Rights and its Action Plan; (discussions)		
2.	Not compromising on welfare rights (public health, public education, labour policies); (IT 4.a.1)	Minimum standards exist at EU-level in the form of different acts, such as recent Directives on transparent and predictable working conditions, on work-life balance for parents and careers, and the revision of the directive concerning posting of workers. Under the umbrella occupational safety and health Framework Directive, four new individual Directives aiming at protecting workers from exposure to carcinogens at the workplace were adopted in the past few years, whereas a new proposal aiming to protect workers from asbestos is expected in autumn this year. The framework for enforcement of EU labour law has also been recently strengthened with the establishment of the European Labour Authority.	Common labour standards could be based on Article 153 TFEU. Article 153(2) TFEU provides for two different perimeters of Union competence (kind of actions that can be taken at Union level) and different legislative procedures according to the specific subject matter at issue. Measures could also be taken under Articles 165 and 168 TFEU in relation to education and health.
3.	Promoting research in social matters and health in the EU, following priority lines that are considered to be of public interest and agreed on by the member countries, and providing the appropriate funding. This could be achieved in part by reinforcing collaboration across fields of expertise, across countries, centres of studies (universities, etc.); (ECP 20)	<p>Horizon Europe programme covers in large part this proposed measure.</p> <p>The EU has considerably increased its investment in health related research: EU4Health is the fourth and largest of the EU Health. Moreover, the Horizon Europe programme comprises a specific cluster on health where development of innovative solutions are important elements.</p>	<p>Article 168(1) TFEU allows the Union to complement Member States' action, inter alia, for the purposes of promoting research into the causes, transmission and prevention of major health scourges.</p> <p>Article 153 TFEU potentially provides a legal basis for the exchange of best practices and the promotion of research on social matters.</p>

4.	Granting access to medical services to all persons below 16 years old across the EU in case these services are not available in the national context; (discussions)	Directive 2011/24/EU on patients' rights in cross-border health care sets out the conditions under which a patient may travel to another EU country to receive medical care and reimbursement.	<p>EU competence on public health is provided for in Article 168 TFEU (QMV). It is a so-called supporting competence, where the EU can only take encouragement or support measures, including financing programmes.</p> <p>The access to cross-border health care is covered by EU competence.</p> <p>However, enabling the EU to provide for an obligation for Member States to grant access to persons below 16 years old to medical services not available nationally would require Treaty change.</p>
5.	Ensuring that the EU, together with social partners and national governments, supports targeted access to decent social housing for citizens, according to their specific needs financial effort should be shared among private funders, landlords, housing beneficiaries, Member State governments at central and local levels, and the European Union. (ECP25)	<p>Recovery and Resilience Plans cover a broad range of reforms and investments that strengthen Member States' social protection systems. These measures focus on the effectiveness, quality and resilience of social protection systems, depending on country-specific needs.</p> <p>The price of houses in the EU is regularly monitored in the framework of the Macro-Imbalances Procedure. This process can lead to policy recommendations from the Commission to Member States in the annual country-specific recommendations.</p> <p>The Commission has launched the European Platform on Combating Homelessness with the aim to support Member States, cities and service</p>	<p>Coordination of Member States' economic policies within the existing instruments and processes (for example, the European Semester); thematic discussions focusing on exchange of best practices in the context of relevant national economic policies.</p> <p>How these objectives are addressed could be monitored in the context of the RRF implementation.</p>

		providers in sharing best practices and identifying efficient and innovative approaches.	
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15. Proposal - Demographic transition¹⁶

Objective: We propose to address the challenges arising from the demographic transition, as a critical ingredient of Europe’s overall resilience, in particular low birth rates and a steadily ageing population, by ensuring support to people throughout the lifecycle. This should involve comprehensive action aimed at all generations, from children and young people, to families, to the working-age population, to older persons who are still prepared to work as well as those in retirement or need of care. This objective could be achieved by:

	Measures	To what extent are the EU Institutions already working on the measures addressed in the proposal (What is being done)?	How could the proposal/measure be implemented, if at all (assessment of feasibility)? (Please refer to the legal basis on which this could be done – if any)?
1.	Ensuring quality, affordable and accessible childcare across the EU, so that mothers and fathers can confidently reconcile their work and family life. Where appropriate this could include childcare opportunities at or near the workplace. In some Member States also overnight care is available, which should serve as an example. Additionally, this could be flanked by supportive measures such as reduced VAT rates on equipment needed for children. It is essential to prevent poverty and social exclusion of children; (ECP 22 & 26) Reinforcing the Child Guarantee,	<p>The Council Recommendation establishing a European Child Guarantee asks the Member States to submit action plans on how they will implement the child guarantee covering the period until 2030 and includes measures to support children in need.</p> <p>Recovery and Resilience Plans include various measures aimed at increasing participation in early childhood education and care, in particular among disadvantaged groups, with a view to reducing inequalities.</p> <p>Directive 2022/542 allows Member States to apply reduced rates on “children’s clothing and footwear; supply of children’s car seats.”</p> <p>The Council has often stressed in its Conclusions</p>	In end-2022, the Commission is expected to table a proposal for a Council Recommendation on the revision of the Barcelona childcare targets that will also address issues such as the affordability and quality of these services.

¹⁶ Citizens’ recommendations on which the proposal is mainly based: European Citizens’ Panel 1: 19, 20, 21, 25; Italy: 4.a.1.

	<p>guaranteeing access of children in need to services such as education and care, healthcare, nutrition and housing, could be an instrument to achieve this (online platform, discussions).</p>	<p>the importance of care facilities as a prerequisite for increasing women's participation in the labour force.</p> <p>The Work-Life Balance Directive entered into force in August 2019 and sets minimum standards for different types of family leave.</p> <p>The present VAT rules already give some flexibility to Member States to choose their VAT rates within certain limits. Annex III to the VAT Directive lists the categories of goods and services eligible for reduced rates. In particular, foodstuff may benefit from reduced VAT rates with the exception of alcoholic beverages. Member States are free to apply a reduced rate to a whole category of products in Annex III or to restrict its application to part of it. However, the Court of Justice of the EU has held that Member States must respect the principle of fiscal neutrality which precludes treating similar goods (in competition with each other) differently for VAT purposes.</p>	
<p>2.</p>	<p>Introducing specific support and protection of work for young people. Such measures towards the working-age population should include access to knowledge for mothers and fathers about their return to work. (ECP 22) Reinforcing the Youth Guarantee could be an instrument to improve the access of young people under the age of 30 to good quality</p>	<p>Support for young people to return to work, especially mothers, is linked to the childcare facilities addressed in the above measure 15.1.</p> <p>The Reinforced Youth Guarantee (already covers and is dedicated to access of young people under the age of 30 to good quality offers of employment, continued education, apprenticeships or traineeships. Finally, Council Directive 92/85/EEC introduces</p>	<p>Measures to address labour rights that may help mothers and fathers return to work could be adopted on the basis of Article 153 TFEU.</p>

	offers of employment, continued education, apprenticeships or traineeships; (discussions)	<p>measures to encourage improvements in the safety and health at work of pregnant workers and workers who have recently given birth or are breastfeeding.</p> <p>The Work-Life Balance Directive entered into force in August 2019 and sets minimum standards regarding flexible working arrangements for workers who are parents, or carers (Directive 2019/1158).</p>	
3.	Promoting the right to free movement of education within the Union, among others, through mutual recognition of degrees, grades, skills and qualifications; (discussions)	In 2018, the Council adopted a Recommendation on promoting automatic mutual recognition of higher education and upper secondary education and training qualifications and the outcomes of learning periods abroad.	<p>EU competence on education and vocational training is provided for in Articles 165 and 166 TFEU (QMV). It is a so-called supporting competence, where the EU can only take encouragement or support measures, including financing programmes, such as Erasmus.</p> <p>Incentive measures may be adopted at EU level, excluding any harmonisation of national laws and regulations.</p> <p>Article 165 TFEU, on which the Erasmus programme is based, also empowers the EU to encourage the academic recognition of diplomas and periods of study.</p> <p>Moreover, directives can be adopted for mutual recognition of diplomas, certificates and other evidence of formal qualifications under Article 53 TFEU and further action by the Union could be taken on the basis of Article 21 TFEU.</p>

<p>4.</p>	<p>Improving legislation and implementation thereof to ensure support of families across all Member States, for instance with regard to parental leave as well as childbirth and childcare allowances. (ECP 26 & IT 5.a.1) Housing plays a crucial role in supporting families and should be addressed (online platform, discussions);</p>	<p>The Council has very often stressed the need to facilitate the reconciliation of work, family and private life.</p> <p>The 2019 Work-Life Balance Directive sets minimum standards for different types of family leave.</p>	<p>It is for the Commission to assess the suitability of a specific legislative initiative in this regard, building on the existing Work-life balance Directive.</p> <p>A relevant legal basis for possible actions in this field is Article 153 TFEU.</p>
<p>5.</p>	<p>Taking action to guarantee that all families enjoy equal family rights in all Member States. This should include the right to marriage and adoption; (ECP 27)</p>	<p>EU legislation in the area of judicial cooperation in civil matters, dealing with family law harmonises mutual recognition of a number of matrimonial issues (divorce, legal separation, etc...) Some provisions of EU private international law dealing with family matters take steps to guarantee equal access to family rights. Some provisions guarantee an equal access to divorce and legal separation to individuals regardless of their sex; promote access to justice for all marriages and registered partnerships, including same-sex marriages and registered partnerships; or promote the genuine and effective opportunity of children across the EU to be heard in cross-border proceedings.</p>	<p>Certain aspects of this measure are already covered by Union law, under Article 21 TFEU; the Court has held that Member States should recognize marriage between persons of the same sex when EU citizens have made use of their freedom of movement (C-673/16 Coman and Others). The Commission is also expected to submit in the autumn a new legislative proposal for the cross-border recognition of parenthood, based on Article 81(3) TFEU. The aim of this proposal will be to guarantee that the parenthood legally established in one Member State (such as adoption for instance) is recognised across the EU, so that children maintain their rights in cross-border situations, in particular when their families travel or move within the EU.</p> <p>However, the EU cannot impose on Member States an obligation to establish nationally a right to marriage and adoption, for instance for same sex couples. Conferring such powers to the EU would require Treaty change.</p>

6.	Promoting flexible retirement ages by taking account of the specific situation of older persons. When determining the retirement age, there should be a differentiation depending on the profession, and thereby factoring in particularly demanding work, both mentally and physically; (ECP 21 & IT 5.a.1)	The 2020 Council Conclusions on Human Rights, Participation and Well-Being of Older Persons in the Era of Digitalisation call, among others, on Member States and the Commission (in their respective competences) to promote longer working lives, for example by enabling voluntary late retirement, and flexible and gradual transitions to retirement.	Coordination of Member States' economic policies within the existing instruments and processes (for example, the European Semester); thematic discussions focusing on exchange of best practices in the context of relevant national economic policies. Article 153(1) TFEU may provide a legal basis for Union action in this field but only to the extent of supporting and complementing Member States' activities in the field.
7.	Preventing old age poverty by introducing minimum pensions. Such minimum levels would need to take account of the living standard, the poverty line and purchase power in the respective Member State; (ECP 21)	The Pension Adequacy Report (led by the Commission) provides an overview of Member States' pension policies focusing on the adequacy of old-age incomes today and in the decades to come. In October 2020 the Council approved conclusions on Human Rights, Participation and Well-Being of Older Persons in the Era of Digitalisation calling, among others, on Member States and the Commission (in their respective competences) to adequate social protection for all older persons with special attention to particularly vulnerable groups, in order to inter alia prevent poverty amongst older persons.	The possibilities under Article 153 TFEU could be explored, in particular (c) (social security and social protection) and (j) (the combating of social exclusion).

8.	<p>Guaranteeing appropriate social and health care to older persons. In doing so, it is important to address both community-based as well as residential care. Equally, measures need to take account of both care receivers and care givers; (ECP 23)</p>	<p>The Commission and the Social Protection Committee regularly report on the issue of long-care and prepare the Long-Term Care Report, which identifies the need for ensuring access to quality care services for older persons.</p> <p>The 2020 Council Conclusions on Human Rights, Participation and Well-Being of Older Persons in the Era of Digitalisation call, among others, on Member States and the Commission (in their respective competences) to address the challenges resulting from a rising demand for long-term care due to ageing and explore how digitalisation and welfare technology can be better integrated into care services to improve the accessibility and delivery of services, such as telecare. The Commission and Member States are also urged to guarantee the right to health care and long-term care, in line with the European Pillar of Social Rights, including access to health care on an equal basis.</p> <p>On 14 June 2021, the Council also endorsed the report on Long Term Care (LTC) which was jointly prepared by the Commission and the Social Protection Committee.</p>	<p>The possibilities under Article 153 TFUE could be explored, in particular (c) (social security and social protection) and (j) (the combating of social exclusion).</p> <p>However, if the measure aims at enabling the EU to establish an obligation on Member States to guarantee social and health care to older persons, this would require Treaty change.</p>
9.	<p>Ensuring the sustainable development and the demographic resilience of the regions that are lagging behind in order to make them more vibrant and attractive,</p>	<p>Sustainable development and demographic resilience are key elements of the cohesion policy regulatory framework for the period 2021-2027.</p> <p>In June 2020, the Council approved a set of</p>	<p>Coordination of Member States' policies within the existing instruments and processes; thematic discussions focusing on exchange of best practices in the context of relevant national economic policies.</p>

	including through the cohesion policy; (online platform & discussions)	Conclusions on "Demographic Challenges – the Way Ahead".	
10.	Taking coordinated action at the European level for collecting data disaggregated by factors such as gender and analysing demographic trends, sharing best practices and knowledge and supporting Member States in shaping and implementing adequate policies including by establishing a specialized EU body in this area. (online platform & discussion)	<p>Eurostat produces statistics and analyses on population and social conditions. Eurostat also produces gender statistics covering fields such as education, labour market, earnings and life expectancy, which are particularly important for measuring differences in the situation between women and men (i.e. gender gaps).</p> <p>Article 20 of Directive 2006/54/EC requires Member States to establish bodies for (among others) the analysis and monitoring of "<i>equal treatment of all persons without discrimination on grounds of sex</i>". [Legal basis: 157(3) TFEU]</p>	<p>Possible legal basis: Article 338(1) TFEU.</p> <p>See Regulation 1260/2013 on European Demographic Statistics.</p> <p>A Commission proposal on Equality Bodies is upcoming.</p>

16. Proposal - Fiscal and tax policies¹⁷

Objective: We propose that the EU promotes future-oriented investments focused on the green and digital transitions with a strong social and gender dimension, taking also into account the examples of the Next Generation EU and the SURE instrument. The EU needs to take into account the social and economic impact of the war against Ukraine and the link between the EU economic governance with the new geopolitical context and by strengthening its own budget through new own resources. Citizens want to move away taxation from people and SMEs and target tax evaders, big polluters and by taxing the digital giants while at the same time they want to see the EU supporting Member States' and local authorities' ability to finance themselves and as well as in using EU funds. This objective should be achieved by:

	Measures	To what extent are the EU Institutions already working on the measures addressed in the proposal (What is being done)?	How could the proposal/measure be implemented, if at all (assessment of feasibility)? (Please refer to the legal basis on which this could be done – if any)?
1.	Harmonizing and coordinating tax policies within the Member States of the EU in order to prevent tax evasion and avoidance, avoiding tax havens within the EU and targeting offshoring within Europe, including by ensuring that decisions on tax matters can be taken by qualified majority in the Council of the EU. On the other hand, there are recommendations from citizens' panels that state that taxation is a matter for individual countries, which have their own objectives and	<p>The EU Code of Conduct on business taxation aims to identify and assess possible harmful preferential tax measures in Member States. Member States commit to rollback existing tax measures that constitute harmful tax competition, to refrain from introducing any such measures in the future, and to promote the adoption of good tax governance principles by third countries and in territories to which EU treaties do not apply.</p> <p>The Council established in 2017 the EU list of non-cooperative jurisdictions for tax purposes, which is regularly revised</p> <p>As regards the avoidance of tax havens in the EU,</p>	Further harmonizing tax policy, for example through EU legislation may be done, under Article 115 TFEU (unanimity). Changing to QMV could be done by using the “ <i>passerelle</i> ” clause under Article 48(7) TEU.

¹⁷ Citizens' recommendations on which the proposal is mainly based: European Citizens' Panel 1: 13, 31; The Netherlands: 2.3; Italy: 4.b.3, 4.b.6; Lithuania: 9, 10.

	circumstances; (ECP 13 & 31, IT 4.b.3, NL2.3)	the Council is currently discussing the Commission proposal on rules to prevent the misuse of shell entities for tax purposes.	
2.	Promoting cooperation between EU Member States to ensure that all companies in the EU pay their fair share of taxes; Introducing a common corporate tax base or a minimum effective rate (NL3)	The EU institutions are examining the Commission proposal for a common consolidated corporate tax base. They are currently also working on the transposition of an international agreement on a global minimum tax, which would contribute to the end of the race to the bottom on corporate taxes.	
3.	Ensuring that companies pay taxes where profits are made; (ECP 13)	This measure can be implemented with the OECD two-pillar agreement, supported by all EU Member States which main goal is to alter the distribution of profits between jurisdictions. Both the Council of the EU and the European Council have endorsed this goal.	
4.	Ensuring that tax policy support European industry and prevents job losses in Europe; (ECP 13 & 31)		EU competence on taxation is provided for in Article 113 TFEU (indirect taxation) and in Article 115 TFEU (direct taxation). Support to the EU industry may be done through measures based on the Industry Chapter of the Treaty, including financial programmes (Article 173 TFEU).
5.	Give further consideration to common borrowing at EU level, with a view to creating more favourable borrowing conditions, while maintaining responsible fiscal	The Commission is empowered by the Treaties to borrow from the capital markets on behalf of the EU. Common borrowing at EU level is already used to finance SURE and NextGenerationEU.	On an exceptional and temporary basis, borrowing from the capital markets on behalf of the EU is permitted by the Treaties. However, it is neither possible to have

	policies at Member State level; (LT 9)		mutualisation of debt of MS under the current Treaties nor is it possible to make borrowing for spending as a manner to finance the budget of the Union (beyond the exceptional and temporary cases provided for in the ORD).
6.	Strengthening oversight of the absorption and use of EU funds, including at local and municipal level. (LT 10)	A strong administrative capacity could foster a faster absorption of EU funds. Initiatives such as the Technical Support Instrument run by the Commission could help in that sense.	It is for the Commission to assess and possibly review the functioning of the current instruments of oversight.

IV. EU IN THE WORLD

17. Proposal - Reducing dependency of EU from foreign actors in economically strategic sectors

Objective: We propose that the EU take measures to strengthen its autonomy in key strategic sectors such as agricultural products, strategic economic goods, semiconductors, medical products, innovative digital and environmental technologies and energy, through:

	Measures	To what extent are the EU Institutions already working on the measures addressed in the proposal (What is being done)?	How could the proposal/measure be implemented, if at all (assessment of feasibility)? (Please refer to the legal basis on which this could be done – if any)?
1.	Boosting research, development and innovation activities and collaboration on that between public and private partners	Horizon Europe provides support for research and innovation toward combating climate change and achieving the UN Sustainable Development Goals. It also provides for synergies with other EU programmes.	Coordination of Member States' policies and implementation of EU programmes within the existing instruments and processes; thematic discussions focusing on exchange of best practices in the context of relevant national economic policies.
2.	Maintaining an ambitious trade negotiation agenda that can contribute to building resilience and diversification of supply chains, in particular for raw materials, while also sharing the benefits of trade more equally and with more partners, thereby limiting our exposure and	The EU strongly supports global efforts to monitor critical supply chains, keep them open and undisrupted, and ensure fair and equitable access to critical goods. The EU's preferred approach is to increase supply chain resilience via diversification of sources. The EU constantly seeks to open new markets via EU trade agreements.	Trade agreements are negotiated on the basis of Articles 207 and 218 TFEU.

	<p>dependency on a small number of potentially risky suppliers.¹⁸</p>	<p>In this regard, new legislation will enter into force in the second half of 2022 to improve access for EU operators to public procurement markets.</p> <p>The new European Consensus on Development provides that the EU and its Member States will support responsible business practices and responsible management of supply chains, respecting tenure rights and integrating human and labour rights, financial probity and environmental standards.</p> <p>The European Council, in its conclusions of 24-25 March 2022, called for work to be taken forward on the implementation of the Versailles Declaration on building a more open and robust economic base, notably by reducing EU strategic dependencies in the most sensitive areas and EU standards, market access, sustainable value chains and connectivity.</p> <p>In the field of development cooperation, this measure will be pursued mainly in the context of the implementation of the multi-annual indicative programmes (MIPs) agreed with developing partner countries and regions for the 2021-2027 period. In particular, the European Fund for Sustainable Development "Plus" is expected to boost economic activity and trade in developing partner countries.</p>	
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¹⁸ From debates in Working Group and Plenary

3.	Increasing the resilience of EU supply chains through fostering investment in strategic sectors in the EU, stockpiling critical productions and devices and diversifying the supply sources of critical raw materials;	EU's updated New Industrial Strategy of 2021 aims to preserve and increase the competitiveness and resilience of the EU industry and economy.	Political process and ad-hoc legislation (example Chips Act (2022/0032) currently under discussion within the Council. Possible legal basis for acts that could respond to this measure: Articles 114 and 173 TFEU or the research legal basis.
4.	Investing further in the completion of the internal market, creating a level-playing field to make it more attractive to produce and buy these items in the European Union.	This is an ongoing process, all new initiatives seek to deepen the single market.	Political and coordination processes. See Article 114 TFEU (internal market legal basis).
5.	Support to keep such products available and affordable to European consumers and reduce dependencies from outside, for example through the use of structural and regional policies, tax breaks, subsidies, infrastructure and research investments, boosting the competitiveness of SMEs as well as education programmes to keep related qualifications and jobs in Europe that are relevant to secure basic needs. ¹⁹	The EU's updated New Industrial Strategy aims to preserve and increase the competitiveness and resilience of the EU industry and economy. Horizon Europe invests in research and innovation projects aiming at creating new markets for innovative products, processes and services. The Council is planning to adopt recommendations on micro-credentials and individual learning accounts in June 2022.	Political and coordination processes. Relevant legal bases in the Treaties in the areas mentioned.

¹⁹ See Recommendation 1 from ECP4, Recommendation 2 from NCP Germany Panel 1 “EU in the World”, and NCP Italy Cluster 2, Rec1, further developed in WG

6.	A European-wide programme to support small local producers from strategic sectors across all Member States, ²⁰ making greater use of the EU programmes and financial instruments, such as Invest EU.	InvestEU, the EU investment programme for the period 2021-27, has a dedicated SME window with EUR 6.9 billion available as EU budgetary guarantee to provide access to and availability of finance to SMEs, including innovative ones.	
7.	Better cooperation between Member States to handle the management of supply chain risks ²¹	The EU's 2021 updated New Industrial Strategy aims, overall, at improving the competitiveness and growth of the EU industry and economy. The Strategy identifies the most sensitive ecosystems and value chains and aims at improving EU strategic autonomy.	

²⁰ See Recommendation 4 from ECP4 and NCP Italy Cluster 2, Recs 5 and 6, further developed in WG

²¹ See Digital Platform and NCP Italy Cluster 2, Recs 2 and 3, further developed in WG

18. Proposal - Reducing dependency of EU from foreign actors in energy

Objective: We propose that the EU reach more autonomy in the field of energy production and supply, in the context of the ongoing green transition by:

	Measures	To what extent are the EU Institutions already working on the measures addressed in the proposal (What is being done)?	How could the proposal/measure be implemented, if at all (assessment of feasibility)? (Please refer to the legal basis on which this could be done – if any)?
1.	Adopting a strategy to be more autonomous in its energy production. A European body should integrate the existing European energy agencies and should coordinate the development of renewable energies and promote knowledge sharing ²²	<p>This is covered under the several initiatives as part of the REPowerEU Plan including: i) new dedicated chapters of the Recovery and Resilience Plans to finance phase out of imported fossil fuels; ii) new proposal to accelerate permitting of renewables projects; iii) initiatives on joint gas purchases; and vi) a new international energy strategy.</p> <p>The 2021 new European Climate, Infrastructure and Environment Executive Agency coordinates the development of renewable energies across the EU, notably via dedicated EU Renewable Energy, Financing Mechanisms and the promotion of cross-border renewable energy projects.</p>	<p>Several legislative and non-legislative initiatives are already on the table. The reinforcement of the administrative capacity of the European Climate, Infrastructure and Environment Executive Agency (CINEA) could be explored.</p> <p>In principle, this would be based on Art. 194 TFEU (energy legal basis).</p>
2.	Actively supporting public transport and energy efficiency projects, a pan-European high-speed rail and freight network, the expansion of clean and renewable energy provision (in	The Commission put in place a yearly European Mobility Week, an awareness-raising campaign on sustainable urban mobility, which encourages behavioral change in favour of active mobility, public transport and other clean and intelligent transport	Further support for affordable public transport is expected from the Commission proposal (end of 2022) on multimodal ticketing platforms.

²² See Recommendation 14 from ECP4, further developed in WG

	particular in solar and wind) and alternative technologies (such as hydrogen or waste-to-energy), as well as cultural change in urban settings from the individual car towards public transport, e-car sharing and biking. ²³	solutions.	Further support for rail freight is expected from future proposals on better infrastructure capacity management and review of the Combined Transport Directive and related state aid guidelines. TEN-T proposal currently under discussion within the Council (TENs legal basis: Art. 172 TFEU).
3.	Ensuring a just and fair transition, supporting in particular vulnerable citizens, who face the greatest challenges in transitioning towards climate neutrality and who are already suffering from increasing energy prices because of energy dependency and the recent tripling of energy prices.	Recovery and Resilience Plans (RRPs) include measures aimed at addressing energy poverty, by targeting vulnerable groups for whom the significant upfront costs make it almost impossible to invest in the energy efficiency of their homes. This is also part of the ongoing discussions on the Fit for 55 package (including the proposed Social Climate Fund). From the point of view of agriculture, the Bioeconomy Strategy contributes to the European Green Deal, as well as industrial, circular economy and clean energy innovation strategies, providing alternatives to fossil-based solutions.	Coordination of Member States' economic policies within the existing instruments and processes (for example, the European Semester); thematic discussions focusing on exchange of best practices in the context of relevant national economic policies. Work on legislative proposals of Fit for 55 underway.
4.	Increased collaboration around the assessment of the use of nuclear energy in the ongoing green transition to renewable energy in Europe, examining the collective issues that it	The role of nuclear in EU's future energy is assessed in all modelling scenarios underpinning the impact assessment accompanying the proposals for 2030 and 2050 energy and climate targets. Furthermore, the 2016 Nuclear Illustrative Programme (PINIC) assessed	In principle, measures could be adopted using as a legal basis Article 194 TFEU, but with the caveat (not absolute) concerning the right of MS to choose between different energy sources (see Article 194(2) second

²³ See Recommendation 2 from ECP4 and NCP Italy Cluster 2, Rec4, further developed in WG

	could solve or create, given that it is still being used by many member states. ²⁴	nuclear energy trends and related investments for the period up to 2050.	subparagraph TFEU). The Euratom Treaty contains numerous legal bases in the area of nuclear energy regarding in particular research, security, safety and market measures.
5.	Engaging with international partners, committing them in attaining more ambitious goals to address climate change at different international fora, including G7 and G20.	<p>The EU pushes for ambitious goals in the framework of the UN as well as the G7 and the G20.</p> <p>In the scope of the European Green Deal, the EU actively engages with its international partners on climate action, in particular through the UN Framework Convention of Climate Change (UNFCCC) and the Paris Agreement.</p> <p>The EU also cooperates bilaterally with countries and regions to jointly step up efforts on climate change. Green transition is a key element of the multiannual partnership programmes for 2021-2024.</p> <p>The EU has joint initiatives with various countries and regions in which climate plays an important role. Joint declarations and summit statements also include elements on climate change.</p>	Continue having the EU climate diplomacy as a core component of the EU's foreign and security policy.
6.	Linking foreign trade with climate policy measures (e.g. By launching an investment package for climate-friendly technologies and innovations, including funding programmes) ²⁵	The EU uses its trade agreements to contribute to climate action by reaffirming the commitment to implement international climate conventions (such as the Paris Agreement) or promoting trade and investment in green goods and services.	<p>Trade agreements are negotiated on the basis of Articles 207 and 218 TFEU.</p> <p>The Commission is currently reviewing the 15 point action plan on Trade and Sustainable Development.</p>

²⁴ See Recommendation 17 from ECP4 and NCP Italy Cluster 2, Rec4, further developed in WG

²⁵ See Recommendation 1 NCP Germany, Panel 1 “EU in the World”, further developed in WG

		<p>The EU trade deals contain chapters on trade and sustainable development with Special incentives for developing countries that commit to respect sustainable development (GSP+).</p> <p>As mentioned above, green transition is a key element of the multiannual partnership programmes for 2021-2024.</p> <p>The new European Consensus on Development addresses climate change, like trade and investment, as a cross-cutting issue to achieve sustainable development in partner countries and regions.</p> <p>In the field of development cooperation, this measure will be pursued mainly in the context of the implementation of the multi-annual indicative programmes (MIPs) for the 2021-2027 period. A binding target of 30% (now 35%) for climate related expenditures will be monitored on a regular basis by the Council in the course of the 2021-2027 MFF period.</p> <p>In particular, the European Fund for Sustainable Development "Plus" under the NDICI-Global Europe instrument is expected to leverage and channel private investments towards climate protection and the green transition in partner countries and regions.</p>	
7.	Pursuing common purchases of imported energy and sustainable energy partnerships in order to reduce European energy import dependencies,	Within the Energy Community the EU, Western Balkan partners, Ukraine, Republic of Moldova and Georgia are actively working on creating an integrated energy market, allowing for cross-border energy trade	Coordination at EU level is possible, while Article 194 TFEU recognises Member States' right to choose their energy mix and exploit their energy sources.

	<p>specifically in the area of gas and oil and developing EU domestic sources of energy.</p>	<p>and integration with the EU market (including infrastructure), and implementing the European Green Deal objectives throughout the region.</p> <p>According to the European Council conclusions of 23-24 March 2022, Member States and the Commission will work together on a voluntary common purchasing platform for gas, LNG and hydrogen, which will also be open for Western Balkan countries and the 3 associated Eastern Partners.</p> <p>The European Green Deal and the corresponding climate and energy targets in the Fit for 55 legislative package are under negotiation.</p>	
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19. Proposal - Defining standards within and outside the EU in trade and investment relations

Objective: We propose that the EU strengthen the ethical dimension of its trade and investment relations through:

	Measures	To what extent are the EU Institutions already working on the measures addressed in the proposal (What is being done)?	How could the proposal/measure be implemented, if at all (assessment of feasibility)? (Please refer to the legal basis on which this could be done – if any)?
1.	Preserving and reforming our multilateral rules-based international trade architecture, and partnership with like-minded democracies	The EU is a strong supporter of an open, fair, equitable, sustainable and rules-based trade system with the WTO at its core.	This measure is implemented on the basis of Common commercial policy, Article 207 TFEU.
2.	Effective and proportionate EU legislation to ensure that decent work standards are fully applied along the global value chains, including EU production and supply processes and that goods which are imported comply with qualitative ethical standards, sustainable development, and human rights standards including workers' and trade union rights, offering certification for products abiding by this EU legislation ²⁶ and engage in an EU wide dialogue process that seeks to inform and educate on the environmental and ethical effects of policy changes in	<p>The EU's comprehensive approach aims at effective promotion of decent work for all workers worldwide in domestic markets in third countries, and in global supply chains, by a large variety of tools.</p> <p>The Commission recently proposed a directive on corporate sustainability due diligence which objective is to tackle the use of forced labour in the global value chains and effectively prohibit the placing on the Union market of products made by forced labour, including forced child labour.</p> <p>In December 2020, the Council approved Conclusions on Human Rights and Decent Work in Global Supply Chains calling for a Union-wide Action Plan by 2021 focusing on shaping global supply chains sustainably,</p>	

²⁶ See Recommendation 3 from ECP4, further developed in WG

	international trade	<p>promoting human rights, social and environmental due diligence standards and transparency. This includes a call to the Commission to table a proposal for a legal framework on sustainable corporate governance, including cross-sector corporate due diligence obligations along global supply chains.</p> <p>The references to the relevant ILO conventions are also included in numerous free trade agreements concluded by the Union. Under the EU Regulation on the Generalised Scheme of Preferences, the EU can grant unilateral trade preferences on the condition that benefitting countries comply with international labour standards, including on the elimination of child and forced labour.</p> <p>On 23 February 2022, the Commission published the "Communication on decent work worldwide for a global just transition and a sustainable recovery" setting out upcoming and existing EU tools in different areas.</p>	
3.	Restrictions on the import and sale of products from countries that allow forced and child labour, a periodically updated blacklist of companies, and promoting consumer awareness on child labour through information made by official EU channels ²⁷ .	<p>In June 2016, the Council reaffirmed its strong commitment to ensuring every child is protected from child labour including its worst forms.</p> <p>EU company law proposal on ‘corporate sustainability reporting’ foresees the adoption of sustainability reporting standards which will specify the information that the undertakings are to disclose about certain environmental, social and human rights matters. In</p>	Common commercial policy, Article 207 TFEU

²⁷ See Recommendation 11 from ECP4, further developed in WG

		addition, the Commission adopted on 23 February 2022 a proposal for a Directive on Corporate sustainability due diligence, requiring undertakings active in the EU to monitor these issues and take action to address concerns.	
4.	Following up and enforcing Trade Sustainable Development chapters (TSD) in EU Free Trade Agreements (FTA) including the possibility of a sanctions-based mechanism as a last resort.	The EU trade agreements already contain robust provisions in the sustainable trade chapters, on international labour and environment standards and agreements; on the sustainable trade of natural resources; on combatting illegal trade of threatened and endangered species of fauna and flora to encourage trade that supports tackling climate change; and on promoting responsible practices such as corporate social responsibility.	Common commercial policy, Article 207 TFEU. EU trade deals already contain a sustainable trade chapter. The Commission is currently reviewing the 15 point action plan on Trade and Sustainable Development.
5.	Reforming the EU's Generalised Scheme of Preferences (GSP) to include strong conditionality provisions and effective and appropriate monitoring, reporting and dialogue processes in order to improve the impact GSP can have on trade, human rights and development in partner countries with trade preferences to be withdrawn in case of non-compliance.	GSP regime already includes strong conditionality provisions and effective and appropriate monitoring. Moreover, the co-legislators are examining a Commission proposal to review the GSP scheme.	Common commercial policy, Article 207 TFEU.

20. Proposal - Defining standards within and outside the EU in environmental policies

Objective: We propose that the EU strengthen the environmental dimension of its trade relations through:

	Measures	To what extent are the EU Institutions already working on the measures addressed in the proposal (What is being done)?	How could the proposal/measure be implemented, if at all (assessment of feasibility)? (Please refer to the legal basis on which this could be done – if any)?
1.	Harmonising and strengthening eco-labelling and introducing a mandatory eco-score to be displayed on all products that can be bought by the consumer. The eco-score would be calculated according to emissions from production and transportation, as well as harmful content, based on a list of hazardous products. The eco-score should be managed and monitored by an eu authority ²⁸ .	This is part of the Sustainable products policy initiative (including the revision of the Ecodesign directive) proposed by the Commission.	Article 114 TFEU.
2.	Strengthen environmental standards for the export of waste and more stringent controls and sanctions to stop illegal exports. The eu should incentivise the member states to recycle their own waste and use it for energy production ²⁹ .	This is part of the Review of the Shipments of waste Regulation as proposed by the Commission in November 2021.	Article 192 TFEU (environment).

²⁸ See Recommendation 13 from ECP4, further developed in WG

²⁹ See Recommendation 15 from ECP4, further developed in WG

3.	Setting a goal of eliminating polluting packaging by promoting less packaging or more environmentally-friendly packaging ³⁰ . establishing partnerships with developing countries, supporting their infrastructure and with mutually favourable trade deals to aid them in the transition towards green energy sources. ³¹	This will be addressed in the upcoming Circular Economy package II (July 2022) including a review of the packaging and waste packaging Directive. The legal basis of the packaging and waste packaging Directive is Article 114 TFEU (harmonisation internal market).	Article 114 TFEU or Article 192 TFEU As regards partnerships with developing countries as suggested in the measure, this can be done on the basis of Article 207 TFEU.
4.	Rewarding countries that apply high sustainability standards by offering them further access to the EU market for their sustainable goods and services, either unilaterally through the General System of Preferences GSP+, bilaterally through negotiated trade agreements, or multilaterally through initiatives in the World Trade Organisation	Under the GSP scheme, the EU already encourages low-income countries to promote respect for human rights, labour rights, environmental protection and good governance.	Common commercial policy, Article 207 TFEU.

³⁰ See Recommendation 16 from ECP4, further developed in WG

³¹ See Recommendation 12 from ECP4, further developed in WG

21. Proposal - Decision making and cohesion within the Union

Objective: We propose that the EU improve its capacity to take speedy and effective decisions, notably in Common Foreign and Security Policy (CFSP), speaking with one voice and acting as a truly global player, projecting a positive role in the world and making a difference in response to any crisis, notably through:

	Measures	To what extent are the EU Institutions already working on the measures addressed in the proposal (What is being done)?	How could the proposal/measure be implemented, if at all (assessment of feasibility)? (Please refer to the legal basis on which this could be done – if any)?
1.	In particular in the area of the CFSP, issues that are currently decided by way of unanimity to be changed, normally to be decided by way of a qualified majority ³² .	Under Article 31(2) TEU, and by derogation from the rule of unanimity in the CFSP area, the Council can already act by QMV for certain CFSP decisions.	It is already possible to switch from unanimity to QMV in the area of CFSP either under the general <i>passerelle</i> clause (Art. 48(7) TEU) or under the sectoral <i>passerelle</i> clause in the area of CFSP (Art. 31(3) TEU). However, as neither of these <i>passerelle</i> clauses applies to decisions with military implications or in the area of defence, switching to QMV in this field would require Treaty change.
2.	Basing cooperation in security and defence policy on the recently endorsed Strategic Compass and making use of the European Peace Facility ³³	The Strategic Compass aims at bringing greater coherence to actions in the area of security and defence that are already underway, and sets out a number of new actions and means. Based on a joint threat analysis, it defines policy orientations, concrete goals and	

³² See Recommendation 21 from ECP4, further developed in WG

³³ See Digital Platform, further developed in WG

		<p>objectives for the next 5 to 10 years.</p> <p>The EU is also already making use of the European Peace Facility (EPF) in an unprecedented way. At their meeting in Versailles on 10 and 11 March, EU leaders agreed to make an even further “increased use” of the EPF in the future.</p>	
3.	<p>Strengthening the role of the High Representative to ensure that the EU speaks with one voice.³⁴</p>	<p>The main functions and responsibilities of the High Representative are defined in Articles 18, 21(3) 22(2), 24(1) and (3), 26(2) and (3), 27, 30, 31(2), 32, 33, 34, 42(4), 43(2), 44(1), 46 TEU.</p> <p>The High Representative supports the EU's unity on the world stage, as he/she:</p> <ul style="list-style-type: none"> • Carries out the CFSP and CSDP as mandated by the Council. • Takes part in the European Council's work, which strengthens his/her ability to convey a unified message. • The High Representative's appointment process and institutional role, presiding the Foreign Affairs Council and serving as one of the Vice-president of the Commission, allows the High Representative to shape the CFSP and convey a unified EU message as part of his/her mandate. • The regular coordination among the High Representative, the President of the European Council, the President of the Commission, and Member States is crucial for the EU's ability to 	<p>If the proposed measure calls for the High Representative to fully exercise his/her responsibilities under the Treaties, it is up to him/her to fully use all the Treaty provisions, no Treaty change is needed.</p> <p>However, if the intended meaning is to transfer powers to the High Representative in the field of external representation of the Union, which are currently held by the Commission (Article 17(1) TEU) or the President of the European Council (Article 15(6) TEU) or to change the High Representative's role and powers, this would require Treaty change.</p>

³⁴ See Digital Platform, further developed in WG

		convey a unified message on the world stage, and thereby speak with one voice.	
4.	Agreeing on a strong vision and a common strategy to consolidate the unity and decision taking capacity of the EU in order to prepare the EU for further enlargement ³⁵ .	<p>The revised enlargement methodology, endorsed by the Council on 25 March 2020, aims to reinvigorate the accession process by making it more predictable, more credible, more dynamic and subject to stronger political steering.</p> <p>The Strategic Compass is conceived to contribute to further developing the common European security and defence culture, informed by shared values and objectives. Based on a joint threat analysis, it defines policy orientations, concrete goals and objectives for the next 5 to 10 years.</p>	<p>As regards the unity and decision-making capacity of the Union in case of further enlargement, extending the scope of the QMV to more fields of Union competences can be achieved through using the <i>passerelle</i> clauses in the TEU, subject to limited exceptions (cf. point 21.1 above).</p> <p>The EU institutions have already been made enlargement-proof in a series of Treaty changes culminating in the Treaty of Lisbon.</p>
5.	Ratifying recently concluded trade agreements more promptly without precluding proper examination and discussion	Trade and investment agreements are being provisionally applied to reap the benefits from the liberalisation earlier.	Common commercial policy, Article 207 TFEU.

³⁵ See Recommendation 26 from ECP4, further developed in WG

22. Proposal - Transparency of the EU and its relations with the citizens

Objective: We propose that the EU, in particular in its actions at the international level, including trade negotiations, improve its accessibility for citizens through better information, education, citizen participation, and transparency of its action, notably by:

	Measures	To what extent are the EU Institutions already working on the measures addressed in the proposal (What is being done)?	How could the proposal/measure be implemented, if at all (assessment of feasibility)? (Please refer to the legal basis on which this could be done – if any)?
1.	Strengthening links with citizens and local institutions to improve transparency, reach the citizens and communicate and consult better with them about concrete EU initiatives and at the international level ³⁶ .	<p>The Council deliberations on legislation are public (directly accessible to all citizens). Traditional multipliers (namely media representatives) are briefed extensively about decision-making in the Council.</p> <p>There is consistent multilingual communication about and promotion of all Council meetings, European Council meetings and international summits via all the channels that are used by target audiences and in a way that evolves in line with their shifting needs, preferences and expectations which are regularly surveyed and assessed.</p> <p>Transparency rules and Public info activities (including Europe Direct centres) allow EU citizens to learn about the decision making process. At the international level, communication is done mainly via the EU delegations (under the responsibility of the Commission and the EEAS).</p> <p>Regarding citizen consultations, there are currently a</p>	The GSC provides Member States with informative, neutral and fact-based content (for example via the Communicator's Portal) and cooperate with other EU institutions, in order to reach as many citizens as possible.

³⁶ See Recommendation 18 from ECP4, further developed in WG

		number of EU initiatives supporting public participation, such as Citizens' Dialogues, European Citizens' Initiative, petitions and public consultations (Better Regulation policy).	
2.	Stronger citizen participation in the EU's international politics and direct citizens' involvement events, similar to the Conference on the Future of Europe, organised on a national, local and European level ³⁷ and with the active participation of organised civil society ³⁸ .		
3.	Full support by all relevant stakeholders to citizens who choose to get involved in organised civil society organisations, as they did with COVID-19 and Ukraine	The EESC has already developed several channels for links and dialogue with citizens, including support for civil society organisations, being the EU advisory body representing the organised civil society. It serves as relay of citizens' concerns and proposals.	The current institutional setting, namely the role of the EESC, already allows for the promotion of citizens engagement in organised initiatives. Promoting further engagement can be explored in the current framework. This can be done as part of a larger communication strategy.
4.	Allocating a specific budget to develop educational programmes on the functioning of the EU and its values that it could propose to the Member States that wish, so that they can integrate them into their curricula (primary, secondary schools, and universities). In addition, a specific	<p>Within the framework of the Erasmus+ programme, the Jean Monnet actions contribute to spreading knowledge about the European Union integration matters and support teaching and research in the field of European Union studies worldwide.</p> <p>The 2018 Council Recommendation on promoting common values, inclusive education, and the European</p>	EU competence on education and vocational training is provided for in Articles 165 and 166 TFEU (QMV). It is a so-called supporting competence, where the EU can only take encouragement or support measures, including financing programmes, such as Erasmus.

³⁷ See Recommendation 19 from ECP4, further developed in WG

³⁸ See Recommendation 19 from ECP4, further developed in WG

	<p>course on the EU and its functioning could be offered to students wishing to study in another European country through the Erasmus programme. Students choosing this course would be given priority in the allocation of said Erasmus programmes.</p>	<p>dimension of teaching invites Member States to promote a European dimension of teaching.</p>	<p>Incentive measures may be adopted at EU level, excluding any harmonisation of national laws and regulations.</p>
5.	<p>Improving its media strategy by strengthening its visibility on social media and actively promote its content and encouraging innovation by promoting an accessible European social media.³⁹</p>	<p>Social media channels are used intensively by all EU institutions and there are ongoing efforts to increase their reach and impact. The GSC works towards this aim in coordination with the Presidency and the Member States. There are some ongoing pilot projects to launch EU social media platforms, but their results still need to be evaluated (e.g. EU Voice and EU video, launched by EDPS and DIGIT)</p>	<p>Further efforts could be explored to create and promote EU social media channels, aided by the Digital Markets Act (DMA) and Digital Services Act (DSA).</p>

³⁹ See Recommendation 25 from ECP4

23. Proposal - The EU as a strong actor on the world scene in peace and security

Objective: We propose that the EU continue to act to promote dialogue and guarantee peace and a rules-based international order,⁴⁰ strengthening multilateralism and building on long standing EU peace initiatives which contributed to its award of the Nobel Prize in 2012, while strengthening its common security through⁴¹:

	Measures	To what extent are the EU Institutions already working on the measures addressed in the proposal (What is being done)?	How could the proposal/measure be implemented, if at all (assessment of feasibility)? (Please refer to the legal basis on which this could be done – if any)?
1.	Its joint armed forces that shall be used for self-defence purposes and preclude aggressive military action of any kind, with a capacity to provide support in times of crises including natural catastrophes. Outside European borders it could be deployed in exceptional circumstances preferably under a legal mandate from the UN Security Council and thus in compliance with international law ⁴² , and without competing with or duplicating NATO and respecting different national relationships with NATO and undertaking an assessment of	<p>The EU contributes to “<i>the strict observance and the development of international law, including respect for the principles of the United Nations Charter</i>” (Art. 3(5) TEU). It uses civilian or military assets provided by the Member States on missions for “<i>strengthening international security in accordance with the principles of the UN Charter</i>” (Art 42(1) TEU).</p> <p>Regarding NATO, the Strategic Compass notes that “<i>a stronger and more capable EU in security and defence will contribute positively to global and transatlantic security and is complementary to NATO, which remains the foundation of collective defence for its members. These two go hand in hand.</i>”</p>	<p>Within the legal framework provided by the Treaties, there can only be armed forces and capabilities “for” (not “of”) the EU provided by the Member States (Art. 42(1) TEU) on a case by case basis for the specific needs of a given crisis management operation. As to a possible common EU defence, according to Art. 42(2) “<i>The [CSDP] shall include the progressive framing of a common Union defence policy. This will lead to a common defence, when the European Council, acting unanimously, so decides(...)</i>”.</p> <p>As regards the mutual assistance clause (Art. 42(7) TEU), work is ongoing at the moment to better ‘operationalise’ this provision so as</p>

⁴⁰ From debate in Working Group and Plenary

⁴¹ See Change 2 from the French national panel/events

⁴² See Recommendation 20 from ECP4 and NCP Italy Cluster 2, Rec 7, further developed in WG

	EU relations with NATO in the context of the debate on the EU's strategic autonomy.		to be prepared in case of need. The types of missions the EU may undertake are defined in Art. 43 (1) TEU.
2.	Playing a leading role in building the world security order after the war in Ukraine building on the recently adopted EU strategic compass.	The Strategic Compass foresees a number of actions aimed at increasing the Union's capacity and willingness to act, at strengthening the EU's resilience and at ensuring solidarity and mutual assistance.	
3.	Protecting its strategic research and its capacity in priority sectors such as the space sector, cybersecurity, the medical sector and the environment ⁴³ .	<p>The EU's 2021 updated New Industrial Strategy aims at improving the competitiveness and growth of the EU's industry and economy and identifies the most sensitive ecosystems and value chains and aims at improving EU strategic autonomy.</p> <p>In addition, the EU Space programme already paves the way for more EU capacity in this respect. Work is ongoing for stronger coordination between Member States' efforts to address Space Traffic Management (STM) legislation and standardisation efforts.</p> <p>The "Industrial Strategy for Europe" announced an "Action Plan on synergies between civil, defence and space industries", which was presented by the Commission in February 2021.</p> <p>Work on the implementation of the proposals contained in the defence package is ongoing.</p>	<p>Specific actions will be taken within the framework of the New Industrial Strategy, the Space Strategy and the EU Space programme. The Horizon Europe research framework programme can also play a role, under specific circumstances.</p> <p>The Commission's defence package of March 2022 announced additional measures such as facilitating synergies between civilian and defence research and innovation, reducing strategic dependencies, and enhancing European resilience inter alia by stepping up cybersecurity and countering cyber and any other hybrid threats, enhancing military mobility and addressing climate change challenges for defence.</p>

⁴³ See Change 2 from French National Citizens' Panel

4.	Strengthening the operational capabilities necessary to ensure the effectiveness of the mutual assistance clause of Art. 42.7 of the Treaty on European Union, providing adequate EU protection to any member state under attack by a third country.	In the Strategic Compass, Member States agreed on a large number of concrete measures to increase their capacity and willingness to act, strengthen their resilience and ensure solidarity and mutual assistance in case of an armed aggression.	
5.	Reflect on how to counter disinformation and propaganda in an objective and factual way	<p>The Council is actively involved in EU efforts to counter foreign information manipulation and disinformation, including through a dedicated working party. EU efforts include measures of a “soft law”, political, and diplomatic or legislative nature.</p> <p>Progress is ongoing with recent and upcoming instruments and tools such as the EU Hybrid Toolbox and the Toolbox for countering Foreign Information Manipulation and Interference (FIMI), both highlighted in the Strategic Compass; the Strengthened Code of Practice against disinformation, the European Democracy Action Plan (3rd pillar) as well as the Digital Services Act.</p>	<p>The legal basis used includes Art. 114 TFEU (internal market, cf. DSA).</p> <p>As part of the Hybrid and FIMI toolboxes, use of CFSP restrictive measures is envisaged. In this case, Art. 29 TEU and Art. 215 TFEU could be used.</p> <p>On 15 December 2020, the Council adopted conclusions on strengthening resilience and countering hybrid threats, inviting the Commissions to develop and eventually implement additional transparency requirements for online platforms to promote a well-functioning digital public sphere, develop greater accountability and enhance transparency in addressing disinformation.</p>

24. Proposal - The EU as a strong actor on the world scene in relationship building

Objective: We propose that the EU should, in its relations with third countries:

	Measures	To what extent are the EU Institutions already working on the measures addressed in the proposal (What is being done)?	How could the proposal/measure be implemented, if at all (assessment of feasibility)? (Please refer to the legal basis on which this could be done – if any)?
1.	Make greater use of its collective political and economic weight, speaking with one voice and acting in a unified way, without individual Member States dividing the Union through inappropriate bilateral responses ⁴⁴ .	Member States are increasingly coordinating their approach to third countries and at international organizations. EU positions on agreements and statements being negotiated with third parties are coordinated and agreed, in advance, in the Council, to ensure EU unity. The EU is also coordinating its approach on candidatures in international organizations, making use of its full voting potential.	Article 218 (9) TFEU empowers the Council, on a proposal from the Commission, to adopt decisions on positions to be taken by the EU in relevant international bodies. In addition, the Council constantly exercises its policy-making role on international issues by setting out the EU position to be taken.
2.	Strengthen its ability to sanction States, governments, entities, groups or organisations as well as individuals that do not comply with its fundamental principles, agreements and laws and ensuring that sanctions that already exist are quickly implemented and enforced. Sanctions against third countries should be proportional to the action	The EU already fully uses its sanctions powers, with over forty different sanctions regimes in place (mandated by the UNSC or adopted autonomously by the EU) within the framework of the CFSP. In addition to the EU's specific sanctions regimes, the EU's recently adopted Global Human Rights Sanctions Regime that allows the EU to target individuals, entities and bodies, including state and non-state actors.	The Treaties already provide the framework for this measure (in particular, Articles 21, 29, and 34 TEU and Article 215 TFEU).

⁴⁴ See Recommendation 24 from ECP4 and NCP Italy Cluster 2, Rec 7, further developed in WG

	that triggered them and be effective and applied in due time ⁴⁵ .		
3.	Promote sustainable and rules-based trade while opening new trade and investment opportunities for European companies. While bilateral trade and investment agreements are key to promote European competitiveness, standards and rules are needed to ensure a level playing field. The EU needs to remain an active and reliable partner by negotiating, concluding and implementing trade agreements that also set high sustainability standards.	<p>The EU institutions, Member States and stakeholders work together to keep markets open and ensure that EU trading partners comply with their commitments, making full use of the opportunities provided by EU trade agreements; making sure that SMEs enjoy the full benefits of trade agreements; tackling trade barriers; and enforcing trade commitments through dispute settlement.</p> <p>The EU trade agreements contain robust provisions in the sustainable trade chapters. Discussions are in progress to further strengthen the EU's tools to confront new challenges and to protect European companies and citizens from unfair trading practices.</p>	This measure is being implemented on the basis of the Common commercial policy, Article 207 TFEU.
4.	Conclude major international cooperation agreements as the EU rather than as individual countries ⁴⁶ .	<p>In the field of trade, the EU concludes agreements as one party.</p> <p>The 2000 Partnership agreement between the members of the African, Caribbean and Pacific Group of states ('ACP') on the one part, and the European Union and its Member States, on the other part (the Cotonou Agreement) links 79 countries with the EU and its Member states. The Post-Cotonou agreement is being finalised.</p>	<p>Common commercial policy, Article 207 TFEU. Association agreements, Article 217 TFEU.</p> <p>The question of whether the EU, Member States or both can conclude an international agreement depends on the substance of the agreement itself and therefore on competences. The importance of an agreement is not a relevant legal criterion for</p>

⁴⁵ See Recommendation 22 from ECP4, further developed in WG

⁴⁶ See Recommendation 1 on EU in World from Dutch National Citizens' Panel, further developed in WG

			determining the signatories of an agreement.
5.	Reform EU trade and investment policy to relaunch global multilateralism with as objectives the creation of decent jobs and the protection of fundamental human rights, including workers' and trade union rights; the preservation of the environment and biodiversity and the conformity with the Paris Agreement on climate change; the safeguarding of high-quality public services; and the strengthening of Europe's industrial basis. The EU should contribute to a relaunch of global multilateralism, through a profound reform based on democracy and peace, solidarity and respect for human, social and environmental rights and a reinforced role for the ILO.	While promoting growth and jobs, the EU trade policy promotes sustainable development. EU trade policy aims to ensure that economic development goes hand in hand with social justice, respect for human rights, high labour standards and high environmental standards. See also measure 24.3.	Trade agreements are negotiated on the basis of Articles 207 and 218 TFEU. The Commission is currently reviewing the 15 point action plan on Trade and Sustainable Development in view of presenting a proposal to the Council in the summer of 2022.
6.	Include in cooperation and investment agreement with third countries the fight against human trafficking and illegal immigration and cooperation with reference to any appropriate repatriations.	Fight against migrant smuggling and human trafficking are as a general rule part of cooperation and partnership agreements that exist between the EU and a wide range of third countries. Readmission agreements or arrangements concerning repatriations of third country nationals are agreed with third countries where it is relevant.	Legal framework: Articles 79, 207, and/or 218 TFEU. The legal basis for readmission agreements is Article 79(3) of the TFEU.

7.	Establish partnerships with developing countries, supporting their infrastructure and with mutually favourable trade deals to aid them in the transition towards green energy sources ⁴⁷	<p>The EU and its Member States contribute to scaling-up private and public investments in the low-emission, climate-resilient green economy in developing countries. One key channel is the European External Investment Plan. The Global Gateway, on which discussions are ongoing, may also be instrumental in this context.</p> <p>Sustainable management of natural resources and the environment, including climate change is one of the objectives of the ACP-EU Partnership under the Cotonou Agreement.</p> <p>Several Economic Partnership Agreements (EPAs) contain concrete commitments in terms of environmental protection and/or clean and renewable energy while others contain so-called “rendez-vous clauses” whereby the Parties agree “<i>to draft specific chapters covering environmental and social issues</i>”.</p> <p>Moreover, the Eastern and Southern Africa - European Union Economic Partnership Agreement (ESA-EU EPA) is in the process of being modernised, including with a view to incorporating more ambitious provisions related to trade and sustainable development.</p>	<p>Trade agreements are negotiated on the basis of Articles 207 and 218 TFEU. The guiding principles of EU development cooperation policy are found in Articles 208 to 211 TFEU.</p> <p>The EU and the ACP regularly adopt joint positions and coordinate in international events on climate change. Climate change aspects have been increasingly taken into account in programmes and projects in ACP countries and regions, implemented by Commission and EIB.</p> <p>The EU’s ongoing trade and sustainable development (TSD) review process will reinforce this trend.</p> <p>Neighbourhood, Development and International Cooperation Instruments (NDICI) may also be a way to support developing countries in the transition towards green energy sources.</p>
8.	Develop a more effective and unified policy towards autocratic and hybrid regimes and develop partnerships with civil society	Through its support of and engagement with civil society organizations and human rights defenders globally, its financial contributions to the UN system, and its coordinating role in many international	Actions in support of the measure can all be implemented in the framework of Articles 21, 29, and 34 TEU and Article 215 TFEU.

⁴⁷ See Digital Platform and Plenary Debates, further developed in WG

	organisations in such countries.	<p>organizations and initiatives, the EU, together with Member States, already play a leading role in seeking to hold to account autocratic and hybrid regimes.</p> <p>The EU also has a comprehensive set of instruments at its disposal to address the situation in and threats from autocratic and hybrid regimes.</p> <p>1) The EU and Member States regularly lend their weight to efforts occurring in multilateral fora, on matters of human rights and democracy.</p> <p>2) The EU has over forty different sanctions regimes in place.</p> <p>3) Where feasible, the EU also engages bilaterally with all interested countries and local civil society organizations.</p> <p>4) The EU's recently adopted Global Human Rights Sanctions Regime allows the EU to target individuals, entities and bodies, including state and non-state actors, responsible for, involved in or associated with serious human rights violations and abuses worldwide.</p>	
9.	Increase the resources of EU electoral observation missions	The EU is already a leading force in international election observation, with on average 30 electoral missions per year.	Electoral Observation Missions activity is covered by Article 21 TEU and Article 212 TFEU.
10.	Offer a credible accession perspective for candidate and potential candidate countries to foster peace and stability in Europe	The accession process is a hybrid process: on the Union side, the decision-making rule in the Council is unanimity (Article 49(1) TEU), while on the intergovernmental side, the common accord of the	<p>Legal basis: Article 49 TEU.</p> <p>To facilitate the gradual integration of the candidates and potential candidates in the</p>

	<p>and bring prosperity to millions of Europeans⁴⁸.</p>	<p>Member States and of the applicant State is required (Article 49(2) TEU).</p> <p>Inevitably, the accession process is subject to political considerations. The revised enlargement methodology endorsed by the Council on 25 March 2020 is intended to enhance the credibility and predictability of the accession process.</p> <p>The EU provides financial and technical assistance for candidate countries and potential candidate countries via the Instrument for Pre-accession Assistance (IPA).</p>	<p>Union so as to foster peace and stability and bring prosperity, there are both contractual (international agreements) and autonomous (preferences, financial and technical assistance) instruments in place that could be used more extensively.</p>
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⁴⁸ See Digital Platform, further developed in WG

V. VALUES AND RIGHTS, RULE OF LAW, SECURITY

25. Proposal - Rule of Law, Democratic values and European identity⁴⁹

Objective: Systematically uphold the rule of Law across all Member States, in particular by:

	Measures	To what extent are the EU Institutions already working on the measures addressed in the proposal (What is being done)?	How could the proposal/measure be implemented, if at all (assessment of feasibility)? (Please refer to the legal basis on which this could be done – if any)
1.	Ensuring that the values and principles enshrined in the EU Treaties and in the EU Charter of Fundamental Rights are non-negotiable, irreversible and sine qua non conditions for EU membership and accession. EU values must be fully upheld in all Member States also so they can act as an international standard and pole of attraction through diplomacy and dialogue. Enlargement of the EU should not undermine the EU acquis with relation to fundamental values and citizens' rights; ⁵⁰	<p>Pursuant to Article 2 TEU, respect for the rule of law, human rights and democracy are among the values on which the Union is founded.</p> <p>Tools to ensure respect for EU values in Member States include the procedure in Article 7 TEU, infringement procedures, and preventive tools, such as the annual Council's rule of law dialogue or the Commission's rule of law report. Article 7 TEU provides for a procedure in cases of serious breaches by a Member State of the EU values, which may lead to the suspension of certain rights deriving from the Treaties to the Member State in question.</p> <p>Article 3(5) and Article 21(2) TEU also provide that</p>	Further tools could be developed in the current Treaty framework: see for instance calls for a mechanism on rule of law, democracy and fundamental rights.

⁴⁹ Citizens' recommendations on which the proposal is mainly based: European Citizens' Panel 2 (ECP2): 10, 11, 14, 30; Belgium National Citizens' Panel (NCP): 1.3.1, 1.4.2, 1.4.3; Germany NCP: 5.1, 5.2; The Netherlands NCP: 1.2.

⁵⁰ ECP2 recommendation number 14. Belgian NCP recommendation number 1.3.1, 1.4.2, 1.4.3. Dutch NCP recommendation 1.2.

		<p>the Union is to uphold and promote its values on the international scene. Article 49 TEU, on enlargement, makes it a condition for a State applying for membership to respect the EU values and to be committed to promoting them. The rule of law occupies a central role in accession negotiations as no new chapters can be closed before the interim benchmarks for the rule of law chapters are met (see also revised enlargement methodology endorsed by the Council on 25 March 2020).</p> <p>In its recent case-law, the Court has underlined that <i>"compliance by a Member State with the values contained in Article 2 TEU is a condition for the enjoyment of all the rights deriving from the application of the Treaties to that Member State"</i> (C- 896/19 Repubblica, paras 63 and 64); that Article 49 TEU contains a non-regression clause: <i>"the Members States are (...) required to ensure that (...) any regression of their laws on the organisation of justice is prevented"</i> (C-83/19, Asociația, Forumul Judecătorilor din România, para 162) ; and that <i>"[c]ompliance with those values cannot be reduced to an obligation which a candidate State must meet in order to accede to the European Union and which it may disregard after its accession"</i> (C-157/21, Poland v Parliament and Council, para 144).</p>	
2.	<p>Making European values tangible for EU citizens, especially through more interactive and direct involvement. To this end, the European citizenship</p>	<p>Pursuant to Article 20(1) TFEU, <i>"every person holding the nationality of a Member State shall be a citizen of the Union. Citizenship of the Union shall be additional to and not replace national citizenship"</i>.</p>	<p>Current legal bases on EU citizenship are Articles 18-25 TFEU. According to Article 25 TFEU, the Council, acting unanimously in accordance with the special legislative</p>

	<p>should be strengthened for instance through a European citizenship statute providing citizen-specific rights and freedoms, as well as a statute for European cross-border associations and non-profit organisations. European values should also be promoted through an “onboarding package” providing didactic elements and information material to citizens. Finally, a European public sphere including audiovisual and online media outlets should be developed by further EU investment, existing EU media hubs improved, and the over 500 local European liaison offices further supported;⁵¹</p>	<p>Article 20(2) TFEU provides that “<i>citizens of the Union shall enjoy the rights and be subject to the duties provided for in the Treaties</i>”.</p> <p>In particular, they have: i) the right to move and reside freely within the territory of the Member States; ii) the right to vote and to stand as candidates in elections to the European Parliament and in municipal elections in their Member State of residence, under the same conditions as nationals of that State; iii) the right to enjoy the protection of the diplomatic and consular authorities of any Member State on the same conditions as the nationals of that state (in the territory of a third country in which the Member State of which they are national is not represented); and iv) the right to petition to the European Parliament. The Commission reports every 3 years on EU citizenship and new priorities in this area.</p> <p>Regarding an “onboarding package” and related initiatives, the “Citizens, Equality, Rights and Values” programme can provide funding for this kind of actions.</p> <p>On a European public sphere, several initiatives have been launched as part of the EU's audiovisual and media policy. The EU is also carrying out a number of EU-wide multimedia actions that contribute to promote EU values among EU and non-EU citizens.</p>	<p>procedure and after obtaining the consent of the EP, may adopt provisions to strengthen or to add to the rights listed in Article 20(2) TFEU.</p> <p>Further efforts can be made at EU and national level to bolster the existing European public sphere, and to promote all educational resources and help mainstream them in the national curricula.</p>
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⁵¹ ECP2 recommendation number 11. German NCP recommendation number 5.1, 5.2. WG debate.

		<p>Finally, EU institutions have developed a wealth of materials suitable for educational needs.</p> <p>The 2018 Council Recommendation on promoting common values, inclusive education, and the European dimension of teaching invites Member States to promote a European dimension of teaching by encouraging understanding of the European context and common heritage and values, awareness of the unity and diversity, social, cultural and historical of the Union and understanding of the origins, values and functioning of the Union.</p>	
3.	<p>The EU Charter of Fundamental Rights should be made universally applicable and enforceable. In addition, annual conferences on the rule of law (following the Commission' Rule of law Report) with delegations from all Member States involving randomly selected and diverse citizens, civil servants, parliamentarians, local authorities, social partners and civil society should be organised. Organisations, including civil society, which promote the rule of law on the ground should also be further supported;⁵²</p>	<p>The Charter of Fundamental Rights is primary law; it applies to the institutions, bodies, offices and agencies of the Union and <i>“to the Member States only when they are implementing Union law”</i> (Article 51(1) of the Charter).</p> <p>The Commission Rule of Law Report is widely communicated, including through visits/debates in national parliaments. The Council holds its annual Rule of Law dialogue mostly based on the report. The European Parliament also discusses the report and every year adopts a resolution on its outcomes.</p> <p>The Citizens, Equality, Rights and Values programme can inter alia provide support to organisations</p>	<p>The EU Charter is already universally applicable in that it applies to all EU institutions and to all Member States when they implement EU law. It would however be legally impossible to make the EU Charter universally applicable in the world, in third countries.</p> <p>There are however international instruments, within the UN for instance, on human rights widely applicable.</p>

⁵² ECP2 recommendation number 11. WG debate. Plenary debate.

		promoting rule of law on the ground.	
4.	Effectively applying and evaluating the scope of the ‘Conditionality Regulation’ and other rule of law instruments, and considering extensions to new areas regardless of their relevance for the EU budget. Any necessary legal avenues, including Treaty changes, should be considered to punish breaches of the rule of law; ⁵³	<p>The 2020 Regulation on a general regime of conditionality for the protection of the Union budget (“Conditionality Regulation”) aims at protecting the EU budget against rule of law breaches that affect or seriously risk affecting the EU budget, not the rule of law as such. Its legal basis is Article 322(1) TFEU.</p> <p>Instead, tools targeted to ensure respect for EU values in Member States include Article 7 TEU procedures and infringement procedures.</p>	<p>The purpose of the Conditionality regulation is to protect the EU budget, not the rule of law respect as such, as confirmed by the ECJ in Cases C-156/21 Hungary v Parliament and Council and C-157/21 Poland v Parliament and Council. The reasoning of the Court was based on the fact that the legal basis of the Conditionality Regulation is Article 322(1) TFEU.</p> <p>It could be explored how the conditionality connected to areas other than the budget could be developed in other Union legal acts.</p> <p>As regards further tools to punish breaches of the rule of law, see measure 25.1 above.</p> <p>However, an amendment to Article 7 TEU to introduce a different system of sanctions than the suspension of rights would require Treaty change.</p>
5.	Fostering educational and media programmes that make EU values part of migrants’ integration process and encourage interactions between migrants and EU citizens, with a	The EU plays a key role in supporting the Member States and other key local actors in migrants’ integration. This support ranges from funding (European Regional Development Fund, European Social Fund Plus, Asylum and Migration Fund,	National governments are primarily responsible for creating and implementing social policies such as integration and inclusion (Article 79 TFEU). The implementation of the actions presented in

⁵³ ECP2 recommendation number 10.

	<p>view to ensuring their successful integration within EU societies and to create awareness among EU citizens about migration-related issues.⁵⁴</p>	<p>Erasmus+, Invest EU and the Citizens, Equality, Rights and Values programme), developing guidance and practical tools, coordination, monitoring and fostering partnerships at local and national level.</p> <p>In 2020, the Commission presented its Action Plan on integration and inclusion 2021-2027, linked to the New Pact on Migration and Asylum. It sets out actions in: inclusive education and training; improving employment opportunities and skills recognition; promoting access to health; and adequate and affordable housing. The action plan underlines that integration requires respecting common European values.</p> <p>The Creative Europe Programme 2021-2027 has as a main objective to “<i>safeguard, develop and promote European cultural and linguistic diversity and heritage</i>”. It focuses on all EU citizens, including legal migrants. However, no specific action of the Media strand targets migrants’ integration progress.</p> <p>The European Solidarity Corps programme (2021-2027) promotes solidarity activities that can be developed i.e. through intercultural awareness, intercultural dialogue and the reception and integration of third-country nationals.</p> <p>The Erasmus+ programme also funds projects and other activities for the integration of migrants in all</p>	<p>the Commission's Action Plan on integration and inclusion 2021-2027 will be monitored, including through a mid-term review at the end of 2024. The Commission will regularly report on its implementation to the European Parliament and the Council.</p> <p>The legal basis is Article 79 TFEU.</p> <p>The Creative Europe programme could also include other elements of the proposed measure in the future.</p> <p>EU competence on education and vocational training is provided for in Articles 165 and 166 TFEU (QMV). It is a so-called supporting competence, where the EU can only take encouragement or support measures, including financing programmes.</p>
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⁵⁴ ECP2 recommendation number 30.

		sectors of education and training. The 2018 Council Recommendation on promoting common values, inclusive education and the European dimension of teaching underlines the importance of ensuring effective equal access to quality inclusive education for all learners, including of migrant origins.	
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26. Proposal - Data Protection⁵⁵

Objective: Guarantee a more protective and citizen-oriented data treatment policy, in particular by:

	Measures	To what extent are the EU Institutions already working on the measures addressed in the proposal (What is being done)?	How could the proposal/measure be implemented , if at all (assessment of feasibility)? (Please refer to the legal basis on which this could be done – if any) ?
1.	Implementing in full the existing data privacy legislation and reviewing it to evaluate, if necessary, the establishment of stronger enforcement mechanisms for entities processing personal data, currently under competence of independent national data protection authorities respecting the principle of subsidiarity. Such entities should be sanctioned in a stricter way than in the current implementation of the regulation, in proportion to their annual turnover (up to 4%), also possibly through a ban on their activities, and be subject to annual independent audit; ^{56 57}	<p>The Council has adopted a position on the application of the General Data Protection Regulation (GDPR) (doc. 14994/1/19 REV 1) and keeps monitoring the application of GDPR See also measure 34.8 (Digital transformation).</p> <p>The Digital Services Act (DSA) will increase maximum amount of a possible fine to 6% of the global annual turnover of an intermediary. The biggest service providers will be under the supervision of the Commission. The DSA also obliges the biggest service providers to undergo annual audits of how they comply with the DSA, to establish a compliance function and within their company structure.</p>	It would be up to the Commission to consider the need for a legislative proposal amending the GDPR on the basis of Article 16 TFEU in order to go further in the definition of sanctions.

⁵⁵ Citizens' recommendations on which the proposal is mainly based: ECP2: 7, 8, 9; The Netherlands NCP: 1.3, 4.3.

⁵⁶ ECP2 recommendation number 7. WG debate.

⁵⁷ Issue also covered by the Working Group on Digital Transformation.

2.	<p>Giving more effect to the principle of privacy by design and default, e.g. by evaluating and introducing easily understandable, concise and user-friendly harmonised data processing consent forms that clearly indicate what is necessary and what not. Users must be able to give or withdraw their consent to data processing in an easy, fast and permanent manner;^{58 59}</p>	<p>In its first report on the evaluation and review of the GDPR (24 June 2020), the Commission stated that further work was needed in facilitating the exercise of data subject rights, particularly the right to data portability.</p> <p>The DSA also has i.a. a provision banning any dark patterns used by online platforms, thus extending the current legislation on Unfair Commercial Practices (limited to online marketplaces only).</p>	<p>It would be up to the Commission to consider the need for a legislative proposal amending the GDPR on the basis of Article 16 TFEU in order to provide further obligations or to provide for comitology procedure to design harmonised consent forms.</p>
3.	<p>Evaluating and introducing clearer and more protective rules about the processing of minors' data, possibly in the EU GDPR, including through the creation of a special category for sensitive minors' data and the harmonization of age consent threshold within the EU Member States. While the bulk of privacy rules implementation and awareness raising should remain within Member States' remit, including through higher investment and further resources at national level, the EU should also have stronger role e.g. by</p>		<p>In its report of 24 June 2020, the Commission indicated that it would explore whether, in the light of further experience and relevant case-law, proposing possible future targeted amendments to certain provisions of the GDPR might be appropriate, in particular regarding among others the possible harmonisation of the age of children consent in relation to information society services. It would be up to the Commission to consider the need for a legislative proposal amending GDPR in this regard on the basis of Article 16 TFEU.</p> <p>On education, the existing framework allows for awareness raising and training supported and promoted by the EU, while Member States remain fully responsible for the content of</p>

⁵⁸ ECP2 recommendation number 9.

⁵⁹ Issue also covered by the Working Group on Digital Transformation.

	creating EU competences on civic education concerning data protection; ⁶⁰		teaching and the organisation of education systems.
4.	Better enforcing eligibility criteria for the European and national Data Protection Authorities, in terms of qualifications and suitability, to ensure the highest level of independence of their members. ^{61 62}	The Commission is responsible for monitoring national DPAs, and can initiate infringement actions if needed.	

⁶⁰ ECP2 recommendation number 8. Dutch NCP recommendation number 1.3, 4.3.

⁶¹ ECP2 recommendation number 7, 8.

⁶² Issue also covered by the Working Group on Digital Transformation.

27. Proposal - Media, Fake news, Disinformation, Fact-checking, Cybersecurity⁶³

Objective: Tackle disinformation by further promoting media independence and pluralism as well as media literacy, in particular by:

	Measures	To what extent are the EU Institutions already working on the measures addressed in the proposal (What is being done)?	How could the proposal/measure be implemented , if at all (assessment of feasibility)? (Please refer to the legal basis on which this could be done – if any) ?
1.	Introducing a legislation addressing threats to media independence through EU-wide minimum standards, including a review of the media business model to ensure the integrity and independence of the EU media market; ⁶⁴	<p>The EU has a Media Freedom Rapid Response Mechanism in response to violations of press and media freedom, which as from 2023 will be funded from the Creative Europe Programme.</p> <p>The Creative Europe Programme 2021-2027 supports the news media sector inter alia by:</p> <ul style="list-style-type: none"> - promoting an independent and pluralistic media environment; - supporting independent monitoring for assessing risks and challenges to media pluralism and freedom; - supporting awareness-raising activities; - supporting high-quality media production standards. 	The upcoming Media Freedom Act (Commission proposal expected in 2022) will address media governance issues, including independence, pluralism, integrity and business model issues. Likely legal basis: Article 114 TFEU.

⁶³ Citizens' recommendations on which the proposal is mainly based: ECP2: 5, 12, 13, 17, 28; Belgium NCP: 1.5.1, 2.1.1 up to 2.4.3; The Netherlands NCP: 3.1.

⁶⁴ ECP2 recommendation number 5. Belgian NCP recommendation number 2.1.1. Dutch NCP recommendation 3.1.

<p>2.</p>	<p>Strictly enforcing EU competition rules in the media sector, in order to prevent large media monopolies and ensure media pluralism and independence from undue political, corporate and/or foreign interference. Quality journalism, with established high ethical and self-regulatory standards, should also be promoted;⁶⁵</p>	<p>Legislation and other initiatives in place cover most of this measure.</p> <p>The Creative Europe Programme 2021-2027 supports the news media sector (see measure 27.1 above).</p> <p>Quality journalism is specifically covered by the Commission Recommendation on the protection, safety and empowerment of journalists and other media professionals in the EU (September 2021), now in process of implementation by the Member States.</p> <p>Media pluralism is addressed in the Charter as one of the fundamental freedoms.</p> <p>Finally, competition policy does not specifically target the media sector, but is enforced in all of its components: state aid, antitrust, anticompetitive agreements, mergers, etc.</p>	<p>See measure 27.1 above.</p> <p>In addition, the recent Court ruling in case T-791/19 Sped-Pro v Commission may have created scope for an interpretation of competition rules which takes into account the need to protect the EU values.</p>
<p>3.</p>	<p>Setting up an EU body in charge of addressing and tackling targeted disinformation and interference, increasing situational awareness and strengthening fact-checking organisations as well as independent media. ‘Hotlines’ and websites, such as Europe Direct, where citizens as well as national</p>	<p>Some EU structures (i.e. European Digital Media Observatory, EEAS StratCom, etc.) are already in place.</p> <p>The Commission has also recently published new guidance for strengthening the Code of Practice on Disinformation.</p> <p>Finally, the Audiovisual and Media Services</p>	<p>The European Parliament INGE Special Committee suggested the establishment of an independent European Centre for Interference Threats and Information Integrity, which should accordingly tackle disinformation and interference and coordinate efforts with all relevant stakeholders. Initial discussions are ongoing at EU level on the matter.</p>

⁶⁵ ECP2 recommendation number 12. Belgian NCP recommendation 2.1.4.

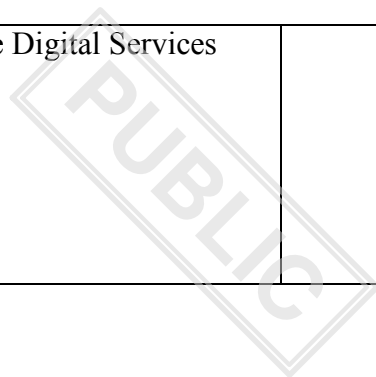
	media can request and be provided with fact-checked information on European politics and policies, should also be further supported and promoted more actively; ^{66 67}	Directive (AVMSD) covers inter alia disinformation issues.	
4.	Promoting citizens' media literacy and awareness about disinformation and unintentional dissemination of fake news, including through mandatory school trainings. Member States should also be encouraged to provide adequate human and financial resources to this end; ⁶⁸	Media literacy is a component of the 'digital competence', one of the key competences for lifelong learning defined in the dedicated European reference framework. In its 2016 Conclusions on developing media literacy and critical thinking through education and training, the Council invites both Member States and the Commission to encourage use of the funding opportunities offered by all relevant EU funds and programmes in order to support the various efforts meant to promote and develop media literacy. See also proposed measure 27.3 above (AVMSD, Commission new guidance for strengthening the Code of Practice on Disinformation).	EU competence on education and vocational training is provided for in Articles 165 and 166 TFEU (QMV). It is a so-called supporting competence, where the EU can only take encouragement or support measures, including financing programmes. But the EU cannot adopt harmonisation measures. The content of teaching belongs to the responsibility of Member States. However, enabling the EU to adopt mandatory content in education would require Treaty change.
5.	Building on existing initiatives, such as the Code of Practice on Disinformation and the European Digital Media Observatory (EDMO), to require online platforms to issue clear statements	The Council addressed the issue of micro-targeting online in different fora and supports the actions taken by the Commission through the strengthened Code of Practice on Disinformation and the Digital Services Act to increase responsibility, transparency and accountability of online platforms	Discussions on algorithms and micro-targeting are ongoing, particularly in the context of the strengthened Code of Practice on Disinformation.

⁶⁶ ECP2 recommendation number 17 and 28. Belgian NCP recommendation number 1.5.1, 2.1.3, 2.2.1., 2.2.2.

⁶⁷ Issue also covered by the Working Group on Digital Transformation.

⁶⁸ ECP2 recommendation number 5 and 28. Belgian NCP recommendation 2.3.2, 2.3.3.

	about the algorithms they use (leaving users to decide whether they consent to be subjected to them) and the disinformation risks users are exposed to, while safeguarding the right for legal free speech and right to privacy. ^{69 70}	and advertising companies. The Digital Services Act also addresses the matter.	
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⁶⁹ ECP 2 recommendation number 28. Belgian NPC recommendation 2.3.1., 2.4.1., 2.4.2.

⁷⁰ Issue also covered by the Working Group on Digital Transformation.

28. Proposal - Media, Fake news, Disinformation, Fact-checking, Cybersecurity (bis)

Objective: Tackle disinformation by further promoting media independence and pluralism as well as media literacy, in particular by:

	Measures	To what extent are the EU Institutions already working on the measures addressed in the proposal (What is being done)?	How could the proposal/measure be implemented , if at all (assessment of feasibility)? (Please refer to the legal basis on which this could be done – if any) ?
1.	Reinforcing the EU agency for cybersecurity (ENISA) in order to further protect individuals, organisations and institutions against cybersecurity breaches and the use of artificial intelligence for criminal purposes. Data privacy and protection of personal data should, at the same time, be safeguarded; ^{71 72}	ENISA’s mandate covers cybersecurity only. AI and criminal purposes is in the scope of the horizontal initiative on AI (so-called AI Act) that is currently being negotiated.	ENISA is not competent on AI for criminal purposes. Its mandate concerns cybersecurity only. A revision of Regulation 2019/881 on ENISA would be needed to further strengthen ENISA.

⁷¹ ECP2 recommendation number 13.

⁷² Issue also covered by the Working Group on Digital Transformation.

2.	Enhancing the coordination of national cybersecurity authorities and making additional efforts in ensuring that EU-level rules are well implemented at national level. ^{73 74}	The NIS2 Directive (almost finalised) would address this matter by improving the overall EU framework. However, the proposed measure suggests it would mostly be a responsibility of Member States.	A revision of Regulation 2019/881 on ENISA would be needed to further strengthen ENISA.
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⁷³ ECP2 recommendation number 13.

⁷⁴ Issue also covered by the Working Group on Digital Transformation.

29. Proposal - Anti-discrimination, Equality and Quality of life⁷⁵

Objective: Take action to harmonize living conditions across the EU and improve EU citizens' socio-economic quality of life, in particular by:

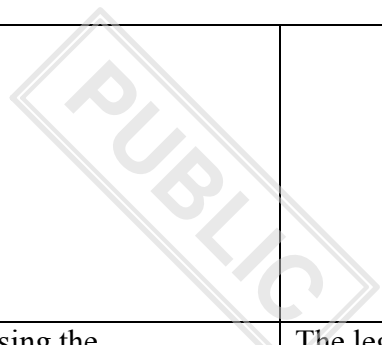
	Measures	To what extent are the EU Institutions already working on the measures addressed in the proposal (What is being done)?	How could the proposal/measure be implemented , if at all (assessment of feasibility)? (Please refer to the legal basis on which this could be done – if any)?
1.	In consultation with experts and social partners, developing transparent quality of life indicators including economic, social and rule of law criteria, in order to establish a clear and realistic timeline for raising social standards and achieving a common EU socio-economic structure, including through implementation of the European Pillar of Social Rights. These should be integrated in the economic governance framework and the European semester process, ^{76 77}	<p>In 2020, the Commission issued its Communication on the European Pillar of Social Rights Action Plan, proposing to turn the 20 principles of the Pillar into concrete actions to benefit citizens. The Action Plan proposes also three new headline targets for the EU to reach by 2030:</p> <ul style="list-style-type: none"> • At least 78% of the 20-64 population should be in employment; • At least 60% of people aged 25-64 should participate in learning activities each year; • The number of people at risk of poverty or social exclusion should decrease by at least 15 million compared to 2019. <p>In addition, the Social Scoreboard includes indicators in 12 areas to measure progress in the implementation of the Pillar principles in Member</p>	<p>The provisions laid down in Article 148 TFEU currently set the legal framework for the social and employment dimensions of the Semester cycle. In addition, the Treaties provide for the establishment of an Employment Committee (Article 150 TFEU) and a Social Protection Committee (Article 160 TFEU).</p> <p>The delivering on the Pillar of Social Rights is a shared political responsibility for the EU institutions, national, regional and local authorities, social partners and civil society.</p> <p>Finally, Member States can also coordinate their economic policies within the existing instruments and processes (for example, the European Semester); thematic discussions</p>

⁷⁵ Citizens' recommendations on which the proposal is mainly based: ECP2: 1, 2, 21, 22, 23; The Netherlands NCP: 1.1.

⁷⁶ ECP2 recommendation number 22. WG debate.

⁷⁷ Issue also covered by the Working Group on Stronger economy, social justice and jobs.

		<p>States. The Social Scoreboard was used for the first time in the 2018 European Semester. An Opinion on the revised Social Scoreboard was endorsed in the June 2021 EPSCO Council to support the monitoring activity towards the new 2030 headline targets on employment, skills and poverty reduction.</p> <p>The Employment Committee (EMCO) and the Social Policy Committee (SPC) are (Treaty based) advisory committees for Employment and Social Affairs Ministers in the Employment and Social Affairs Council (EPSCO). Each Committee has an indicator sub-group, which work is supported by Eurostat.</p> <p>The Commission is pursuing its work on integrating the Sustainable Development Goals (SDGs) into the European Semester. The 2022 European Semester cycle will provide fully updated and consistent SDG reporting across all Member States.</p>	focusing on exchange of best practices in the context of relevant national economic policies.
2.	<p>Increasing and facilitating direct public investment in education, health, housing, physical infrastructures, care for the elderly and people with disabilities. Additional investment should also aim to guarantee appropriate work/life balance for citizens. Such investment should be carried out in a fully transparent manner, allowing to track the entire</p>	<p>The national Recovery and Resilience Plans (RRPs) must contribute to the pillars defined in the RRF Regulation. The RRF pillars ‘Social & territorial cohesion’, ‘Health, and economic, social and institutional resilience’, and ‘Policies for the next generation’ cover those investments.</p>	<p>Existing instruments and processes (e.g. the European semester) could allow for further coordination of economic policies of Member States.</p> <p>In addition, the Commission could monitor how these objectives are addressed in the context of the RRF implementation.</p>



	process; ⁷⁸		
3.	Encouraging taxing large corporations, fighting access to tax havens and eliminating their existence in the EU with a view to increasing public investment in priority areas such as education (scholarships, Erasmus) and research. EU-wide fight against tax evasion should be also a way to raise funds for publically financed initiatives; ^{79 80}	The Council is currently discussing the Commission proposal on rules to prevent the misuse of shell entities for tax purposes. The proposal is targeting the use of legal entities with no minimal substance and economic activity posing a risk of tax evasion or aggressive tax planning.	The legal basis of the Commission proposal is Article 115 TFEU.
4.	Providing EU-wide criteria on anti-discrimination in the labour market and incentivizing the hiring by private companies of people that are usually most subject to discrimination (e.g. youth, elders, women, minorities), including through subsidies, and, as a second	Discrimination in the field of employment is already prohibited under all the discrimination grounds covered by Article 19 TFEU (sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation). (Directives 2000/43/EC, 2000/78/EC, 2006/54/EC). The co-legislators have recently reached a political	The Commission also intends to table a proposal strengthening Equality Bodies. Using Article 19 TFEU as a potential legal basis would mean the Council could take measures to combat discrimination at EU level, to the extent that another article in the Treaty does not already confers upon it the necessary legislative power.

⁷⁸ ECP2 recommendation number 21. Dutch NCP recommendation number 1.1.

⁷⁹ ECP2 recommendation number 23.

⁸⁰ Issue also covered by the Working Group on Stronger economy, social justice and jobs.

	<p>step, temporary quotas. Social partners should be closely associated in this regard. Discrimination outside the labour market should also be prevented by law, and equality promoted;⁸¹</p>	<p>agreement on a the proposal for a Directive to improve gender balance on company boards is based on Article 157(3) TFEU, which aims inter alia at ensuring equal opportunities between women and men in matters of employment and occupation.</p> <p>The Commission proposal for a Directive on pay Transparency is also based on Article 157(3) TFEU. The possibility to apply positive discrimination (e.g. quotas) in favour of the under-represented sex is provided for in the Treaties, under Article 157(4) TFEU.</p>	
5.	<p>Ensuring the creation and facilitation of affordable kindergartens, both public and in the private sector, and free childcare for those in need of it.⁸²</p>		<p>The Commission intends to adopt a proposal for a Council Recommendation on childcare, expected to contain more ambitious targets than the existing ones and to cover availability, affordability, quality and accessibility.</p> <p>EU competence on education and vocational training is provided for in Article 165 and 166 TFEU (QMV). It is a supporting competence, where the EU can only take encouragement or support measures, including financing programs.</p> <p>However, ensuring in a mandatory way the creation of affordable kindergartens and free childcare throughout the EU would require Treaty change.</p>

⁸¹ ECP2 recommendation number 1. WG debate.

⁸² ECP2 recommendation number 2. WG debate.

30. Proposal - Animal rights, Agriculture⁸³

Objective: Take decisive measures to promote and guarantee a more ecological and climate-oriented agriculture, in particular by:

	Measures	To what extent are the EU Institutions already working on the measures addressed in the proposal (What is being done)?	How could the proposal/measure be implemented , if at all (assessment of feasibility)? (Please refer to the legal basis on which this could be done – if any) ?
1.	Setting detailed, measurable and time-bound minimum criteria for the protection of farming animals, with a view to ensuring higher animal wellbeing standards in line with the introduction of sustainability objectives and on the basis of an integrated food system approach; ^{84 85}	<p>Several Council conclusions, which have been adopted over the recent years, specifically cover animal welfare or include elements related to it:</p> <ul style="list-style-type: none"> • On the special report of the European Court of Auditors on gaps between the ambitious goals of EU legislation and the practical implementation (doc. 11073/19); • On animal welfare as an integral part of sustainable animal production (doc. 14975/19); • On “<i>Farm to Fork strategy</i>” (doc. 12099/20). • On animal welfare labelling (doc. 13692/20). <p>Currently applicable legal framework on animal welfare: Council Directive (EC) No 98/58 on the protection of animals kept for farming purposes; Council Regulation (EC) No 1/2005 on the</p>	<p>In its Farm to Fork Strategy, the Commission announced that it will evaluate and revise the animal welfare legislation, including on animal transport and slaughter. The outcome of the evaluation (Fitness Check) is expected during 2022, while the revision of the existing legislation is planned for the second half of 2023.</p> <p>In 2021, the Commission responded positively to the European Citizens Initiative ‘End the cage age’. In its related communication, the Commission set out plans for a legislative proposal to prohibit cages for a number of farm animals, which is expected to come as part of the ongoing revision of the animal welfare</p>

⁸³ Citizens’ recommendations on which the proposal is mainly based: ECP2: 3, 4, 6.

⁸⁴ ECP2 recommendation number 3.

⁸⁵ Issue also covered by the Working Group on Climate change and the environment.

		<p>protection of animals during transport and related operations; and Council Regulation (EC) No 1099/2009 on the protection of animals at the time of killing.</p> <p>Regulation (EU) 2018/848 on organic production and labelling of organic products includes certain specific provisions regarding aquaculture animals' welfare. The Commission's 2021 Strategic guidelines for a more sustainable and competitive EU aquaculture for 2021-30 also include a special section on fish welfare.</p> <p>The European Parliament set up an Inquiry Committee to examine alleged breaches in the application of animal welfare rules during transport ("ANIT") in June 2020, and adopted a report in January 2022.</p>	<p>legislation under the Farm to Fork Strategy.</p> <p>Applicable legal basis: Articles 43 and 114 TFEU.</p>
2.	<p>Introducing financial penalties for negative externalities of agricultural activity (e.g. greenhouse gas emissions, use of pesticides, water overuse, long-haul transport, etc.) based on their environmental impact. Agricultural goods imported into the EU should also be gauged on that basis, including through custom duties, as a way to iron out any competitive advantage arising</p>	<p>The European Parliament and the Council invited the Commission to present, no later than June 2022, <i>"a report assessing whether it would be justified and legally feasible to apply the standards EU health and environment including animal welfare standards and production processes and methods for imported agricultural and agri-food products"</i>. This report should cover all relevant public policy areas. It is expected to be published by the Commission in June 2022.</p>	<p>In the Farm to Fork Strategy, the Commission announced its intention to consider environmental issues of global concern when assessing requests for import tolerances while respecting WTO standards and obligations. The Council welcomed the above plans of the Commission.</p>

	from lower environmental standards; ⁸⁶	<p>Emissions from agriculture is covered by the Effort sharing regulation currently under revision to ensure compliance with the European Climate Law (COD 2021/200). The Commission has proposed to include the agriculture sector in the Land Use, Land-Use Change and Forestry (LULUCF) Regulation for the period 2030 to 2035 with a target (COD 2021/201).</p> <p>Finally, when it comes to the taxation of environmentally harmful products and pesticides, a new Council Directive reforming VAT rates adopted in April 2022 contains a phasing out of the existing reduced VAT rates for environmentally harmful goods (especially pesticides and chemical fertilizers). In parallel, the reform provides for the application of reduced rates on goods having a positive externality on the environment like solar panels or bicycles.</p>	
3.	Reducing subsidies for agricultural mass production where it does not contribute to a sustainable transition and redirect those resources to support an environmentally sustainable agriculture, whilst ensuring affordable food products. ⁸⁷ ⁸⁸	The CAP 2023-2027 already includes provisions to limit subsidies for agricultural mass production and target/redistribute support to smaller entities (with a minimum 10% of direct payments envelope dedicated to redistributive payments). Both big- and small-sized agricultural holdings will have to respect environmental criteria with a view to ensuring sustainable production, failing which direct payments could be suspended.	Legal basis: Regulation 2021/2115.

⁸⁶ ECP2 recommendation number 4.

⁸⁷ ECP2 recommendation number 6.

⁸⁸ Issue also covered by the Working Group on Climate change and the environment.

VI. DIGITAL TRANSFORMATION

31. Proposal - Access to digital infrastructure⁸⁹

Objective: Equal access to the internet is a fundamental right of every European citizen. We propose that everyone in Europe should in practice have access to the internet and to digital services, and that the sovereignty of the EU’s digital infrastructure is enhanced through:

	Measures	To what extent are the EU Institutions already working on the measures addressed in the proposal (What is being done)?	How could the proposal/measure be implemented, if at all (assessment of feasibility)? (Please refer to the legal basis on which this could be done – if any)
1.	Investing in high-quality and innovative European digital infrastructures (including 5G and 6G being developed in Europe); (ECP1 recommendation number 40 and 47, Dutch NCP1)	The European Electronic Communication Code provides a framework to promote and facilitate investment in high-quality and innovative digital infrastructure in the EU. Measures related to wireless networks and technologies are also based on the Radio Spectrum Policy Programme and the Radio Spectrum Decision (Decision No 676/2002/EC).	The upcoming revision of the Broadband Cost Reduction Directive will facilitate and further incentivise the roll-out of high-speed and high-quality electronic communications networks. Member States' full implementation of the European Electronic Communication Code will support these objectives.
2.	Ensuring fast, affordable, secure and stable internet access everywhere in the EU, including for roaming, with a priority to bring internet connection to ‘white zones/dead zones’, rural areas and remote and peripheral	The Recovery and Resilience Facility (RRF) Regulation requires that at least 20% of the total allocation in each Recovery and Resilience Plan (RRP) supports digital objectives. The vast majority of RRP includes investments in connectivity, which represent 10% of the digital	Coordination of Member States’ economic policies within the existing instruments and processes (for example, the European Semester); thematic discussions focusing on exchange of best practices in the context of relevant national economic policies;

⁸⁹ Citizens’ recommendations on which the proposal is mainly based: European Citizens’ Panel 1 (ECP1): 17, 40, 47; National Citizens Panels (NCP) The Netherlands 1

	<p>regions in order to address the digital divide between and within Member States and make sure that no one gets left behind; (ECP1 recommendation number 17, 47 and Dutch NCP 1)</p>	<p>transformation pillar. This covers a wide range of actions whose objectives contribute to the deployment of very high-capacity fixed and wireless networks.</p> <p>Actions already taken at EU level include introducing the European electronic communications code, which sets clear rules applicable across all of Europe, supporting wireless networks such as 5G through the radio spectrum policy programme, and supporting access to high speed broadband coverage in rural areas by the Connected Europe Facility programme. The main goal for connectivity for every European household, including in rural areas is to have access to high-speed internet coverage by 2025 and gigabit connectivity by 2030.</p> <p>The current cohesion policy regulatory framework makes investments in the digital area compulsory to Member States.</p> <p>The EU also provides funding, develops technical guidance and brings together experts to support public administrations and businesses working to improve network coverage and introduce 5G networks across Europe, including in rural areas. The focus now is on creating harmonised rules for connectivity services, so that everyone can enjoy the same benefits no matter where they are in the EU.</p>	<p>implementation of the European Electronic Communications Code.</p> <p>Further measures are expected with the upcoming revision of the Broadband Cost Reduction Directive, which will facilitate and further incentivise the roll-out of high-speed electronic communications networks, also in rural areas.</p>
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3.	Advance the deployment of digital and electrical infrastructure both in public and private spaces to enable use of electric and autonomous vehicles; (WG debate) ⁹⁰	<p>The CEF2 Regulation foresees funding to deploy 5G networks along major European transport corridors.</p> <p>The functioning of autonomous vehicles will to a large extent depend on the availability of the data. The measures already introduced or about to be introduced as part of the European Strategy for Data (Open Data Directive and its secondary legislation, Data Governance Act, Data Act, the roll-out of the Common Spaces, including Mobility Data Space) will play an important role in this respect.</p> <p>As part of the Fit for 55 package, the Commission is proposing:</p> <ul style="list-style-type: none"> -The Alternative Fuels Infrastructure Directive, aiming at ensuring the availability of recharging and refuelling stations in order to encourage more individuals and businesses to make the switch to electric – or hydrogen fuel cell – vehicles. - Move towards autonomous vehicles through large Research projects, Vehicle type approval legislation and the deployment of intelligent transport systems (revision of “ITS”- Directive ongoing) 	
4.	Taking measures to ensure there is fair and open competition and prevent monopolies, vendor lock-in, data concentration and dependence on third countries in relation to infrastructure and services, improving markets from the	The EU adopted new legislation on digital services and markets (Digital Services Act, Digital Markets Act). The Digital Services Act's objective is to contribute to the proper functioning of the internal market for intermediary services, where fundamental rights including consumer protection are effectively protected.	

⁹⁰ See link to ECP 3, Rec 38 in relation to infrastructure for electrical vehicles

	perspective of consumers; (ECP1 recommendation number 17)	<p>The Digital Markets Act will ensure a higher degree of competition in the European digital markets, by preventing large companies from abusing their market power and by allowing new players to enter the market.</p> <p>The recently adopted Data Governance Act will also play a role in developing a thriving and fair data market in Europe, preventing monopolies and vendor lock-in.</p>	
5.	Making children, families, elder people as well as vulnerable groups, a priority when it comes to access to internet and hardware, particularly in view of access to education, public services, and health; (ECP1 recommendation number 17 and WG debate)	<p>The effective access to public services on the internet has been the subject of two Union acts: the European Accessibility Act and the Web accessibility Directive. This however does not cover the internet access itself or hardware.</p> <p>The CEF2 Regulation already ensures priority for the financing of actions that contribute to Gigabit connectivity by closing the digital divide, improving education systems and learning outcomes, enhancing equity and efficiency. It also aims to provide connectivity for every European household, including in rural areas, to have access to high-speed internet coverage by 2025 and gigabit connectivity by 2030.</p> <p>The 2021 Council Recommendation on blended learning approaches for high-quality and inclusive primary and secondary education recommends Member States to invest in high-speed internet connectivity for school-site and distance learning</p>	Further measures can be adopted on the basis of Art. 114 TFEU.

		environments.	
6.	<p>Improving digital access to and accessibility of essential public and private services for citizens and businesses, for example when it comes to administrative procedures, and ensure inclusive access and support such as through help desks in relation to these services; (WG debate, Multilingual Digital Platform)</p>	<p>Directive (EU) 2019/882 on the accessibility requirements for products and services addresses these concerns. Member States are required to apply the rules implementing this act by June 2025.</p> <p>The Single Digital Gateway Regulation (adopted in 2018 and to start applying in end 2023) will facilitate online access to information, administrative procedures, and assistance services that EU citizens and businesses may need in another EU country.</p> <p>By the end of 2023, "Your Europe" will offer access to the most important administrative procedures for cross-border users in all EU countries. A system to transfer documents between national authorities in different EU countries will also be included.</p> <p>Under the Electronic IDentification Authentication and trust Services revision proposal, the new European Digital Identity Wallets will enable all Europeans to access services online without having to use private identification methods or unnecessarily sharing personal data.</p> <p>Finally, the upcoming initiative on the European interoperability framework (EIF) will provide the basis to ensure the interoperability of public services in the EU as they adapt to user/community needs</p>	

		and emerging technologies.	
7.	Harmonising high quality digital standards and improving secure mobility of data to facilitate cross-border interoperability; (WG debate, Multilingual Digital Platform)	The recently proposed Data Act includes measures aimed at increasing the interoperability of data with a view to facilitating cross- border and cross-sector data sharing.	
8.	Considering environmental impacts of digital infrastructure and digitalisation in order to make digital transformation sustainable and strive for a green digital society. (WG debate, Multilingual Digital Platform).	<p>The Commission’s 2030 Policy Programme “Path to the Digital Decade” aims at creating a sustainable digital sector by making sure that infrastructure and technologies are on the one hand sustainable and energy-efficient and contribute on the other hand to sustainable, circular and climate neutral economy and society.</p> <p>The draft "Declaration on digital rights and principles" stresses that the sustainability of digital devices and that the sharing of information about their environmental impact constitute key principles of the digital transition.</p>	The Commission is expected to put forward a proposal including quantitative objectives to be reached by 2030 concerning information and communication technologies (ICT) and the environment.

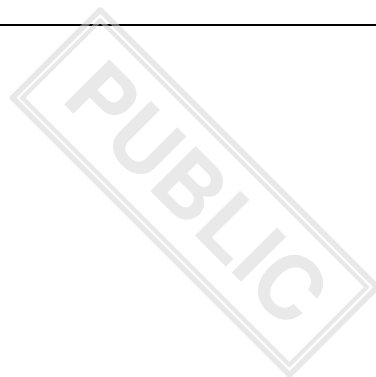
32. Proposal - Digital literacy and skills that empower people⁹¹

Objective: We propose that the EU ensures that all European citizens can benefit from digitalisation, by empowering them with the necessary digital skills and opportunities, through:

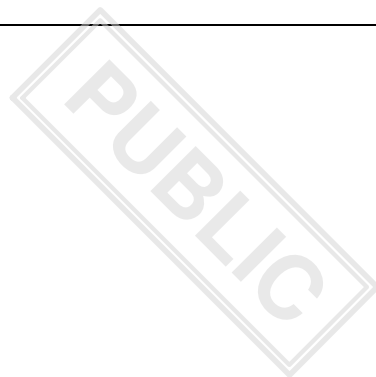
	Measures	To what extent are the EU Institutions already working on the measures addressed in the proposal (What is being done)?	How could the proposal/measure be implemented , if at all (assessment of feasibility)? (Please refer to the legal basis on which this could be done – if any)?
1.	Ensuring access to formal and non-formal digital literacy and skills training and education, including in school curricula, during all stages of life by building on existing initiatives at European level, with special focus on the inclusion of vulnerable groups and elderly, enhancing digital skills of children in a manner that is compatible with their healthy development and tackling digital inequalities, including the digital gender gap; (ECP1 recommendation number 8, Italian NCP 5.2, WG debate)	<p>The ‘digital competence’ is recognised as one of the key competences for lifelong learning which are part of the European Reference Framework.</p> <p>The Digital Education Action Plan 2021-2027 foresees a number of actions and initiatives whose purpose is to ‘reset education and training for the digital age’. The Action Plan supports the objective of the Skills Agenda of ensuring that 70% of 16 to 74 year olds should have at least basic digital skills by 2025.</p> <p>The CEF2 Regulation ensures priority for the financing of actions that contribute to Gigabit connectivity by closing the digital divide, improving education systems and learning outcomes, enhancing equity and efficiency.</p> <p>The Digital Europe Programme provides founding for</p>	<p>The Commission has announced a proposal for a recommendation on improving the provision of digital skills in education and training and a proposal for a recommendation on the enabling factors for digital education.</p> <p>EU competence on education and vocational training is provided for in Articles 165 and 166 TFEU (QMV). It is a so-called supporting competence, where the EU can only take encouragement or support measures, including financing programmes.</p> <p>Art. 165(4), second indent, TFEU</p>

⁹¹ Citizens’ recommendations on which the proposal is mainly based: European Citizens’ Panel 1 (ECP1): 8, 34, 47, National Citizens Panels (NCP) Italy 5.2

		<p>the development of advanced digital skills for Europeans, which can be mobilised to reduce digital inequalities.</p> <p>Finally, a new EU strategy for a better internet for kids was published in May 2022.</p>	<p>enables the Council to adopt recommendations. It could therefore recommend to include formal and non-formal digital literacy and skills training in education.</p> <p>However, the EU cannot adopt harmonisation measures. The content of teaching belongs to the responsibility of Member States. Therefore, the EU cannot make an issue a mandatory part of education throughout the EU. Enabling the EU to do so would require Treaty change.</p>
2.	<p>Ensuring a healthy use of the internet by encouraging Member States to implement digital skills training for all age-groups with standard programmes and curricula set at European level concerning e.g. the risks and opportunities of the internet, online rights of users and the netiquette; (ECP1 recommendation number 47, WG debate)</p>	<p>The European Pillar of Social Rights Action Plan (whose EU wide targets were welcomed by the European Council in June 2021) includes a Union wide sub-target that at least 70% of those aged 16-74 should have basic digital skills by 2025. The same objective is included in the Digital Education Action Plan 2021-2027.</p> <p>The EU Strategy for a Better Internet for Children aims at introducing specific measures for young people online.</p>	<p>EU competence on education and vocational training is provided for in Articles 165 and 166 TFEU (QMV). It is a so-called supporting competence, where the EU can only take encouragement or support measures, including financing programmes.</p> <p>Art. 165(4), second indent, TFEU enables the Council to adopt recommendations. It could therefore recommend to include digital skills and the use of internet in education.</p> <p>However, the EU cannot adopt</p>



			<p>harmonisation measures. The content of teaching belongs to the responsibility of Member States. Therefore the EU cannot make an issue a mandatory part of education throughout the EU. Enabling the EU to do so would require Treaty change.</p> <p>See also measure 32.1 above.</p>
3.	<p>Taking all the necessary measures to ensure that the digitalisation of society does not leave out older people and that technology is accessible to them by fostering programs and initiatives, for instance in the form of classes tailored to their needs. At the same time it should be ensured that essential services can also be accessed in person and by non-digital means; (ECP1 recommendation number 34 and 47)</p>	<p>The CEF2 Regulation already ensures priority for the financing of actions that contribute to Gigabit connectivity by closing the digital divide, improving education systems and learning outcomes, enhancing equity and efficiency.</p> <p>The 2020 Council Conclusions on Human Rights, Participation and Well-Being of Older Persons in the Era of Digitalisation stress the need to support older persons in developing digital skills, as well as to shape digitalisation in public service in an easily accessible way.</p>	
4.	<p>The introduction of an EU certification relating to digital skills in schools that will prepare young people for the future job market; (ECP1 recommendation number 8)</p>		<p>The Commission is looking into the development of a European Digital Skills Certificate (EDSC), as announced in the Digital Education Action Plan 2021-2027. This certificate would simplify how digital skills are certified and recognised by governments, employers and other stakeholders across Europe.</p>



			<p>See measure 32.1: education and vocational training is a supporting competence.</p> <p>If such a scheme was aimed at facilitating the cross-border provision of services, Art. 53 TFEU could provide a legal basis. Otherwise, if it contains cross-border aspects, it could be encouraged under existing supporting competence.</p>
5.	<p>Develop training initiatives coordinated at EU level to retrain and upskill workers to remain competitive in the job market, taking especially also account of competences and skills needed in small and medium sized enterprises and to train digital experts; (ECP1 recommendation number 8 and WG debate)</p>	<p>The Digital Europe Programme provides funding for the development of advanced digital skills for Europeans, which can be mobilised to upskill workers to remain competitive in the job market and to train digital experts.</p> <p>The 2016 Council Recommendation on Upskilling Pathways: New Opportunities for Adults recommends Member States to identify priority target groups for the delivery of upskilling pathways at national level.</p> <p>EU Pact for skills initiative coordinates upskilling and reskilling actions taken by companies. RRF funds as well as several MMF programmes can also be used for upskilling and reskilling initiatives.</p>	<p>See measure 32.1: Education and vocational training is a supporting competence. The EU could support the development of such training.</p>
6.	<p>Awareness raising about existing digital platforms that connect people to employers and help in finding jobs in the EU, such as EURES; (ECP1</p>	<p>Union legislation establishes a framework for cooperation among national employment services to facilitate workers' access to mobility services and further integration of labour markets (EURES -</p>	<p>The legal basis for legislative actions on workers free movement is Article 46 TFEU.</p>

	recommendation number 8)	<p>European network of employment services). See, in particular, Regulation (EU) No 492/2011 and Regulation (EU) 2016/589 (recently amended by Regulation (EU) 2019/1149).</p> <p>The Commission's 2020 Digital Education Action Plan (2021-2027) could also play a role in raising awareness and improving digital skills, including those needed in a more and more digitalised labour market.</p>	<p>However, "awareness raising" actions may also take the form of political measures, that do not require a specific legal basis while being covered by this area of Union competence.</p>
7.	Increasing investments and efforts to boost digitalisation of education, including higher education. (WG debate, Multilingual Digital Platform)	<p>In its 2021 Recommendation on blended learning approaches for high-quality and inclusive primary and secondary education, the Council invited Member States to invest in high-speed internet connectivity for school-site and distance learning environments and make full use of EU funds and expertise for reforms and investment in infrastructure, tools and pedagogy to increase preparedness for future-ready schools.</p>	<p>EU competence on education and vocational training is provided for in Articles 165 and 166 TFEU (QMV). It is a so-called supporting competence, where the EU can only take encouragement or support measures, including financing programmes.</p> <p>Art. 165(4), second indent, TFEU enables the Council to adopt further recommendations calling on Member States to increase their investments and efforts in relation to digitalization of education.</p>

33.. Proposal - Safe and trustworthy digital society – cyber security and disinformation⁹²

Objective: We propose that in order to have a safe, resilient and trustworthy digital society the EU should ensure effective and swift implementation of existing legislation and have more powers to enhance cyber security, deal with illegal content and cyber criminality, counter and recover from cyber threats from non-state actors and authoritarian states, and address disinformation through:

	Measures	To what extent are the EU Institutions already working on the measures addressed in the proposal (What is being done)?	How could the proposal/measure be implemented , if at all (assessment of feasibility)? (Please refer to the legal basis on which this could be done – if any)?
1.	Strengthening capacities of Europol/European Cybercrime Center in terms of financial and human resources, allowing for a more proactive approach in combatting cybercrime and building up joint European cyber defense capabilities against large scale attacks, including through better cooperation; (ECP1 recommendation number 39, Lithuanian NCP 2.6, Dutch NCP 1, WG debate)	<p>On the legislative side, the e-evidence package would also address these issues and is currently under negotiations by co-legislators.</p> <p>The NIS2 and Critical Entities Resilience (CER) Directives also provide adequate tools to enhance resilience against cyber-attacks.</p> <p>In addition, for cybercrime:</p> <ul style="list-style-type: none"> - Europol (EC3) and Eurojust are already providing assistance in the coordination of investigations; - The European Multidisciplinary Platform Against Criminal Threats (EMPACT) projects are ongoing on cybercrime; - there is an ongoing debate on data retention; - several initiatives (non-legislative) to increase cooperation on ransomwares. 	<p>The Europol and Eurojust regulations provide the framework for any reinforcement of such a measure.</p> <p>If needed, they can be amended (see Art. 85 and 88 TFEU).</p>

⁹² Citizens' recommendations on which the proposal is mainly based: European Citizens' Panel 1 (ECP1): 39, 46, National Citizens Panels (NCP) Lithuania 2.6, The Netherlands 1

2.	Taking necessary measures to be prepared for and to recover swiftly from any large scale attacks and black-outs, by for example ensuring the existence of resilient infrastructure and alternative communication channels; (WG debate)	Commission legislative proposals that are currently being discussed by EU institutions address the physical resilience (Critical Entities Resilience Directive) and the cyber resilience (NIS2; agreement reached in May 2022) of critical entities as well as cybersecurity of EU institutions, bodies and agencies (EUIBAs).	
3.	Ensuring similar sanctions and quick and effective enforcement in Member States in case of cybercrime through better coordination of local, regional and national cybersecurity centres and authorities; (ECP1 recommendation number 39)	EU adopted new legislation on digital services and markets, Digital Services Act and Digital Markets Act. See also measure 33.1: EC3 of Europol, Eurojust network of prosecutors specialized in cybercrime, E-evidence legislative package	
4.	Enhancing digital literacy and critical thinking as a way to counter disinformation, online threats and hate speech, as well as dark patterns and preferential pricing; (WG debate)	See measure 32.1: The ‘digital competence’ is recognised as one of the key competences for lifelong learning which are part of the European Reference Framework.	See measure 32.1: education and vocational training is a supporting competence.
5.	Countering disinformation by legislation and guidelines for online platforms and social media companies to address disinformation vulnerabilities and implementing transparency measures, including for example AI based algorithms that can highlight the trustworthiness of information on social media and new	The strengthened Code of Practice against disinformation and especially the Digital Services Act (legislative act) are aiming to address the aforementioned issues, including on the algorithm transparency. The proposed Artificial Intelligence Act, which is being currently negotiated, will provide for transparency measures in certain situations when AI is used, including high-risk scenarios.	

	<p>media, providing the user with sources of fact-checked information. When using algorithms, human beings should remain in ultimate control of decision making processes; (ECP1 recommendation number 46 and WG debate)</p>	<p>The Audiovisual and Media Services Directive (AVMSD) also covers inter alia disinformation issues.</p>	
<p>6.</p>	<p>Supporting digital platforms that provide for media pluralism and provide resources and initiatives to assess the trustworthiness and impartiality of information from traditional media (e.g. television, printed press, radio) and other media in full respect of the principle of media freedom and provide citizens with information about the quality of the news. (ECP1 recommendation number 46)</p>	<p>This measure is covered by different acts, such as the strengthened Code of Practice against disinformation (aiming to ensure the reduction of financial incentives to disinformation, empower users to take an active role in preventing its spread, better cooperate with fact-checkers across Member States, and provide a framework for access to data for researchers) and the Audiovisual and Media Services Directive (AVMSD).</p> <p>The EU's Media and Audiovisual Action Plan (MAAP) supports recovery and transformation of the EU's audiovisual and media sectors, including digital media platforms. The EU Media Freedom Rapid Response Mechanism provides a response to violations of press and media freedom.</p> <p>Finally, quality journalism is covered by the Commission Recommendation on the protection, safety and empowerment of journalists and other media professionals in the EU (September 2021), now in process of implementation by the Member States.</p>	<p>The Digital Services Act and the future Code of Conduct (online platforms) could provide the frame for reinforced measures.</p> <p>The upcoming Media Freedom Act (MFA – proposal expected in July/September 2022) will address media governance issues, including independence, pluralism, integrity and business model issues.</p>

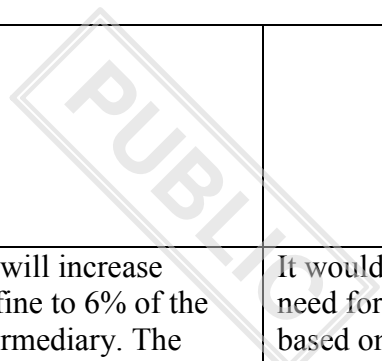
34. Proposal - Safe and trustworthy digital society – data protection⁹³

Objective: : We promote data sovereignty of individuals, better awareness and more efficient implementation and enforcement of existing data protection rules (GDPR) to enhance personal control of own data and limit misuse of data through:

	Measures	To what extent are the EU Institutions already working on the measures addressed in the proposal (What is being done)?	How could the proposal/measure be implemented , if at all (assessment of feasibility)? (Please refer to the legal basis on which this could be done – if any)?
1.	Better explaining data protection rules (GDPR), increasing transparency and improving communication by creating guidance on informed consent texts that use simple and clear language understandable by everyone, including more visual ways to provide consent to data use, accompanied by an information campaign and ensuring needed skills for those processing data and advising those who need assistance; (ECP1 recommendation number 42, 45 and Dutch NCP 2)	The EU institutions are active in providing information on the GDPR and explaining data protection rules through targeted press releases and web and social media content on relevant occasions such as GDPR anniversaries and international days.	It would be up to the Commission as well as Member States (including national DPAs) to consider the relevance of further communication work in this area. The Council could help relay information and materials to Member States' communicators.
2.	Ensuring that the existing prohibition of default consent on re-use or reselling of data is applied; (ECP1 recommendation number 42)	It is for the national data protection authorities (DPAs) to enforce the GDPR. The Commission is responsible for monitoring.	

⁹³ Citizens' recommendations on which the proposal is mainly based: European Citizens' Panel 1 (ECP1): 42, 43, 44, 45, National Citizens Panels (NCP) The Netherlands 2

3.	Ensuring that requests of users for permanent data deletion are followed up on in a specific timeframe; (ECP1 recommendation number 42)	See measure 34.2. The Digital Services Act (DSA) obliges 3rd country intermediary service providers to comply with DSA rules when services are provided in the Union.	
4.	Providing clear and as short as possible information to users on how and by whom data will be used; (ECP1 recommendation number 42)	See measure 34.2.	
5.	Ensuring compliance of non-European companies with European data protection rules; (ECP1 recommendation number 42 and 43)	See measure 34.2.	
6.	Encouraging a certification system at EU level that reflects compliance with GDPR in an accessible, clear and simple way, and visible on websites and platforms and should be issued by an independent certifier at European level. It should not create disproportionate burdens for small and medium sized companies; (ECP1 recommendation number 44, WG debate)	The GDPR already provides a " <i>certification system at EU level</i> " in the sense that rules on certification are defined in the EU instrument (Art. 42 and 43). Initiatives have also been taken at national level.	
7.	Ensure that citizens are efficiently and swiftly helped when encountering issues with opt outs or revoking consent. To this end intrusive behavior needs to be better defined and guidelines and	Recently adopted legislation on digital services and markets (Digital Services Act, Digital Markets Act) covers in part this measure.	This falls under the responsibility of national DPAs, the EDPB (European Data Protection Board) as well as the Commission.



	mechanisms for opt out and revoking data and to identify and sanction fraudsters should be developed at European level; (ECP1 recommendation number 43, and WG debate)		
8.	Providing for sanctions including a fine proportional to the companies' turnover and limitations of companies' operations, such as imposing temporary or definitive bans on unwanted data processing and supporting its enforcement by the European Data Protection Supervisor and national agencies. (ECP1 recommendation number 42, 43, and WG debate)	<p>The Digital Services Act (DSA) will increase maximum amount of a possible fine to 6% of the global annual turnover of an intermediary. The biggest service providers will be under the supervision of the Commission.</p> <p>The Council has adopted a position on the application of the General Data Protection Regulation (GDPR). It keeps monitoring the application of GDPR and promoting the model it establishes. See also measure 26.1 (Values and rights).</p>	It would be up to the Commission to consider the need for a legislative proposal amending GDPR based on Article 16 TFEU in order to go further in the definition of sanctions.

35. Proposal - Digital innovation to strengthen the social and sustainable economy⁹⁴

Objective: We propose that the EU promotes digitalisation measures which strengthen the economy and the single market in a fair and sustainable way, increase European competitiveness in technology and innovation, enhance the digital single market for companies of all sizes and make Europe a world leader in digital transformation and in human centric digitalisation, through:

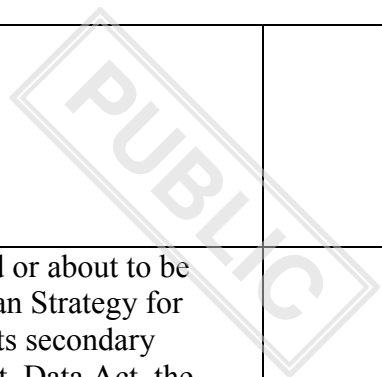
	Measures	To what extent are the EU Institutions already working on the measures addressed in the proposal (What is being done)?	How could the proposal/measure be implemented , if at all (assessment of feasibility)? (Please refer to the legal basis on which this could be done – if any)?
1.	The introduction or reinforcement of legislation that regulates (human-centric) ‘smart working’, taking into account the impact on workers’ physical and mental health for example by ensuring a right to disconnect. A ‘human centric’ approach should incorporate the ‘human in control’ principle; (ECP1 recommendation number 7 and WG debate) ⁹⁵	The Council has adopted conclusions on Telework in 2021. The issue of workers’ physical and mental health is subject to the EU safety and health legislation.	Article 153(2)(a) and (b) TFEU, read in conjunction with Article 153(1)(a) or (b) TFEU, could be the basis for measures addressing this issue.
2.	EU legislation that incentivises companies to be socially responsible and to keep high quality ‘smart working’ jobs within Europe and thus avoiding the relocation of such	The draft Directive on Corporate Sustainability Reporting (CSRD) addresses some of these issues from an exclusively reputational perspective. Measures in support of strategic autonomy, including the Industrial Projects of Common	The incentives may be incorporated into legal acts in the industry and research areas. As they are ancillary to the main objectives in these areas, they will be covered by their respective legal bases (Industry (Title XVII, Article 173 TFEU);

⁹⁴ Citizens’ recommendations on which the proposal is mainly based: European Citizens’ Panel 1 (ECP1): 7, 16, 17, National Citizens Panels (NCP) Germany and Italy 1.3

⁹⁵ See link with Working Group on Stronger Economy

	<p>jobs to lower cost countries. Incentives may be financial and/or reputational and should take into account internationally recognised environmental, social and governance (ESG) criteria. To this end, the EU should set up a working group composed of experts from all relevant stakeholders to examine and strengthen this legislation; (ECP1 recommendation number 7)</p>	<p>European Interest (ICPEIs) also incentivize companies to create and maintain high-value jobs in Europe.</p> <p>The Horizon Europe RTD Framework Programme also partly covers this measure.</p>	<p>Research (Title XIX, notably Arts.179 (2), 182 and 187 TFEU)).</p> <p>Incentives might also, where relevant, be incorporated in legal acts under the company law legal basis (Article 50 TFEU), as is the case for the Corporate Sustainability Reporting Directive (together with Article 114 TFEU).</p>
<p>3.</p>	<p>Ensuring human oversight of decision-making processes involving artificial intelligence in the work place and transparency of algorithms used; giving consideration to negative impacts of illimited digital surveillance in the workplace; informing and consulting workers prior to the introduction of digital technologies that impact working conditions; ensuring that new forms of work, such as platform work, respect worker rights and provide appropriate working conditions; (WG debate)</p>	<p>The Commission has presented a proposal for a Directive on ensuring decent working conditions for platform workers largely covering this proposed measure, with ongoing work by co-legislators. The Directive intends to increase transparency in the use of algorithms by digital labour platforms, to ensure human monitoring on the respect of working conditions, to give the right to contest automated decisions and to oblige platforms to consult platform workers on decisions likely to alter the use of automated monitoring and decision-making systems.</p> <p>Other workers are nonetheless protected by the provisions of the GDPR.</p> <p>In addition, the social partners' framework agreement on digitalization encourages employers to commit to introducing technology in a way that benefits at the same time employment, productivity and the work content and improved working</p>	<p>Legal basis: Article 153(2)(b) TFEU Article 153(1)(b) TFEU Article 114 TFEU</p>

		conditions.	
4.	Taking initiatives to help support remote working, such as office spaces with access to a reliable, fast internet connection and digital training and providing resources for ergonomic equipment for home offices; (ECP1 recommendation number 17 and WG debate).	The Council approved conclusions on Telework in 2021.	An overall debate on how to approach new challenges imposed by telework is ongoing in the framework of the elaboration of the upcoming Commission Health&Safety strategy. Further funding could be provided within the EU cohesion policy framework. Art. 153(1) (a) or (b) TFEU may be also used as a basis for harmonizing measures on employers' obligations regarding telework.
5.	Introducing a publicly accessible digital score board, creating a ranking system that indicates and compares the current level of digitalisation of EU businesses; (German NCP)	Eurostat uses Digital Intensity Index (DII) to measure the use of different digital technologies by enterprises and its score (0-12) is determined by how many of the 12 selected digital technologies the enterprises use.	The 2030 Policy Programme "Path to the Digital Decade" proposal aims to establish a 'Digital Economy and Society Index ('DESI')', which will in particular allow the Commission to monitor the Union's and Member States' overall digital performance in relation to the digital transformation of businesses.
6.	Achieving a strong and competitive digital economy and spread the benefits of digital transformation equitably across Europe by focusing on technology and innovation as drivers of growth, by driving world class transformative research and making room for innovation ecosystems throughout all regions by improving the operating environment	This measure is covered by the ongoing legislative efforts for a strong and competitive digital economy (DSA, DMA). Research could be covered by Horizon Europe. EU Unitary Patent due to enter into application in January 2023.	



	<p>of SMEs and start-ups and fair access to funding and by doing away with legal or other burdens hindering cross border activities. (Italian NCP 1.3, WG debate and Multilingual Digital Platform)</p>		
7.	<p>Building a data infrastructure based on European values; implement the ‘digital first’ and ‘once only’ principle and facilitate digital and secure access to data for innovation and business; encouraging the digitalisation of public services. (WG debate and Multilingual Digital Platform)</p>	<p>The measures already introduced or about to be introduced as part of the European Strategy for Data (Open Data Directive and its secondary legislation, Data Governance Act, Data Act, the roll-out of the Common Spaces) will play an important role in facilitating a digital and secure access to data for innovation and business and in creating data infrastructures based on European values.</p> <p>The Single Digital Gateway Regulation (adopted in 2018, to start applying end 2023) will facilitate online access to information, administrative procedures, and assistance services that EU citizens and businesses may need in another EU country. It is based on the "once only" principle.</p> <p>By the end of 2023, Your Europe will offer access to 21 online procedures in all EU countries. The most important administrative procedures for cross-border users will be fully available online in all EU countries, and a system to transfer documents between national authorities in different EU countries will also be included.</p>	

8.	Fully utilize the potential of trustworthy and responsible use of artificial intelligence, use the potential of blockchain technology and cloud services, setting safeguards and standards that ensure transparency, interoperability, generate trust, enhance ease of use and avoiding any discriminatory or biased algorithms; (WG debate and Multilingual Digital Platform)	<p>The Artificial Intelligence Act, which is being currently negotiated, will foster the development and uptake of safe and lawful AI that respects fundamental rights, by both private and public actors.</p> <p>The recently proposed Data Act provides for some new rules for data processing services, such as cloud and edge services, and will improve the conditions under which businesses and consumers can use cloud and edge services in the EU.</p> <p>The Digital Services Act also includes provisions on transparency for the biggest platforms.</p>	
9.	Promoting open source software and its use in education and training and free access to publicly funded research and software. (WG debate and Multilingual Digital Platform).	<p>The 2013 Commission Communication on “Opening up Education: Innovative teaching and learning for all through new Technologies and Open Educational Resources” underlines that a common European approach should allow publicly funded educational materials to be freely available for all those wishing to use them for learning or teaching.</p> <p>Directive (EU) 2019/1024 on open data and the reuse of public-sector information lays down, among others, the legal framework for the reuse of publicly funded research data. EU Member States must adopt policies and take action to make publicly funded research data openly available, following the ‘FAIR’ (findable, accessible, interoperable and reusable) and ‘open by default’</p>	See measure 32.1: Education and vocational training is a supporting competence.

		principles.	
10	Introducing a European common digital identity to facilitate cross-border digital transactions and services, with a framework of European standards and guidelines providing the necessary safeguards; (WG debate and Multilingual Digital Platform	<p>Regulation (EU) No 910/2014 (Electronic IDentification Authentication and trust Services) is currently being revised. The new instrument aims to ensure, for cross-border use:</p> <ul style="list-style-type: none"> – access to highly secure and trustworthy electronic identity solutions; – that public and private services can rely on secure digital identity solutions; – that natural/legal persons can use digital identity solutions; – that these solutions are linked to a variety of attributes and allow the targeted sharing of identity data limited to the needs of the specific service requested; – acceptance of qualified trust services and equal conditions for their provision. 	
11	Assess the feasibility of digitalisation of product information for consumption and nutrition products through a standardised European app which would allow for more user-friendly access and would provide additional information on products and production chain. (ECP1 recommendation number 16)	On 30 March 2022 the Commission presented a proposal for an updated sustainable products initiative as part of a circular economy package. This proposal intends to complement energy labelling by harmonized European standards as well as to introduce a Digital Product Passport.	

PUBLIC

VII. EUROPEAN DEMOCRACY

36. Proposal - Citizens information, participation and youth

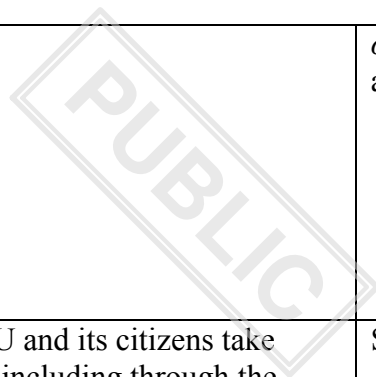
Objective: Increase citizens' participation and youth involvement in the democracy at the European Union level to develop a 'full civic experience' for Europeans, ensure that their voice is heard also in between elections, and that the participation is effective. That is why the most appropriate form of participation should be considered for each topic, for example by:

	Measures	To what extent are the EU Institutions already working on the measures addressed in the proposal (What is being done)?	How could the proposal/measure be implemented, if at all (assessment of feasibility)? (Please refer to the legal basis on which this could be done – if any)?
1.	Improving the effectiveness of existing and developing new citizens' participation mechanisms, in line with EU <i>acquis</i> , by better informing on them. Ideally, all the information about the participatory spaces should be summarized ⁹⁶ in an integrated official website with different features. ⁹⁷ A mechanism should be devised to monitor policy and legislative initiatives, which have emerged from participatory democracy processes; ⁹⁸	There are currently a number of EU initiatives supporting public participation, such as Citizens' Dialogues, European Citizens' Initiative, petitions and public consultations (better regulation policy).	Any improvements to the existing mechanisms, or development of further participatory mechanisms, would need to be carefully assessed and decided in line with EU <i>acquis</i> . A specific website could be explored. See notably Article 11(1) TEU on the obligation of EU institutions to " <i>give citizens and representative associations the opportunity to make known and publicly exchange their views in all areas</i> "

⁹⁶ Changes WG 3A and 3B

⁹⁷ ECP2 Recommendation 32, 37, BE, FR and NL National Panels

⁹⁸ FR National Panel



	<p>Participatory mechanisms should be inclusive and their communication able to reach a diverse public. Attention should be paid to content material, topics and moderators' skills. They should include an analysis on the impact of the policies discussed on, inter alia, women and vulnerable persons.⁹⁹</p>		<p><i>of Union action</i>". See also paragraphs 2 and 3 of that Article.</p>
2.	<p>Increasing the frequency of online and offline interactions between EU institutions and its citizens through different means of interaction in order to ensure that citizens can participate in the EU policy-making process to voice their opinions and to get feedback, and creating a charter for EU officials on citizens' participation;¹⁰⁰</p>	<p>Interactions between the EU and its citizens take place in different contexts, including through the citizen participation instruments (see measure 36.1). The public information services of the Institutions (including Europe Direct centres) receive and reply to questions in consultation with the relevant services.</p> <p>For EU officials, there is a European code of good administrative behavior, covering their professional relations with the public.</p> <p>There are also several ways for European citizens to participate in the policy making: (i) the European Citizens Initiative; (ii) the stakeholders involvement at all stages of the decision-making process via the several opportunities provided under the better regulation policy of the Commission or via the 'Have your Say' portal ("public consultations"); and (iii) Citizens' Dialogues.</p>	<p>See measure 36.1 above.</p>

⁹⁹ Change WG 8, shorter formulation

¹⁰⁰ ECP2 Recommendation 29

3.	Offering a user-friendly digital platform where citizens can share ideas, put forward questions to the representatives of EU institutions and express their views on important EU matters and legislative proposals, in particular youth. The platform should also allow for online polls; ¹⁰¹	<p>To some extent, interaction with citizens is taking place on EU's social media channels.</p> <p>The digital platform of the Conference on the Future of Europe has also fulfilled this role during the Conference.</p> <p>For young people, the EU already has a European Youth Portal providing information on all relevant areas (such as education, jobs, health and travel), as well as a possibility for networking and sharing information.</p>	<p>See measure 36.1 above.</p> <p>The Commission could explore the possibility to create such a platform or to improve the existing ones.</p>
4.	Improving and streamlining existing mechanisms at the European, national, and local level, to make them more secure, accessible, visible and inclusive; ¹⁰²	See measure 36.1 above.	<p>See measure 36.1 above.</p> <p>The mechanisms at national and local level are a competence of the Member States.</p>
5.	Include organised civil society and regional and local authorities and existing structures such as the European Economic and Social Committee (EESC) and the Committee of the Regions (CoR) ¹⁰³ in the citizens' participation process; ¹⁰⁴	The EESC and the CoR have several channels for dialogue with citizens.	<p>Better use of the EESC and CoR in the citizens' participation process could be explored.</p> <p>See also measure 36.1 above.</p>

¹⁰¹ ECP2 Recommendation 19, 32, BE, FR National Panels and DK representative of national events

¹⁰² BE National panel

¹⁰³ Change WG 7B

¹⁰⁴ BE National panel

6.	Create a system of local EU Councillors, as a way to reduce the distance between the EU institutions and European citizens; ¹⁰⁵	<p>The CoR has already put in place the European Network of Regional and Local EU Councillors, building on the national experience of some Member States.</p> <p>‘Building Europe with local entities’ (BELE) initiative is also being launched in order to engage locally elected politicians in communicating about EU topics to a greater degree.</p>	<p>The existing initiatives could be pursued further.</p> <p>See also measure 36.1 above.</p>
7.	<p>Holding Citizens’ assemblies periodically, on the basis of legally binding EU law. Participants must be selected randomly, with representativeness criteria, and participation should be incentivized. If needed, there will be support of experts so that assembly members have enough information for deliberation. If the outcomes are not taken on board by the institutions, this should be duly justified;¹⁰⁶ Participation and prior involvement of citizens and civil society is an important basis for political decisions to be taken by elected representatives. The EU is founded on representative democracy: with European elections, citizens give a clear mandate to their representatives and</p>	<p>There are currently a number of EU initiatives supporting public participation, such as Citizens' Dialogues, European Citizens' Initiative, petitions and public consultations (better regulation policy).</p> <p>Pan-European citizens’ panels were for the first time organised during the Conference on the Future of Europe.</p> <p>The Commission has announced the organisation of European Citizens’ Panels before the adoption of some legislative proposals.</p>	<p>The EU treaties set out a specific role for the different EU institutions in the EU institutional set-up (see Articles 10, 14, 15, 16 and 17 TEU).</p> <p>Against this background, the possible use of citizens’ panels as a participatory tool in the future could be examined, respecting the decision-making system as established by the Treaties.</p> <p>See also measure 36.1 above.</p>

¹⁰⁵ Final Kantar Report, pag. 85

¹⁰⁶ ECP2 Recommendation 39, BE National Panel 3

	indirectly express themselves on EU policies; ¹⁰⁷		
8.	Provide enhanced structural support, financial and otherwise, for civil society, especially for youth civil society and support local authorities in setting up local youth councils; ¹⁰⁸ this could be achieved through a specific pillar in the European Democracy Action Plan for involvement of civil society and social partners, and a dedicated civil society strategy; ¹⁰⁹	<p>The EESC and the CoR have several channels for dialogue with civil society and local authorities and serve as relay of citizens' concerns and proposals.</p> <p>The Council of Europe has set up a Europe-wide network of European Youth Centres (EYC).</p>	<p>A path to explore could be to consider how to make better use of the existing consultative bodies (CoR and EESC) and EYC infrastructures.</p> <p>A specific pillar of the European Democracy Action Plan for civil society could also be explored.</p> <p>On youth policies, see measure 47.1.</p> <p>On associating citizens, see also measure 36.1 above.</p>
9.	Introduce a “Youth-check” of legislation, including both an impact assessment and a consultation mechanism with representatives of young people, when legislation is deemed to have an impact on young people; ¹¹⁰	The Commission has well-established procedures for consultation in advance of tabling legislative proposals, whereby youth organisations can contribute on all initiatives.	<p>Regarding youth specific impact assessments, the EU legislators have a wide margin of discretion to consider various information in their assessments.</p> <p>See also measure 36.1 above.</p>
10.	Strengthening cooperation between EU	The EESC serves as a relay between EU legislators	The EU legislators have a wide margin of

¹⁰⁷ Change WG 10A, shorter formulation

¹⁰⁸ DK representative of national events

¹⁰⁹ Change WG 54C

¹¹⁰ DK representative of national events

	legislators and civil society organisations to utilize the link between decision-makers and citizens which civil society organisations constitute; ¹¹¹	and civil society. The EESC's activities enhance the debate and discussions with civil society and its representative organisations.	discretion to consider various information in their assessments. See also measure 36.1 above.
11.	Summarize elements of citizens' participation in an EU Charter for the involvement of citizens in EU-affairs.	No joint summary of citizen participation instruments is currently available in the EU institutions, with each of them communicating separately on the different mechanisms.	A synthesis of the current framework can be done under the current Treaties. See also measure 36.1 above.

¹¹¹ DK representative of national events

37. Proposal - Citizens information, participation and youth (bis)

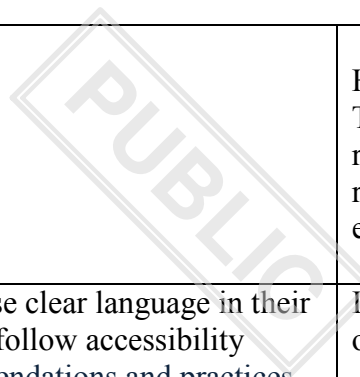
Objective: Make the European Union more understandable and accessible and strengthen¹¹² a common European identity, in particular by:

	Measures	To what extent are the EU Institutions already working on the measures addressed in the proposal (What is being done)?	How could the proposal/measure be implemented, if at all (assessment of feasibility)? (Please refer to the legal basis on which this could be done – if any)?
1.	Guaranteeing a minimum level of education on the EU and especially its democratic processes, including the history of European integration and European citizenship. People of all ages should be able to benefit from such programmes, which should be designed in an engaging and age appropriate manner, for instance through the development of specific programmes and educational material for children and schools; ¹¹³ and civil society organisations active in the field of non-formal education; ¹¹⁴	<p>The 2018 Council Recommendation on promoting common values, inclusive education, and the European dimension of teaching invites Member States to promote a European dimension of teaching by encouraging i.a. an understanding of the European context and the origins, values and functioning of the EU.</p> <p>Within the framework of the Erasmus+ programme, the Jean Monnet actions contribute to spreading knowledge about the EU integration and support teaching and research in the field of EU studies worldwide.</p>	<p>EU competence on education and vocational training is provided for in Articles 165 and 166 TFEU (QMV). It is a so-called supporting competence, where the EU can only take encouragement or support measures, including financing programmes, such as Erasmus. But the EU cannot adopt harmonisation measures. The content of teaching belongs to the responsibility of Member States. Therefore the EU cannot make an issue a mandatory part of education throughout the EU.</p> <p>Enabling the EU to guarantee, in a mandatory way, a minimum level of education throughout the EU would require Treaty change.</p>

¹¹² Change WG 15 A, compromise formulation

¹¹³ ECP2 Recommendation 24, 36, 38, BE National Panel

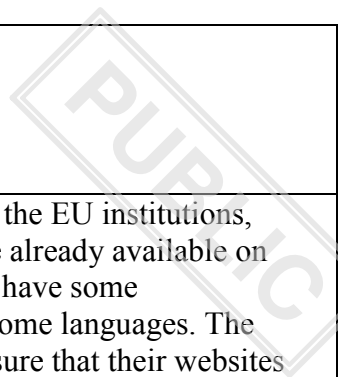
¹¹⁴ Change WG 16 C



			However, Article 165(4), second indent, TFEU enables the Council to adopt recommendations. It could therefore recommend to include certain modules in education.
2.	Making reliable information on the EU easily accessible in an inclusive manner to all citizens. EU institutions should use more accessible language and avoid using bureaucratic terms in their communication, while at the same time maintaining the quality and expertise of the given information and adapting the information to different communication channels and audience profiles. ¹¹⁵ It should consider, for instance, creating a mobile application where information concerning EU policies is presented in a clear language. ¹¹⁶ A special effort should be made to reach out to young people through digital media, youth movements and various ‘ambassadors’	<p>The EU institutions have to use clear language in their communication products and follow accessibility guidelines, trainings, recommendations and practices (both on- and offline) to the highest possible standards. Communication decisions and the continuous improvement of communication products and platforms is informed by user research and user evidence. Messages are also tailored according to the audience targeted and the channel used. Youth outreach is a priority in the EU institutions' communication strategies.</p> <p>The europa.eu website, where a wealth of information on key policy areas is presented, is also mobile-friendly.</p>	<p>Improvement of the europa.eu website and other initiatives could be explored.</p> <p>The Institutions could examine additional steps in their strategy to engage with multipliers and members of key target audiences (such as youth representatives).</p>

¹¹⁵ ECP2 33, BE FR and NL National panels)

¹¹⁶ ECP2 26



	(organisations and individuals) explaining ¹¹⁷ the EU project; ¹¹⁸		
3.	Making a greater use of artificial intelligence and translation technologies to circumvent ¹¹⁹ language barriers, ¹²⁰ ensuring the accessibility and usability of all the digital tools for people with disabilities; ¹²¹	<p>Regarding communication by the EU institutions, automatic translation tools are already available on some channels, although they have some shortcomings, especially for some languages. The institutions are working to ensure that their websites and digital tools are as user-friendly and as accessible as possible. The Council Secretariat is already using AI for translation.</p> <p>The EU has also adopted various pieces of legislation for people with disabilities, online and offline. The focus has been on promoting innovation regarding specific disabilities.</p>	<p>The EU institutions could explore the possibility to further use machine translation tools, where appropriate. This process is ongoing in some institutions.</p> <p>More and better accessibility could also be explored.</p>
4.	Defending and supporting free, pluralistic and independent media, and encouraging media outlets, including public broadcasters and public news agencies and European media, to	<p>These aspects are covered by existing or upcoming EU legislative and non-legislative acts.</p> <p>The EU provides funding to general information, news and programmes about the EU and European topics, directed at the general public, through its Multimedia</p>	<p>The aim of this measure could be achieved through promoting the different aspects covered.</p> <p>The Commission is also expected to present a Media Freedom Act proposal in</p>

¹¹⁷ Change WG 17

¹¹⁸ BE National Panel

¹¹⁹ Change WG 18A

¹²⁰ ECP2 Recommendation 25

¹²¹ Change WG 18B

	<p>cover European affairs more regularly while respecting their freedom and independence, to ensure regular and comprehensive coverage across the EU Member States;¹²² stepping up the fight against disinformation and foreign interferences, and ensure the protection of journalists;¹²³</p>	<p>Actions, while respecting full editorial independence. Currently, support is provided for the TV channel Euronews, coverage of EU affairs through a radio network, data-driven news on EU affairs and multilingual content across European platforms.</p> <p>As regards the protection of journalists and other media professionals: the 2021 Commission Recommendation on the protection, safety and empowerment of journalists and other media professionals in the EU is being implemented; the proposed Directive on Strategic lawsuits against public participation (SLAPPs) is currently under negotiation with the EP; a Commission recommendation on this issue has also been adopted.</p> <p>For details regarding support for free, pluralistic and independent media and the fight against disinformation, see proposal 27.</p>	<p>July/September 2022.</p> <p>See also proposal 27.</p>
5.	<p>Bringing Europe closer to citizens by improving¹²⁴ contact points and dedicated hubs, or “Houses of Europe”, at local level to provide resources, information and advice to</p>	<p>The Commission has representation offices in all member states, and the Parliament has Liaison Offices in EU capitals and other major cities, which are actively communicating on the EU.</p> <p>The Council has recently launched a mobile outdoor</p>	<p>Further possibilities for improving communication in the Member States through different channels could be explored.</p> <p>See also measure 36.1 above.</p>

¹²² ECP2 Recommendation 31, BE and NL National Panels

¹²³ Changes 19A to 19A, reformulation to fit text

¹²⁴ Change WG 21, compromise

	<p>citizens on EU matters, as well as listen to their concerns and engage in debates with associations to help spread citizens' views at European level.¹²⁵</p>	<p>exhibition travelling from one Presidency country to another.</p> <p>National and local authorities also have an important role in bringing Europe closer to its citizens.</p>	
6.	<p>Taking further steps to strengthen common identity among Europeans, for instance through an EU fund for supporting online and offline interactions (i.e. exchanges programmes, panels, meetings) of both short and longer duration between EU citizens, creating common sports events and teams, or making Europe Day (9 May) an additional¹²⁶ European public holiday for all EU citizens.¹²⁷</p>	<p>Several existing programmes and measures contribute to strengthening common identity among Europeans, such as the European Solidarity Corps programme, the Erasmus+ programme and the Creative Europe programme.</p> <p>The 2018 Council Recommendation on promoting common values, inclusive education, and the European dimension of teaching invites Member States to promote a European dimension of teaching by encouraging grass-roots projects to raise awareness of and improve understanding of the EU in learning settings, notably through direct interaction with young people, such as an annual celebration, on a voluntary basis, of a 'Day of the European Union' in learning settings.</p> <p>In Declaration n° 52, a number of Member States have already recognised the importance of Europe Day on 9 May as one of the symbols of the EU.</p>	<p>Explore the possibility to reinforce the visibility of already existing actions/platforms spotlighting EU values and identity (e.g. the European Capitals of Culture action, the European Heritage Label initiative, or the EP annual European Citizen's Prize), or other avenues such as giving more prominence to related projects and events in the European Youth Portal.</p> <p>Public holidays are a national competence of the Member States. Making the Europe Day (9 May) an additional compulsory public holiday throughout the EU would require Treaty change.</p>

¹²⁵ BE and FR National Panels

¹²⁶ Change WG 23B

¹²⁷ ECP2 Recommendation 27, BE National Panel

38. Proposal - Democracy and elections

Objective: Strengthen European democracy by bolstering its foundations, boosting participation in European Parliament elections, fostering transnational debate on European issues and ensuring a strong link between citizens and their elected representatives, in particular by:

	Measures	To what extent are the EU Institutions already working on the measures addressed in the proposal (What is being done)?	How could the proposal/measure be implemented, if at all (assessment of feasibility)? (Please refer to the legal basis on which this could be done – if any)?
1.	Ensuring the protection of EU values laid down in the treaties, including the rule of law and a strong social model, ¹²⁸ which are at the core of the European democracy. In its relationship with external countries, the European Union should firstly strengthen common democratic values in its borders. Only after achieving this, the European Union can be an ambassador of our democratic model in the countries that are ready and willing to implement it, through diplomacy and dialogue; ¹²⁹	<p>Tools targeted to ensure respect for EU values in Member States include Article 7 TEU procedures and infringement procedures, as well as preventive tools such as the annual Council’s rule of law dialogue and the Commission’s rule of law report.</p> <p>Promoting its values on the international scene is already an obligation that the Treaty puts on the EU (Article 21 TEU).</p> <p>The EU Special Representatives (EUSRs) promote the EU's policies and interests in specific regions and countries and play an active role in efforts to consolidate peace, stability and the rule of law. The EUSRs support the work of the EU High Representative/Vice President (HR/VP) in the regions concerned. They play an important role in the</p>	Further tools could be explored. For details, see proposal 25.

¹²⁸ Change WG 25C

¹²⁹ ECP Recommendations 14

		development of a stronger and more effective EU Foreign and Security Policy (CFSP) and in the Union's efforts to become a more effective, more coherent and more capable actor on the world stage. They provide the EU with an active political presence in key countries and regions, acting as a “voice” and “face” for the EU and its policies.	
2.	Conceiving a EU wide referendum, to be triggered by the European Parliament, in exceptional cases on matters particularly important to all European citizens; ¹³⁰	The Treaties already allow for a large degree of direct involvement of citizens in the decision making process of the institutions through the European Citizens’ Initiative, as well as consultations of the citizens, representative associations and civil society, pursuant to Article 11 TEU.	The right to petition to the European Parliament (Article 20(2)(d) TFEU) could be used to adopt measures with the aim of satisfying this, and existing instruments like the European Citizens' Initiative (Article 11(4) TEU and Article 24 TFEU) could be improved to this effect. However, EU-wide referenda to be triggered by the EP are not possible under the current Treaties. Providing for such referenda would require Treaty change.
3.	Amending EU electoral law to harmonise electoral conditions (voting age, election date, requirements for electoral districts, candidates, political parties and their financing) for the European Parliament elections, as well as moving towards voting for Union-wide lists, or ‘transnational lists’, ¹³¹	The 1976 Electoral Act defines certain common principles regarding elections to the European Parliament. To the extent that EU electoral procedure is not defined at EU level, it is for each Member State to lay down specific conditions for the EP elections. The Electoral Act was most recently amended by Council Decision 2018/994 to include an obligatory threshold of 2–5% for constituencies with more than	Legal basis: Article 223 TFEU.

¹³⁰ ECP Recommendation 18; N.B. citizens representatives explained it should be carefully implemented and used

¹³¹ European Commission representatives explained it should be implemented after a transition period, not to rush things through.

	<p>with candidates from multiple Member States, having taken¹³² into account the views expressed among citizens across the EU Member States on this issue.¹³³</p> <p>Some of the Members of the European Parliament should be elected through a European Union-wide list, the rest being elected within the Members' States;¹³⁴</p> <p>This reform should also aim at facilitating digital voting possibilities¹³⁵ and guaranteeing effective voting rights for persons with disabilities,¹³⁶</p>	<p>35 seats. The decision has not entered into force yet.</p> <p>The EP proposal of 3 May 2022 for a Council Regulation on the election of the Members of the European Parliament by direct universal suffrage includes a number of suggestions for harmonisation, including EU-wide lists.</p>	
4.	<p>Strengthening links between citizens and their elected representatives, taking into account national specificities and citizens' desire to be closer to them and have a feeling that their concerns lead to specific action by elected representatives in the</p>	<p>The EP has Liaison Offices (EPLOs) in the Member States, with the task i.a. to provide support to Members of the EP in the exercise of their official mandates in the Member States.</p> <p>The rules on the composition of the Commission and</p>	<p>Treaty changes would be necessary for:</p> <ul style="list-style-type: none"> - the direct election of the Commission President by the citizens; - a right of legislative initiative for the EP; - conferring on the EP the competence to adopt alone the budget of the EU, or to decide on the own resources decision.

¹³² Changes WG 28 E,G,H

¹³³ ECP2 Recommendation 16, NL National Panel 20, National Panel was divided on “ transnational lists”

¹³⁴ Based on ECP2 Recommendation 16, Discussion in WG

¹³⁵ ECP2 Recommendation 19 and MDP

¹³⁶ European Economic and Social Committee

<p>European Parliament and national parliaments.¹³⁷ This is a universal issue and people of all ages should be engaged;¹³⁸ European citizens should have a greater say on who is elected as President of the Commission. This could be achieved either by the direct election of the Commission President¹³⁹ or a lead candidate system;¹⁴⁰ The European Parliament should have the right of legislative initiative, in order to propose¹⁴¹ the topics to be discussed and,</p>	<p>on the appointment of its members are laid down in Article 17 TEU and Article 244 TFEU. Article 17(7) TEU makes a direct reference to the result of EP elections in the process of selecting the President of the Commission. The "lead candidate system" is a political process that could be applied in practice, within the current Treaties.</p> <p>Under Article 225 TFEU, the EP may request the Commission to submit "<i>any appropriate proposal on matters on which it considers that a Union act is required for the purpose of implementing the Treaties</i>". When the Commission does not submit a proposal, it has to inform the EP of its reasons.</p>	
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¹³⁷ Change WG 32B

¹³⁸ ECP2 Recommendation 36, BE and FR National Panels

¹³⁹ FR National Panel ("*electing the President of the European Commission by universal suffrage*"), MDP (*Final Kantar Report: Group of contributions discusses the direct election of the Commission President by citizens*)

¹⁴⁰ EP position: *the lead candidate of the European political party that has obtained the highest share of votes at European elections, who is able to be supported by a majority of European Parliament's Members, shall be elected President of the European Commission. In case a coalition majority cannot be reached, the task should be assigned to the next lead candidate. To this end, European political parties may nominate candidates to run for the Commission President's post. Mr Paulo Rangel: in order to reinforce the lead candidate process the positions of the European Parliament and the European Council should be reversed and this implies a treaty change: the Parliament would propose and the Council would approve the President of the Commission. MDP (Final Kantar Report: "Group of contributions discusses the election of the Commission President and appointment of commissioners, including the Spitzenkandidaten system). EYE, pag. 23: "The candidates for the President of the Commission should not be elected in backroom negotiations among winning parties. We should enforce the so-called "Spitzenkandidaten" system, where each party announces their candidate for the President of the Commission before the election campaign in the case that this party gains a majority. Through active participation in the campaign and direct interaction with the citizens, the future President could become more closely connected to the European population."*, and discussion WG.

¹⁴¹ Change WG 34C

<p>subsequently, adopt the necessary texts to follow up on the recommendations that emerge from deliberations;¹⁴²</p> <p>European Parliament should decide on the budget of the EU as it is the right of parliaments at the national level;^{143 144}</p> <p>Political parties, civil society organisations, trade unions should be more lively and accessible in order for citizens to be more involved and engaged in European democracy.¹⁴⁵</p> <p>This would also contribute to stimulate the inclusion of EU topics in public debates via political parties, organised civil society and social partners, not only during European elections but ahead of national, regional and local elections as well.¹⁴⁶</p>	<p>In the so-called "Framework Agreement" between the EP and the Commission of 2010, the Commission undertook to present a legislative proposal within one year of receiving an EP request under Article 225 TFEU or to include it in the next year's Work Programme, and to give detailed explanations of the reasons if no proposal is made. In addition, in 2019, the Commission President committed to responding with a legislative proposal to all such requests, in full respect of the proportionality, subsidiarity and the better law-making principles. These commitments by the Commission already go very much in the direction of the EP wishes, even if formally the Commission's monopoly is respected.</p> <p>According to Article 16 TEU, the Council exercises jointly with the EP budgetary functions (see Article 314 TFEU on the annual budget).</p> <p>MFF is adopted by the Council, with the EP consent (Article 312 TFEU). The own resources decision is</p>	
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¹⁴² BE National Panel (3.2), FR National Panel (11),- MDP (Final Kantar Report: “*Regarding the European Parliament, contributors most often call for it to be granted real powers of legislative initiative*”)

¹⁴³ The Council does not consider that this proposal is based on a recommendation from the citizens. It is therefore not in line with the agreed methodology. Citizens’ component expressed the following diverging position: ‘We express a diverging position on measure 38.4, third bullet since it originated neither from the European nor the National Panels and was not sufficiently discussed in the Plenary Working Group. That is why we do not express ourselves on the substance nor the relevance of this measure.’

¹⁴⁴ MDP (Final Kantar Report: “*Regarding the European Parliament, (...) There are also calls for it to be granted fiscal powers*”)

¹⁴⁵ MDP (Final Kantar Report: “*According to another contribution, parties should become more accessible to people from different cultural or socioeconomic backgrounds*”)

¹⁴⁶ Committee of the Regions in WG

		<p>adopted by the Council, with EP consultation, and requires the approval of the 27 Member States in accordance with their respective constitutional requirements (Article 311 TFEU).</p> <p>On political parties, the Commission proposed in November 2021 a recast of the Regulation on the statute and funding of European political parties and European political foundations, which is currently being examined by the Council and the EP. The proposal aims to improve the functioning and financing of European political parties and to increase their visibility in the Member States.</p>	
5.	<p>Democracy is embodied in the institutions and in society at large, including in the workplace through the role of social partners.¹⁴⁷ 10.</p>	<p>The European Democracy Action Plan (EDAP) is in the stage of implementation through a number of legislative proposals and non-legislative initiatives.</p>	<p>The Treaties explicitly recognize the role of social partners at Union level. See, in particular, Articles 152, 154, 155, 156 and 160 TFEU.</p> <p>The Treaties also recognize the role that social partners may play at national level when implementing Union legislation in the social field. See Article 153(3) TFEU.</p> <p>Union legislation regarding the role of social partners needs to respect the limits of Article 153(5) TFEU.</p>

¹⁴⁷ Change WG 38, compromise formulation

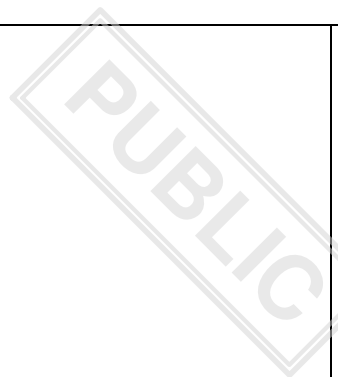
39.Proposal - EU decision making process

Objective: Improve the EU’s decision-making process in order to ensure the EU’s capability to act, while taking into account the interests of all Member States and guaranteeing a transparent and understandable process for the citizens, in particular by:

	Measures	To what extent are the EU Institutions already working on the measures addressed in the proposal (What is being done)?	How could the proposal/measure be implemented, if at all (assessment of feasibility)? (Please refer to the legal basis on which this could be done – if any)?
1.	<p>Reassessing decision-making and voting rules in the EU institutions, focusing on the issue of unanimous voting, which makes it very difficult to reach agreement, while ensuring a fair calculation of voting 'weights' so that small countries' interests are protected;¹⁴⁸</p> <p>All issues decided by way of unanimity should be decided by way of a qualified majority. The only exceptions should be the admission of new membership to the EU and changes to the fundamental principles of the EU as stated in Art. 2 TEU and the Charter of Fundamental Rights of the European Union.¹⁴⁹</p>	<p>Unanimity is a voting rule in the Council that applies to acts whose legal basis in the TEU or the TFEU so requires, or when Article 293(1) TFEU applies. The voting rule (QMV or unanimity) in the European Council in cases where it adopts legal acts is expressly specified in each relevant legal basis.</p> <p>As regards the voting ‘weight’, it is recalled that the previous weighted votes have been replaced, by the Lisbon Treaty, by the current system of ‘double’ qualified majority voting as defined by Article 16(4) TEU (at least 55% of Council members representing at least 65% of the EU population), together with the requirement that a blocking minority must include at least four Council members.</p> <p>In the current Treaties, there are 76 cases where the Council acts by unanimity and 18 cases where the European Council acts by unanimity.</p>	<p>Switching from unanimity to QMV in the Council can be done in 67 cases by using the current <i>passerelle</i> clauses (whether general or specific).</p> <p>Article 48(7) TEU provides for a general <i>passerelle</i> clause. This clause can be activated by the European Council, acting by unanimity, with the EP consent, provided that no national parliament opposes the activation of the <i>passerelle</i> within six months from notification. This general <i>passerelle</i> clause applies for the whole TFEU and for CFSP (Title V of the TEU, with the exception of decisions with military implications or those in the area of defence).</p> <p>There are also 6 specific <i>passerelle</i> clauses allowing the European Council or the</p>

¹⁴⁸ ECP2 Recommendation 20

¹⁴⁹ ECP4 Recommendation 21



			<p>Council itself, unanimously, to decide that the Council voting rule is switched from unanimity to QMV (see Articles 31(3) and (4) TEU, 81(3) TFEU, 153(2), 4th subpara., TFEU, 192(2), 2nd subpara., TFEU, 312(2), 2nd subpara., TFEU and 333 TFEU).</p> <p>However, there are 27 cases (18 related to the European Council and 9 to the Council) where switching from unanimity to QMV would require Treaty change.</p>
2.	<p>Ensuring transparency of decision-making by allowing independent citizens' observers to closely follow the decision-making process, guaranteeing broader¹⁵⁰ right of access to documents, and develop on this basis stronger links and an enhanced dialogue between citizens and the EU institutions;¹⁵¹ The EU needs to improve the transparency of its decision-making process and institutions. For instance, the meetings of the Council and the European Parliament, including its votes, should be broadcasted online in the same way. This would allow interested citizens</p>	<p>There is already a great degree of transparency and information available for citizens on the EU decision-making processes. Regulation 1049/2001 gives broad public access to European Parliament, Council and Commission documents.</p> <p>Documents and debates in the Council on legislative files are public and broadcasted through Internet. The June 2020 New Approach to Legislative Transparency adopted by COREPER further defines the scope of transparency and publicity of documents, the basis of which can be found in the Access to Documents Regulation (1049/2001).</p> <p>The Commission presented two proposals to modify Regulation 1049/2001 in 2008 and 2011, which did not succeed. Work has been ongoing at technical level</p>	<p>Pursuant to Article 16(8) TEU, the Council already meets in public when it deliberates and votes on a draft legislative act.</p> <p>The Council could make more extensive use of Article 8 of its Rules of Procedure, which specifies other cases of Council deliberation open to the public and public debates, and of Article 9 of the Rules of Procedure, which allows making votes, explanations of votes and minutes public in other cases.</p>

¹⁵⁰ Change WG 43

¹⁵¹ ECP2 Recommendation 34, NL National Panel

	<p>to follow EU policy-making, and hold politicians and policy-makers accountable;¹⁵² the European Parliament's right of inquiry should be strengthened;¹⁵³ EU decision-making process should be further developed so that national, regional, local representatives, social partners and organised civil society are more involved.¹⁵⁴ Inter-parliamentary cooperation and dialogue should be strengthened. National parliaments should also be closer involved in the legislative procedure by the European Parliament, e.g. by way of participation in hearings.¹⁵⁵ In addition, a better involvement of the subnational level and of the Committee of the Regions helps to take better into account the experiences gained with the implementation of EU law.¹⁵⁶</p>	<p>between the services of the three institutions on the development of a joint database on the state of play of legislative files or Joint Legislative Portal. The aim is to offer both further traceability of the various steps in the legislative process, and the possibility to retrieve related documents. As the main target audience is the general public, the JLP would provide easy access to comprehensive information, in an understandable and user-friendly manner, with direct links to existing repositories run by the institutions.</p> <p>As regards the strengthening of the EP's right of inquiry, the EP's AFCCO committee has adopted in October 2011 a report with a draft Regulation on the EP's right of inquiry, based on Article 226, third paragraph, TFEU, aiming to replace the current rules on the exercise of the EP's right of inquiry which date from 1995. However, due to fundamental differences of views with the EP, the Council has so far not been in a position to give its consent, as required by Article 226 TFEU.</p> <p>National, regional and local representatives, as well as social partners and organised civil society, are</p>	
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¹⁵² Discussion in WG based ECP2 Recommendation 34, NL National Panel, MPD (Final Kantar Report: *“Increased transparency and greater involvement of the citizens is supported”* in EU decision-making process is also supported

¹⁵³ Change WG 44A.

¹⁵⁴ WG discussion(presentation by National Parliaments and Committee of the Regions)

¹⁵⁵ Change WG 45C

¹⁵⁶ Change WG 46B

		involved through various structures and cooperation mechanisms.	
3.	<p>Considering changing the names of EU institutions to clarify their functions and respective role in the EU decision-making process for citizens;¹⁵⁷</p> <p>The EU decision making process should be based on a clearer and more understandable structure, resembling national systems,¹⁵⁸ explicitly reflecting the division of competences between the European institutions and the Member States;¹⁵⁹</p> <p>For example, the Council of the EU could be called the Senate of the EU and the European Commission could be called the Executive Commission of the EU.¹⁶⁰</p>	Title III of the TEU and Title I of Part Six of the TFEU set out in detail the powers of the different EU institutions, including their names (see Article 13(1)TEU).	<p>The functions and respective roles of the institutions can be better explained to citizens.</p> <p>However, changing the names of the institutions would require Treaty change.</p>

¹⁵⁷ ECP2 Recommendation 15

¹⁵⁸ Discussion WG based on need expressed in ECP2 15 to “clarify EU institutions functions”, MDP (Final Kantar Report: “There are also (...) suggestions to deepen the bicameral legislature in the EU”

¹⁵⁹ Change WG 48B

¹⁶⁰ ECP2 recommendation 15

4.	Enhance the European Union's delivery capacities in key important areas; ¹⁶¹		
5.	Ensure proper civil and social dialogue mechanisms and processes at every step of the EU decision-making process, from impact assessment to policy design and implementation. ¹⁶²	<p>Article 154 TFEU provides for the consultation of social partner organisations at European level on a range of issues concerning employment and social affairs (cf. Article 153 of the Treaty).</p> <p>In addition, the Tripartite Social Summit, held twice a year, provides a forum for dialogue between the EU institutions and the European social partners.</p>	<p>The Commission is currently preparing a new proposal (Recommendation) to be published in autumn 2022, aiming at strengthening social dialogue.</p> <p>See also Article 11 TEU on dialogue with civil society.</p>
6.	Reform the way the European Union works by better involving social partners and organised civil society. Strengthening the existing structures in order to better reflect the needs and expectations of EU citizens in the decision-making process, given their importance in the European democratic life. Within this framework, enhance the institutional role of the EESC and empower it as facilitator and guarantor of participatory democracy activities like structured dialogue with civil society organisations and Citizens' panels. A lively civil society is	<p>The EESC, as representative of the organised civil society, serves as a relay between the EU legislators and civil society (Articles 301–304 TFEU).</p> <p>On the role of social partners, see measure 5.</p>	<p>The first part of the measure could be achieved through a modification of the composition of the EESC, on the basis of Article 301 TFEU. Another path to explore could be to consider how to make better use of the existing EESC.</p> <p>However, if "enhance" would mean modify or enlarge the EESC powers, this would require Treaty change.</p> <p>On the role of social partners, see measure 39.5.</p>

¹⁶¹ Discussions in the WG

¹⁶² Change WG 52A

	crucial for the democratic life of the European Union. ¹⁶³		
7.	Reopening the discussion about the constitution, where applicable, to help us align better on our values. A constitution may help to be more precise as well as involve citizens and agree on the rules of the decision-making process; ¹⁶⁴	The draft Treaty establishing a Constitution for Europe was rejected in national referenda in France and the Netherlands in 2005. The Lisbon Treaty, which entered into force on 1 December 2009 following ratification in all Member States, preserved most of the substantial elements of the draft Treaty establishing a Constitution for Europe.	This is a political process and a communication exercise; no need for Treaty changes.

¹⁶³ EESC, compromise formulation

¹⁶⁴ ECP Recommendation 35, FR National Panel, plus changes WG combined 51C,D

40. Proposal - Subsidiarity

	Measures	To what extent are the EU Institutions already working on the measures addressed in the proposal (What is being done)?	How could the proposal/measure be implemented , if at all (assessment of feasibility)? (Please refer to the legal basis on which this could be done – if any)?
1.	Active subsidiarity and multilevel governance are key principles and fundamental features for the EU functioning and democratic accountability; ¹⁶⁵	<p>Article 5(3) TEU sets out the rules on the application of the principle of subsidiarity in the use of EU competences. Protocol n°2 contains detailed provisions on the role of national parliaments on assessing compliance of draft EU legislation with the principle of subsidiarity.</p> <p>In March 2017, the Commission created a dedicated ‘Task Force on subsidiarity, proportionality and doing less more efficiently’ as part of the Better Regulation agenda. Based on its recommendations, the Commission published a subsidiarity package in October 2018. One of the main Task Force recommendations taken on board was to incorporate a grid for assessing subsidiarity and proportionality in the Commission’s better regulation guidance and to use the grid to present the Commission’s findings in impact assessments, evaluations and explanatory memorandums.</p>	How the evolving practice could be further developed could be explored.

¹⁶⁵ Change WG 53D

2.	<p>The EU should review the mechanism allowing national Parliaments to assess whether new legislative proposals at the European level do not intrude on their legal competences and to be granted the possibility to suggest a legislative initiative to the European level. Such mechanisms should also be enlarged to all regional parliaments within the EU that have legislative power;¹⁶⁶</p>	<p>Regarding subsidiarity aspects, see comments on measure 40.1.</p> <p>Protocol n° 1 on the role of national Parliaments in the European Union and Protocol n° 2 on the application of the principles of subsidiarity and proportionality provide already for a mechanism enabling national Parliaments to examine legislative proposals to ensure that they comply with the principle of subsidiarity. The Lisbon Treaty also foresees national Parliaments being provided with more information on the activities of the EU so that they are better able to bring their views to bear on negotiations within the Union.</p> <p>According to Article 6 to Protocol No 2, it is for each national Parliament or each chamber of a national Parliament, to consult, where appropriate, regional parliaments with legislative powers. Moreover, Belgium has made a declaration in this regard (Declaration 51 annexed to the Final Act of the Intergovernmental Conference that adopted the Treaty of Lisbon).</p>	<p>Regarding subsidiarity aspects, see comments on measure 40.1.</p> <p>Member States are free to foresee, in accordance with their constitutional system, that their regional parliaments are to be considered, when applying Protocols n°1 and 2, as components of the national parliamentary system or chambers of the national Parliament.</p> <p>However, granting, at EU level, national parliaments with a right of legislative initiative or granting regional parliaments with such right of initiative or a direct formal right as regards subsidiarity assessment under Protocol n°2 would require Treaty change.</p>
3.	<p>Reform the Committee of Regions to encompass adequate channels of dialogue for regions as well as cities and municipalities, giving it an enhanced role¹⁶⁷ in the institutional</p>	<p>The CoR has already developed several channels to ensure that cities and municipalities are an integral part of the EU debate.</p>	<p>How to make better use of the CoR under the current Treaties to achieve the aim of this measure could be explored.</p> <p>However, if "enhance" would mean modify</p>

¹⁶⁶ Discussion in WG, National Parliaments

¹⁶⁷ Discussion in WG, CoR and EESC; Final Kantar Report, pag. 85

	architecture, if matters with a territorial impact are concerned; ¹⁶⁸		or enlarge the CoR powers, this would require Treaty change.
4.	Systematic use of a subsidiarity definition commonly agreed by all EU institutions could help to clarify whether decisions have to be taken at European, national or regional level. ¹⁶⁹	<p>See comments on measure 40.1.</p> <p>The principle of subsidiarity is defined in Article 5(3) TEU.</p> <p>In each legislative proposal, the Commission is to state the reasons why it considers that the proposal complies with the principle of subsidiarity. Furthermore, as with all Treaty provisions, the definition of the principle of subsidiarity is subject to interpretation by the Court of Justice, which controls its application by the institutions in specific cases.</p>	See comments on measure 40.1.
5.	Social partners and organised civil society should be better included in the decision-making process, given their importance in the European democratic life. A civil lively society is crucial for the democratic life of the European Union. ¹⁷⁰	Regarding the involvement of social partners and organised civil society, see measures 39.5-6 above.	Regarding the involvement of social partners and organised civil society, see measures 39.5-6 above.

¹⁶⁸ Change WG 58B

¹⁶⁹ Change WG 59B

¹⁷⁰ Discussion in the WG, Social partners and several other members



6.	We call on European Union institutions to make the conclusions of this working group a reality and effectively implement them. This could be realised through the possibilities the Lisbon Treaty already provides and, when necessary, by triggering the request of launching a European Convention. ¹⁷¹		The ordinary revision procedure referred to in Article 48(2) to (5) TEU may be initiated by the government of any Member State, the EP or the Commission. This requires submitting to the Council “proposals for the amendment of the Treaties”. Such proposals for amendments need to be concrete proposals. Vague or unspecified ideas are not enough.
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¹⁷¹ Change WG 63A, compromise formulation

VIII. MIGRATION

41. Proposal - Legal Migration¹⁷²

Objective: Strengthen the EU's role on legal migration:

	Measures	To what extent are the EU Institutions already working on the measures addressed in the proposal (What is being done)?	How could the proposal/measure be implemented, if at all (assessment of feasibility)? (Please refer to the legal basis on which this could be done – if any)?
1.	<p>Launching a communication campaign at a cross European level in order for EURES (European Employment Services), the EU Immigration Portal and the EU Skills Profile Tool for Third Country Nationals to be better known by European citizens and more frequently accessed and used by EU companies when recruiting (recommendation 6).</p>	<p>EURES has increased the level of cooperation between European employment services, contributes to further facilitate the free movement of EU workers and has launched ad hoc schemes and programmes to foster labour mobility, inter alia:</p> <ul style="list-style-type: none"> • Targeted Mobility Schemes (TMS); • The Euro-Access Macro Regions. • The EU Immigration Portal aiming at providing practical and/or administrative information to non-EU citizens coming to work or study in the EU for more than 90 days, or already residing in the EU. • The multilingual EU Skills Profile Tool for Third Country Nationals. <p>The latest communication campaign for EURES took place in 2019/2020, with the occasion of the 25th anniversary of EURES, consisting of different</p>	<p>This measure could be taken on board by exploring the possibility of a promotion of the tools already in place.</p> <p>If there is an EU-wide campaign promoting the tools, the Council would be ready to contribute to it via the publication and promotion of dedicated social media content.</p>

¹⁷² Citizens' recommendations in which the proposal is mainly based: European Citizens' Panel 4 (ECP4) 6, 7, 9, 28, 30; Lithuania 9

		promotional activities and events at national and European level.	
2.	<p>Creating a European entity for migrants' access to the EU labour market or alternatively widening the powers of the European Cooperation Network of Employment Services (EURES) for example improving the Talent Partnership projects (recommendation 7 and WG debate), with the possibility of online matching of supply and demand of skills, in the country of departure, on the basis of assessment criteria (recommendation 9 and WG debate). The EU should encourage Member States to simplify the process of reception and integration of legal migrants and their access to the EU labour market through a better interoperability amongst the different relevant administrations (WG debate).</p>	<p>Several directives on legal migration of third-country nationals have been adopted over the past years.</p> <p>The Blue Card Directive (regulating the conditions for entry and residence of highly qualified third-country workers) was recently revised (October 2021), notably to increase its scope, improve intra-EU mobility and strengthen the rights of third-country workers.</p> <p>In April 2022, the Commission presented a set of legislative and non-legislative proposals ("Skills & Talent Package") to further enhance the EU's legal migration acquis. It includes a revision of the Long-term Residence Directive and the Single Permit Directive as well as measures to boost mutually beneficial international mobility based on better matching of labour market needs and skills between the EU and partner countries (Talent Partnerships, EU Talent Pool, etc.).</p> <p>A new EURES regulation entered into force in 2016, which increases the level of cooperation between European employment services and contributes towards further facilitating the free movement of EU workers by reducing language barriers, cultural differences, bureaucratic challenges, diverse employment laws and by addressing the lack of recognition of educational certificates across Europe.</p>	<p>The EU has competence to adopt common measures for conditions for entry and residence, and to define the rights of third-country nationals residing legally in the Member States. Member States retain the possibility to control the volumes of migrants admitted for work. See Articles 79(2) and 79(5) TFEU.</p> <p>The Talent Partnerships announced in the new Pact on Migration and Asylum will enhance legal pathways to the EU, while engaging partner countries strategically on migration management. In its Communication on Attracting skills and talent to the EU, Commission announced that it would launch the first Talent Partnerships with North African partners.</p>

3.	<p>Improving the functioning and implementation of the "blue card" directive to attract relevant qualifications that the EU economy needs (recommendation 7 and WG debate), taking into consideration the risk of brain drain (as in measure 1 proposal 42).</p>	<p>The Blue Card Directive aims to attract and retain highly-qualified workers from third countries, particularly in sectors facing skills shortages. The new rules establish, between others, more inclusive admission criteria, facilitate intra-EU mobility and family reunification, simplify procedures, facilitate a very high level of access to the labour market and extend the scope to include non-EU family members of EU citizens and beneficiaries of international protection.</p>	<p>The EU has competence to adopt common measures for conditions for entry and residence, and to define the rights of third-country nationals residing legally in the Member States. Member States retain the possibility to control the volumes of migrants admitted for work. See Articles 79(2) and 79(5) TFEU.</p>
4.	<p>Promoting upwards convergence on working conditions harmoniously throughout the Union to combat inequalities of working conditions and to ensure an efficient EU labour migration policy and workers' rights. In this context, reinforce the role of trade unions at national and transnational level (recommendation 28 and WG debate), in cooperation with employers' organisations (Plenary discussion).</p>	<p>Minimum standards exist at EU-level in the form of different acts (e.g. recent directives on transparent and predictable working conditions, on work-life balance for parents and carers, and the revision of posting of workers). The framework for enforcement of EU labour law has also been recently strengthened with the establishment of the European Labour Authority.</p> <p>As regards intra-EU labour mobility, Directive 96/71/EC on posting of workers (revision adopted in 2018), further strengthened the protection of posted workers by widening the list of working conditions in the host Member State that are applicable to posted workers (e.g. remuneration; maximum work periods and minimum rest periods; minimum paid annual leave etc).</p> <p>The EU's Working Time Directive (2003/88/EC) requires EU Member States to guarantee workers'</p>	<p>In accordance with the Treaty, particularly Article 153 TFEU, the EU has competence to adopt directives that set minimum requirements for, inter alia, working and employment conditions, and information and consultation of workers. Member States are free to provide higher levels of protection.</p> <p>A specific legal basis to regulate representation and collective defence of the interests of workers and employers is provided for by Article 153(1)(f) TFEU.</p> <p>See also Article 46 TFEU, and, as regards third country nationals, Article 79 TFEU.</p>

		<p>rights, e.g. by setting a limit to weekly working hours (48 hours/ 7days).</p> <p>The proposal for a directive on adequate minimum wages in the EU, on which an agreement was reached between the two co-legislators, sets up a framework for national action, without directly interfering with the setting of minimum wages.</p> <p>The co-legislators are also currently discussing a proposal for a Directive on platform work, aiming at improving the working conditions and social rights of people working through platforms, including those operating across borders.</p> <p>Finally, the revised Blue Card Directive on third-country nationals aims to ensure that EU blue card holders and their families are not at a disadvantage compared to holders of national permits.</p>	
5.	Increasing efforts to inform and educate citizens of the Member States about the topics related to migration and integration (recommendation 30 and LT recommendation 9 and WG debate).	<p>The Erasmus+ funded School Education Gateway (soon to be revamped as the ‘European School Education Platform’) enables education practitioners to exchange information, share materials and access services (e.g. online courses) on the topics of inclusion, cultural diversity and integrating newly arrived migrant students in classrooms. The Erasmus+ programme also funds projects and other activities for the integration of migrants in all sectors of education and training.</p> <p>Ten years ago, the Council adopted conclusions on the</p>	<p>EU competence on education and vocational training is provided for in Articles 165 and 166 TFEU (QMV). It is a so-called supporting competence, where the EU can only take encouragement or support measures, including financing programmes, such as Erasmus.</p> <p>Art. 165(4), second indent, TFEU enables the Council to adopt recommendations. It could therefore recommend to include</p>

		<p>participation and social inclusion of young people with emphasis on those with a migrant background.</p> <p>The Blue Card Directive encourages Member States to strengthen advertising activities and information campaigns concerning the EU Blue Card for third-country nationals.</p>	<p>migration and integration in education.</p> <p>However, the EU cannot adopt harmonisation measures. The content of teaching belongs to the responsibility of Member States.</p>
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42. Proposal - Irregular migration¹⁷³

Objective: Strengthen the EU's role in tackling all forms of irregular migration and strengthen the protection of the European Union's external borders, while respecting human rights:

	Measures	To what extent are the EU Institutions already working on the measures addressed in the proposal (What is being done)?	How could the proposal/measure be implemented, if at all (assessment of feasibility)? (Please refer to the legal basis on which this could be done – if any)?
1.	Participating actively, for example through Partnership Agreements, in the economic and social development of countries outside the European Union and from where there is a high outflux of migrants to tackle migration at its root causes, including climate change. These actions should be transparent and have tangible results with measurable effects, which should be clearly communicated to EU citizens (recommendation 27 and NL recommendation 3 and WG debate).	Numerous partnerships with third countries refer to migration management and address root causes: Partnership Priorities (EU and North African countries except Libya), Partnership Priorities and Action Plans (EU and countries in the Middle East), EU-ACP Agreement (or the Cotonou Agreement), etc.	
2.	Ensuring the protection of all external borders, by improving transparency and accountability of Frontex and by strengthening its role (recommendation 8 and WG debate)	At European level, a number of mechanisms, instruments and structures ensure cooperation on migration and asylum policy. The 2021 proposal for a Regulation on situations of instrumentalisation in the field of migration and asylum, aimed at tackling a	The protection of external borders and Frontex are part of the Schengen acquis (Art. 77 TFEU). Migration policy and the fight against illegal immigration are a shared competence. Member States may exercise

¹⁷³ Citizens' recommendations on which the proposal is mainly based : European Citizens' Panel 4 (ECP 4) 8, 27, Lithuania 10, The Netherlands 3

	<p>and adapting EU legislation to further address the present challenges of irregular migration, such as human smuggling, human trafficking, sexual exploitation, hybrid attacks by countries instrumentalising migrants and violation of human rights (LT recommendation 10 and WG debate).</p>	<p>phenomenon of artificially created and facilitated irregular migration and migratory flows used for political purposes, is currently being discussed.</p> <p>The European Border and Coast Guard Agency (Frontex) has seen its mandate reinforced and its competences increased, between others concerning human rights.</p> <p>The revision of the Schengen Borders Code (Regulation (EU) 2016/399) is currently being discussed in the Council.</p> <p>In addition, Directive 2011/36/EU contributes to prevent and to combat traffic in human beings and to protect its victims.</p> <p>Finally, the Commission has produced a communication on Combatting Trafficking in Human Beings 2021- 2025.</p>	<p>their competences until the adoption of common rules by the Union. See Art. 79 TFEU; Art. 83 TFEU, Arts. 216-219 TFEU.</p> <p>Members States retain the right to determine volumes of admission of third-country nationals coming from third countries to their territory in order to seek work, whether employed or self-employed (see Art. 79(5) TFEU).</p>
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43. Proposal - Irregular migration¹⁷⁴ (bis)

Objective: Apply common rules uniformly in all Member States on the first reception of migrants:

	Measures	To what extent are the EU Institutions already working on the measures addressed in the proposal (What is being done)?	How could the proposal/measure be implemented, if at all (assessment of feasibility)? (Please refer to the legal basis on which this could be done – if any)?
1.	Developing EU-wide measures to guarantee the safety and health of all migrants, in particular pregnant women, children, unaccompanied minors and all vulnerable people (recommendations 10 and 38 and WG debate).	Directive 2013/33/EU laying down standards for the reception of applicants for international protection aims at ensuring common standards of reception conditions throughout the EU. In particular, it ensures that applicants have access to housing, food, clothing, health care, education for minors and access for employment, with particular attention to all vulnerable persons.	<p>The current tools / instruments do attain the objective. However, while the 2013 Reception conditions directive provides for minimum harmonized standards for the reception of applicants for international protection within the EU, reception conditions continue to vary across the EU.</p> <p>The 2016 recast proposal of the Common Asylum System, still pending would aim at further harmonization of reception conditions, thus ensuring a dignified treatment of applicants in line with fundamental rights and rights of the child, across the EU.</p> <p>See Arts. 78(2) and 79 (2) and (4) TFEU.</p>

¹⁷⁴ Citizens' recommendations on which the proposal is mainly based: European Citizens' Panel 4 (ECP 4) 10, 35, 38

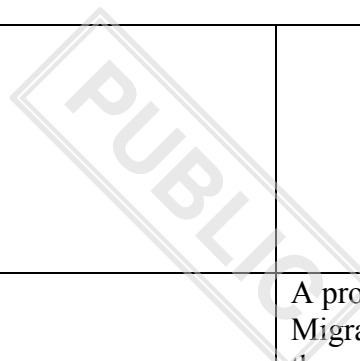
2.	Increasing EU financial, logistical and operational support, also for local authorities, regional governments and civil society organisations, for the management of the first reception which would lead to a possible integration of refugees and regular migrants in the EU or repatriation of irregular migrants (recommendation 35 and WG debate).	The Asylum, Migration and Integration Fund (AMIF) brings financial support to Member States in providing, amongst others, first reception aid to migrants including housing, food, sanitation, clothing, medicines, family tracing, legal and translation assistance, psychosocial and other specialised services, including for vulnerable people. In addition, AMIF supports resettlement and humanitarian admissions as well as the early integration of applicants and, if necessary, their return.	See Arts. 78(2) and 79 (2) and (4) TFEU.
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44. Proposal - Asylum, integration¹⁷⁵

Objective: Strengthen the EU's role and reform the European asylum system based on the principles of solidarity and fair share of responsibility:

	Measures	To what extent are the EU Institutions already working on the measures addressed in the proposal (What is being done)?	How could the proposal/measure be implemented, if at all (assessment of feasibility)? (Please refer to the legal basis on which this could be done – if any)?
1.	<p>Adopting EU common rules concerning procedures for the examination of claims for international protection in Member States, applied uniformly to all asylum seekers. These procedures will have to be respectful of human dignity and international law (recommendation 29 and IT recommendations 3.8 and 4.4 p.15 and WG debate). As the reception of asylum seekers involves different actors at a national level, the EU should encourage Member States to simplify and speed up this process through a better interoperability amongst the different relevant administrations, and to set up a unique desk (one stop-shop or entry point) for asylum seekers to streamline national</p>	<p>The asylum and migration pact, currently being discussed in Council preparatory bodies, aims, among other things, at harmonising asylum legislation at European level (Asylum Procedures Regulation). Measures introduced by three proposed Regulations of the Pact (the Asylum and Migration Management Regulation, the Screening Regulation and the Asylum Procedure Regulation) are meant to ensure the effective protection of vulnerable asylum applicants.</p>	<p>Migration policy is a shared competence. Member States may exercise their competences until the adoption of common rules by the Union. At European level, a number of mechanisms, instruments and structures exist to ensure cooperation on migration and asylum policy.</p> <p>A proposal for the Regulation on Asylum and Migration Management is intended to replace the current Dublin system, including a comprehensive solidarity mechanism.</p> <p>See Articles 78(2) and 79(1) TFEU.</p>

¹⁷⁵ Citizens' recommendations on which the proposal is mainly based: European Citizens' Panel 4 (ECP 4) 29, 31, 33, 36, 37, 38, 39, 40; Italy 3.8 and 4.4 (p.15) and 5.6 (p.11), Lithuania 2 and 3, The Netherlands 1 and 2.



	administrative procedures (recommendation 37 and WG debate).		
2.	Revisiting the Dublin system in order to guarantee solidarity and fair sharing of responsibility including the redistribution of migrants among Member States; additional forms of support could also be envisaged (recommendations 33, 36, 37, 40; LT recommendations 2; IT recommendations 3.8 (p.15) and NL recommendation 2 and WG debate and Plenary discussion).		<p>A proposal for the Regulation on Asylum and Migration Management is intended to replace the current Dublin system, including a comprehensive solidarity mechanism.</p> <p>See Articles 78(2) and 79(1) TFEU.</p>
3.	Enhance the minimum standards for the reception of asylum seekers laid down in directive 2013/33/EU through stronger legislative measures to improve reception facilities and accommodation. (ECP recommendation 31 and IT recommendations 5.6 (p.11) and WG debate)	The 2016 recast proposal for the Reception Conditions Directive aims to strengthen the objective pursued by the current Directive 2013/33/EU, which is to ensure that asylum seekers benefit from (even further) harmonised and dignified reception standards of asylum applicants in line with fundamental rights and rights of the child, across the EU.	<p>Migration policy is a shared competence. Member States may exercise their competences until the adoption of common rules by the Union. At European level, a number of mechanisms, instruments and structures exist to ensure cooperation on migration and asylum policy.</p> <p>See Articles 78(2) and 79(1) TFEU.</p>
4.	Special attention should be given to pregnant women, children, and particularly unaccompanied minors (recommendation 38 and WG debate).	Measures introduced by three proposed Regulations of the Pact (the Asylum and Migration Management Regulation, the Screening Regulation and the Asylum Procedure Regulation) are meant to ensure the effective protection of vulnerable asylum	See measure 44.3 above.

		<p>applicants (unaccompanied minors, persons with disabilities or health issues and survivors of human trafficking and other serious forms of violence). The 2016 recast proposal for the Reception Conditions Directive includes guarantees for the protection of applicants with "<i>special protection needs</i>", such as in particular unaccompanied minors, pregnant women, victims of human trafficking or torture, rape or other forms of violence.</p>	
5.	<p>Strengthening and increasing financial and human resources as well as management capacities of the EU Agency for Asylum to coordinate and manage the relocation of asylum seekers within the EU Member States to achieve a fair distribution (recommendations 36, 37 and LT recommendation 3 and WG debate).</p>	<p>The new mandate of the European Union Agency for Asylum already in force, marks the first step in the reform of the Common European Asylum System (CEAS).</p>	<p>See measure 44.3 above.</p>

45. Proposal - Asylum, integration¹⁷⁶ (bis)

Objective: Improve integration policies in all Member States:

	Measures	To what extent are the EU Institutions already working on the measures addressed in the proposal (What is being done)?	How could the proposal/measure be implemented, if at all (assessment of feasibility)? (Please refer to the legal basis on which this could be done – if any)?
1.	<p>EU ensures, also with the involvement of local and regional authorities and the contribution of civil society organisations, that every asylum seeker and refugee, during the process of the residence procedure, attends language, integration courses, professional training, and activities (recommendation 32 and FR recommendation 13 and WG debate and Plenary discussion).</p>	<p>Some measures favouring integration are included in EU legislation on migration:</p> <ul style="list-style-type: none"> -The Qualification Directive and Reception Conditions Directive grant beneficiaries of international protection and asylum seekers labour market access under certain conditions. -The 2011 Temporary Protection Directive, which was activated on 4 March 2022 for persons fleeing the war in Ukraine. -The 2018 Council Recommendation on promoting common values, inclusive education, and the European dimension of teaching, includes learners from migrant backgrounds. <p>In its 2021-2027 Action Plan on Integration and Inclusion, the Commission identified specific objectives to foster integration and inclusion and set out actions in the following fields: inclusive</p>	<p>In addition to its competences to adopt the definition of the rights of third-country nationals residing in the EU (see Art. 79(2) TFEU), the EU has competence to establish measures to provide incentives and support for the action of Member States with a view to promoting the integration of third-country nationals residing legally in their territories, excluding any harmonisation of the laws and regulations of the Member States (supporting competence). See Art. 79(4) TFEU.</p> <p>See measure 44.3 above.</p>

¹⁷⁶ Citizens' recommendations on which the proposal is mainly based: European Citizens' Panel 4 (ECP 4) 7 and 32, France Change 13.

		education and training; improving employment opportunities and skills recognition; promoting access to health; and adequate and affordable housing.	
2.	Asylum seekers with relevant qualifications should be given access to the labour market, when possible with the aim to strengthen their self-reliance, all over the EU (recommendation 7 and WG debate).	Some measures favouring integration are included in EU legislation on migration (see proposal 45, measure 1).	See measure 45.1 above.

IX. EDUCATION, CULTURE, YOUTH AND SPORTS

46. Proposal - Education

Objective: The EU and its Member states should seek to establish by 2025 an inclusive European Education Area within which all citizens have equal access to quality education and life-long learning, including those in rural and remote areas. To this aim, the European Union and its Member states should in particular:

	Measures	To what extent are the EU Institutions already working on the measures addressed in the proposal (What is being done)?	How could the proposal/measure be implemented , if at all (assessment of feasibility)? (Please refer to the legal basis on which this could be done – if any)?
1	Coordinate the level of all different education programmes in the European Union with acceptance of the national, regional and local contents, and create closer links between the education systems, including via organising equivalence of diplomas. ¹⁷⁷ A certified minimum standard of education in core subjects should be adopted commencing in primary school. ¹⁷⁸ Shared competences in the field of education should be introduced, at a	<p>The 2018 Council Recommendation on key competences for lifelong learning recommends Member States to support the development of key competences paying special attention to raising the level of achievement of basic skills (literacy, numeracy and basic digital skills).</p> <p>In 2018, the Council also adopted a Recommendation on promoting automatic mutual recognition of higher education and upper secondary education and training qualifications and the outcomes of learning periods abroad.</p>	<p>EU competence on education and vocational training is provided for in Articles 165 and 166 TFEU (QMV). It is a so-called supporting competence, where the EU can only take encouragement or support measures, including financing programmes, such as Erasmus. But the EU cannot adopt harmonisation measures. The content of teaching belongs to the responsibility of Member States.</p> <p>Article 165(4), second indent, TFEU enables</p>

¹⁷⁷ French NCP Change 6.

¹⁷⁸ ECP 1 recommendation no 37.

<p>minimum in the field of citizenship education and the exercise of that competence by the EU shall not result in Member States being prevented from exercising theirs. Professional degrees and training should be validated and mutually recognised in all EU Member States.¹⁷⁹ The European Union should also champion the recognition of non-formal and informal learning¹⁸⁰ and the youth organisations that provide it, as well as learning periods abroad.</p>	<p>The validation of non-formal and informal learning was the object of a 2012 Council Recommendation and the recognition of the value of non-formal and informal learning within the European youth field of a 2006 Resolution.</p>	<p>the Council to adopt recommendations. It could therefore recommend Member States to take certain action in relation to citizenship education.</p> <p>Article 165(2) TFEU also authorizes the EU to encourage the academic recognition of diplomas and periods of study and Article 53 TFEU allows it to adopt “<i>directives for the mutual recognition of diplomas, certificates and other evidence of formal qualifications and for the coordination of the provisions laid down by law, regulation or administrative action in Member States concerning the taking-up and pursuit of activities as self-employed persons</i>”.</p> <p>Moreover, directives can be adopted for mutual recognition of diplomas, certificates and other evidence of formal qualifications under Article 53 TFEU and further action by the Union could be taken on the basis of Article 21 TFEU.</p> <p>Including education in the list of shared competences would require Treaty change. Enabling the EU to make an issue a mandatory part of education throughout the EU would also require Treaty change.</p>
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¹⁷⁹ ECP recommendations no 3. French NCP Change 6.

¹⁸⁰ ECP 1 recommendation no 41.

2	<p>Develop future-proof education and life-long learning in Europe -in accordance with the right to free training in the workplace for all-focusing on the following subjects:</p> <ul style="list-style-type: none"> • Civic education about democratic processes, as well as EU values and history of Europe.¹⁸¹ This should be developed as a common module to be taught in all Member States. Economic literacy should also be improved as an aspect of better understanding the European integration process.¹⁸² • Digital skills.¹⁸³ • STEAM¹⁸⁴ • Entrepreneurship and research • Improving critical thinking. Media literacy should be enhanced in order to ensure online safety, and empower citizens in every Member State to 	<p>Further developing the European Education Area to support future-oriented education and training systems has been addressed in various Council acts, including a 2019 Council Resolution. ‘Making lifelong learning a reality for all’ is part of the strategic priorities which guide the European cooperation in education and training towards the European Education Area and beyond (2021-2030).</p> <p>The European reference framework on key competences for lifelong learning includes citizenship competence, digital competence and entrepreneurship competence. Member States are specifically recommended to foster the acquisition of competences in sciences, technology, engineering and mathematics (STEM). Critical thinking is perceived as embedded throughout the eight key competences for lifelong learning. Media literacy, ‘soft skills’ and respecting the diversity of others and their needs (linked to anti-bullying and anti-racist attitudes) are covered by the digital competence, citizenship competence and personal, social and learning to learn competence.</p>	<p>EU competence on education and vocational training is provided for in Articles 165 and 166 TFEU (QMV). The EU cannot make an issue a mandatory part of education throughout the EU. However, Article 165(4), second indent, TFEU enables the Council to adopt recommendations. It could therefore recommend to include certain modules in education. See also measure 46.1 above.</p>
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¹⁸¹ Covered in more detail by WG on European democracy. See ECP 2 recommendation no 24, Belgian NCP recommendation no 1.1, 1.2 and 2.12 and Italian NCP recommendation on “inclusion policies”.

¹⁸² Italian NCP recommendation-on “inclusion policies”.

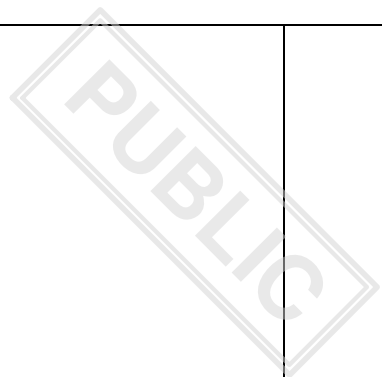
¹⁸³ Covered in more detail by WG on Digital Transformation. See ECP 1 recommendations no 8 and 34.

¹⁸⁴ Italian NCP recommendation on “Encouraging young people to study science subjects”.

	<p>independently evaluate whether a piece of information is trustworthy or not, and identify fake news, but at the same time to benefit from the opportunities that the Internet offers. This should be implemented in basic education as a specific class and also be offered in other public spaces for citizens of all ages under the guidance of an EU-established dedicated organisation, drawing on best practices across the Member States. The EU should ensure that the dedicated funding is used by the Member States for the intended purposes.¹⁸⁵</p> <ul style="list-style-type: none"> • Integrating soft skills in all the courses in the curricula in schools. By soft skills one means: listening to each other, encouraging dialogue, resilience, understanding, respect and appreciation for others, critical thinking, self-study, remaining curious, result-oriented.¹⁸⁶ • Enabling everyone to learn about environmental sustainability and 	<p>The Council will adopt a Recommendation on learning for environmental sustainability in June 2022.</p>	
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¹⁸⁵ ECP 1 recommendations no 33 and 48. Covered also by WG on Digital Transformation. See ECP 1 recommendation no 47 on healthy use of internet.

¹⁸⁶ ECP 1 recommendation no 5.



	<p>its connection to health. Biodiversity should be made as a mandatory subject at school. This education should start at school with specific subjects addressing all ecological issues, and include field trips to show relevant real life examples, that should be supported by a funding programme.¹⁸⁷</p> <ul style="list-style-type: none">• Combating bullying and racism.		
3	<p>Support the training of teachers¹⁸⁸, to learn from best practices and use up to date innovative and creative teaching techniques that reflect the evolution of teaching methods, including practical activities, building also on the lessons to be drawn from the COVID-19 pandemic and other kinds of crises, as well as promote opportunities for mobility.¹⁸⁹</p>	<p>Two recent Council conclusions are specifically dedicated to teachers: the 2020 conclusions on European teachers and trainers for the future, and the 2022 conclusions on enhancing teachers' and trainers' mobility, in particular European mobility, during their initial and in-service education and training. The importance of providing support in view of designing and using contemporary and innovative teaching approaches is frequently underlined in EU education-related texts, as well as the need to learn from crises. For instance, the 2021 Council Recommendation on blended learning approaches for high-quality and inclusive primary and secondary education recommends actions to Member States based on lessons learned in the</p>	<p>See measure 46.1 above.</p>

¹⁸⁷ ECP 1 recommendation no 15 and 18.

¹⁸⁸ Italian NCP recommendation on "Europe in the world"

¹⁸⁹ ECP 1 recommendations no 18 and 41 and Italian NCP recommendation on 'Investing in the training of trainers'.

		context of the COVID-19 crisis.	
4	In order to meet the educational needs of all children and families, prioritise access to hardware and efficient broadband	The 2021 Council Recommendation on blended learning approaches for high-quality and inclusive primary and secondary education recommends Member States to invest in high-speed internet connectivity for school-site and distance learning environments. The need to improve digital infrastructure and tools has been underlined in several acts (see for instance the 2020 Council conclusions on countering the COVID-19 crisis in education and training).	See measure 46.1 above. Regarding access to digital infrastructure, the Council can make the appropriate recommendations promoting the prioritization of such access, under Article 165 165(4), second indent, TFEU.
5	Set up an information platform for an EU-wide exchange of knowledge and experiences, pooling information on transnational education and training courses in the EU, showcasing best practice examples and offering citizens the opportunity to present new ideas for cross-border exchange. It should offer teaching material about climate change, sustainability, environmental issues and provide information on existing forums on key topics. ¹⁹⁰ <ul style="list-style-type: none"> It could be made available together with a funding program to support 	The Erasmus-funded School Education Gateway is an online platform for teachers and professionals working in school education which makes content available in 29 European languages. The material it offers concerns, among others, education for sustainable development, climate change and climate action. The platform will soon reinforce its offer by merging with eTwinning, the platform supporting the community for schools in Europe.	

¹⁹⁰ ECP 1 recommendation no 15. German NCP recommendation on 'Information platform for an EU-wide exchange of knowledge and experiences'.

	the usage of, and implementation, of the information on the platform.		
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47. Proposal - European youth issues

Objective: The EU and its Member States have to focus on the specific needs of young people across all relevant policies, including the European Union’s regional policy in order to offer them the best possible conditions for study and work and starting an independent life, while engaging them in the democratic life and decision making processes, including at European level. Youth organisations have a crucial role to play. To achieve this objective, we propose to:

	Measures	To what extent are the EU Institutions already working on the measures addressed in the proposal (What is being done)?	How could the proposal/measure be implemented , if at all (assessment of feasibility)? (Please refer to the legal basis on which this could be done – if any) ?
1.	Offer young people more possibilities and champion existing programmes for participation and representation in the democratic and decision making processes at all levels, including by organising citizens’ panels also with children (e.g. 10 to 16 years old) in schools. European representatives could meet schoolchildren in their schools in order to strengthen citizens’ closeness to and understanding of Europe from an early age. ¹⁹¹ To ensure that all policy making at EU level is seen through a youth lens, an EU ‘Youth Test’ should be developed so that all new legislation and policy is subject to a youth focused impact assessment, including a	<p>As part of the EU Back to School initiative launched in 2007, EU staff visit schools in the Member States to share their experience and exchange views on the EU project with young people.</p> <p>Regarding youth specific impact assessments, the EU legislator has a wide margin of discretion to consider various information in its assessment. The Commission has also well-established procedures for consultation in advance of tabling legislative proposals, whereby youth organisations can contribute on all initiatives.</p>	<p>The EU has competence to carry out actions to support, coordinate or supplement the actions of the Member States (Articles 6, 165 and 166 TFEU) related to youth.</p> <p>As regards better involvement of young people in the policy making of the Union, institutions could enhance their communication strategy to better target and involve them.</p>

¹⁹¹ Belgian NCP, recommendations 6.. French NCP, Change 7.

	consultation with young people.		
2.	Voting at European Parliament elections from the age of 16 should be discussed and considered, in parallel to an enhancement of citizenship education and education about the EU. National political parties should ensure that younger candidates are also put on their lists for the elections to the European Parliament ¹⁹² .	<p>Currently, the minimum age for voting and standing as a candidate at the EP elections is decided by each Member State.</p> <p>The EP proposal of 3 May 2022 for a Council Regulation on the election of the Members of the European Parliament by direct universal suffrage provides for a minimum voting age of 16 years old, without prejudice to Member States' constitutional requirements, and that citizens from 18 years of age shall have the right to stand as a candidate for the EP elections.</p> <p>For more details on EU electoral law, see measure 38.3.</p>	Legal basis: Article 223 TFEU
3.	To better prepare young people for entering working life, give high school students (from 12 years old on) the opportunity to have high quality observatory visits in profit and non-profit organisations, in close cooperation between schools, local governments and the organisations and companies concerned. ¹⁹³ These visits should be seen as part of a broader career guidance process in formal		If there is a cross-border element and an educational objective, such visits could be encouraged and supported under Article 166(2), fourth indent, TFEU.

¹⁹² As regards the second sentence Belgian NCP, recommendation 7.2.

¹⁹³ ECP 1 recommendation no 4.

	education to allow young people to have a first contact with a professional work environment so they can obtain a professional orientation and or consider becoming an entrepreneur.		
4.	More significant EU financing under NextGenerationEU should also be devoted to the implementation of the reinforced European Youth Guarantee, including more commitment, better outreach, improvements in the quality of the offer, funding and action by all Member States, and the relevant levels of authorities involved. Given youth organisations' expertise in the needs of young people, national governments should collaborate in close dialogue with these organisations to ensure the most effective delivery of the Guarantee.	<p>The implementation of the reinforced Youth Guarantee in all Member States is monitored by the Employment Committee (created under Article 150 TFEU).</p> <p>In the context of the Recovery and Resilience Facility, Member States' Recovery and Resilience Plans (RRPs) include various measures to support youth employment. In total, measures related to pillar 6 (next generation, children and youth) represent approximately 11% of the total budget of the RRPs adopted so far.</p>	Enhanced funding by a Member State for youth unemployment compared to its approved RRP is possible under the Treaties but would require a revision of the RRP.
5.	Ensure that young people's internships and jobs adhere to quality standards, including on remuneration, putting an end to youth minimum wages and any other discriminatory labour law provisions specific to young people, as well as banning through a legal instrument unpaid internships on the	<p>When interns qualify as workers according to the relevant CJEU case-law, they are covered and protected by EU labour law.</p> <p>The 2014 Council Recommendation on the Quality Framework for Traineeships (QFT) urges EU countries to improve the quality of traineeships, in particular the learning content and working conditions, in order to</p>	<p>Working conditions can be regulated according to Article 153(1)(b) TFEU.</p> <p>Actions to eliminate discrimination concerning young people at work can be taken on the basis of Article 19 TFEU.</p>

	labour market and outside formal education. ¹⁹⁴	<p>ease the transition to work.</p> <p>The Council and the European Parliament have reached a provisional agreement on the draft directive on adequate minimum wages in which establishes obligations of a procedural nature. See also measure 13.1.</p> <p>Council Directive 2000/78/EC establishes a general framework for combating discrimination on the grounds of (inter alia) age as regards employment and occupation.</p>	
6.	Ensure reasonable living standards for young people including access to social protection and housing. Young people should have access to social protection, equal to other age groups. Access to affordable housing for young people, including through EU funding, should also be facilitated. ¹⁹⁵	<p>In order to ensure adequate living standards for young people including access to social protection, the EU is focusing on enhancing the youth opportunities to employment.</p> <p>With the Council Recommendation on a Reinforced Youth Guarantee (adopted unanimously in October 2020), the Member States committed to ensure that all young people under the age of 30 receive a good quality offer of employment, continued education, apprenticeship or traineeship.</p> <p>Furthermore, youth enjoy all benefits of general population on social protection and housing while some Member States implement specialized measures for</p>	<p>Article 153(1)(c) TFEU, in conjunction with Article 153(2) TFEU, confers on the Union the competence to legislate on social security and social protection of workers. This can be done either through measures setting minimum requirements (Article 153(2)(b) TFEU) or through measures designed to encourage cooperation between Member States (Article 153(2)(a) TFEU).</p> <p>Article 153(4) TFEU clarifies that the provisions adopted pursuant to Article 153 TFEU shall not affect the right of Member States to define the fundamental</p>

¹⁹⁴ Suggestion to complement ECP 1 recommendations no 1 and 30 covered by the WG on Stronger Economy, Social Justice and Jobs.

¹⁹⁵ Suggestion to complement ECP 1 recommendation no 25 covered by the WG on Stronger Economy, Social Justice and Jobs.

		<p>young adults (e.g. tax reductions for young people renting or purchasing a house).</p> <p>As regards funding at EU level, funding is provided for affordable and social housing projects under ESF+, the European Regional Development Fund, InvestEU, as well as under the national Recovery and Resilience Plans.</p>	<p>principles of their social security systems and must not significantly affect the financial equilibrium thereof.</p>
7.	<p>Specific policies are needed to avoid a brain drain from some regions and countries within the EU due to insufficient opportunities being available for young people, while making Europe more attractive to prevent the drain of European talents and workforce to third countries to prevent the hampering of territorial cohesion particularly as regards those areas which have an acute loss of young talent including through EU funding.¹⁹⁶</p>	<p>EU Cohesion Policy contributes to strengthening economic, social and territorial cohesion in the EU. It aims to correct imbalances between countries and regions.</p>	<p>This can be achieved through the coordination of Member States' policies within the existing instruments.</p>
8.	<p>In case of a serious crisis (e.g. health crisis, war) well prepared plans with detailed scenarios should be ready to deploy in a flexible way to minimise the impact on young people in their studies, vocational training, transition to the labour market and mental wellbeing.</p>	<p>Recent and ongoing crises (Covid-19 and the war in Ukraine) have led to a swift searching and finding of solutions at EU level. For example, the Erasmus+ programme was adapted due to the Covid-19 crisis and the reinforced Youth Guarantee, adopted in October 2020, took into account the Covid-19 implications for youth, such as the risk of increasing the number of</p>	<p>Youth policies are essentially a competence of the Member States. The EU has supporting competence in the area of youth policies. See measure 47.1 above. Moreover, young people may benefit from Union measures adopted to mitigate the effects of any such crisis on</p>

¹⁹⁶ ECP 4 recommendation no 28. Dutch NCP ('Our vision of culture, youth and sport'), recommendation no 1. French NCP, Change 6.

		NEETs and rise in youth unemployment. Such examples were numerous over the last two years.	the larger population, including recent measures in the health area.
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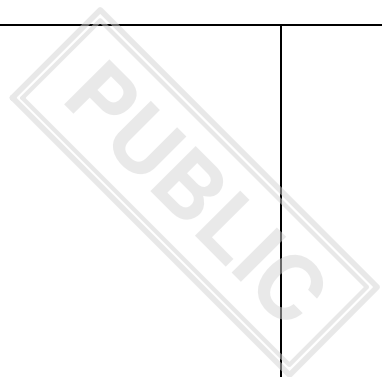
48. Proposal - Culture and exchanges

Objective: : In order to promote a culture of exchange and foster European identity and European diversity across different areas, the Member States, with the support of the European Union, should:¹⁹⁷

	Measures	To what extent are the EU Institutions already working on the measures addressed in the proposal (What is being done)?	How could the proposal/measure be implemented , if at all (assessment of feasibility)? (Please refer to the legal basis on which this could be done – if any) ?
1.	Promote European exchanges in different fields, both physically and digitally, including educational exchanges, twinning, travel and professional mobility (including for teachers and local elected politicians). Such exchanges should be made accessible across Member States for all, regardless of their age, level of education, background and financial means. ¹⁹⁸ With this overall aim, the EU should inter alia strengthen existing EU level exchange and mobility programmes, such as the European Solidarity Corps, Erasmus+	<p>Erasmus+ provides learning mobility opportunities to students, education staff, trainees, apprentices, volunteers, youth workers, young people as well as organisations.</p> <p>In November 2010, the Council adopted Conclusions on access of young people to culture. ‘Cultural passes’ exist in most EU Member States.</p> <p>In April 2022, the Council adopted Conclusions on reinforcing intercultural exchanges through the mobility of artists and cultural and creative professionals, and through multilingualism in the digital era.</p>	Cultural passes for young people could also be explored in the context of the EU Work Plan for Culture 2023-2026, to be adopted by the Council in November 2022, and the implementation of Erasmus+ programme.

¹⁹⁷ Dutch NCP (‘Our vision of culture, youth and sport’), recommendation no 2.

¹⁹⁸ ECP 1 recommendation no 36. French NCP, Change 6. Belgian NCP, recommendations no 2.10 and 2.11. German NCP, ‘Creating more exchange opportunities for students in Europe’. Dutch NCP (‘Our vision of culture, youth and sport’), recommendations no 1 and 3. Italian NCP, recommendation on 'Acting as a confluence between East and West, promoting cultural exchanges and joint cultural initiatives'



<p>and DiscoverEU, and ensure more widespread and diverse participation in these programmes and consider adding also new elements, such as an additional objective of civic service fostered through volunteering (for the European Solidarity Corps) and ‘cultural passes’ (for DiscoverEU). The local and regional authorities, under the auspices of the Committee of the Regions have a key role to play in this matter.</p>		
<p>2. Promote multilingualism as a bridge to other cultures from an early age. Minority and regional languages require additional protection, taking note of the Council of Europe Convention on Minority Languages and the Framework Convention for the Protection of National Minorities. The EU should consider setting up an institution promoting language diversity at the European level. From elementary school onwards, it should be mandatory that children reach competence in an active EU language other than their own to the highest possible level. In order to facilitate the ability of European citizens to communicate with wider groups of their fellow Europeans and as a factor of European cohesion, learning of the</p>	<p>The ‘multilingual competence’ is recognised as one of the key competences for lifelong learning which are part of the European Reference Framework.</p> <p>One of the general objectives of the Creative Europe programme is to safeguard, develop and promote European culture and linguistic diversity, and to promote Europe’s cultural heritage.</p> <p>Multilingualism is one of the priority topics of the EU Work Plan on Culture 2019-2022.</p> <p>In April 2022, the Council adopted Conclusions on reinforcing intercultural exchanges through the mobility of artists and cultural and creative professionals, and through multilingualism in the digital era.</p>	<p>EU competence on education and vocational training is provided for in Articles 165 and 166 TFEU (QMV). It is a so-called supporting competence, where the EU can only take encouragement or support measures, including financing programmes, such as Erasmus.</p> <p>On the basis of Article 165(4), second indent, TFEU, the Council could recommend Member States to take certain action in relation to languages.</p> <p>However, because the EU cannot adopt harmonisation measures in this field, enabling the EU to make an issue a mandatory part of education throughout the EU would require Treaty change.</p> <p>Further promoting multilingualism could also be explored in the context of the Work Plan for Culture 2023-2026.</p>

	<p>language of the immediate neighbouring EU Member States in cross border areas and reaching a certifiable standard in English should be encouraged by Member States.¹⁹⁹</p>		
<p>3.</p>	<p>Create opportunities to share European cultures, bring people together and move them towards a common European identity, for instance through events and gatherings involving all target groups and taking place in various locations. Some specific examples include holding World Art days²⁰⁰ a European Expo including educational events, or making Europe Day (9 May) a European public holiday for all EU citizens.²⁰¹</p>	<p>The Creative Europe programme 2021-2027 already covers most of the suggestions under this measure as one of the general objectives of the programme is to safeguard, develop and promote European Culture and linguistic diversity and heritage.</p> <p>In April 2022, the Council adopted Conclusions on reinforcing intercultural exchanges through the mobility of artists and cultural and creative professionals, and through multilingualism in the digital era.</p> <p>International cultural relations is one of the overall priorities of the EU Work Plan on Culture 2019-2022.</p> <p>One of the key competences for lifelong learning which are part of the European Reference Framework is ‘citizenship competence’, which is includes an understanding of ‘how national cultural</p>	<p>Further enhancing and promoting cultural exchanges among Europeans could be explored in the context of the Work Plan for Culture 2023-2026.</p> <p>Public holidays are a national competence of the Member States. Making the Europe Day (9 May) an additional compulsory public holiday throughout the EU would require Treaty change.</p>

¹⁹⁹ ECP 1 recommendations no 32 and 38. Dutch NCP (‘Our vision of culture, youth and sport’), recommendation no 3

²⁰⁰ Italian NCP recommendation on “Europe in the World”

²⁰¹ French NCP, Change 7. Belgian NCP, recommendations no 2.5, 6.1 and 8.7. Italian NCP, recommendation on 'Enhancement of European values, cultural traits as well as regional specificities'.

		identity contributes to the European identity’.	
		In declaration 52 annexed to the Final Act of the Intergovernmental Conference which adopted the Treaty of Lisbon, 17 Member States of the Union declared " <i>Europe Day on 9 May</i> " a " <i>symbol to express the sense of community of the people in the European Union and their allegiance to it</i> ".	
4.	Protect European cultural heritage and culture ²⁰² , including through recognising local and regional cultural and production peculiarities ²⁰³ , new initiatives to safeguard and celebrate it, mobility to promote cultural heritage exchange, and the promotion of existing measures such as Creative Europe, the New European Bauhaus, Sister City Programmes and European Capitals of Culture in line with the Sustainable Development Goals.	One of the general objectives of the Creative Europe programme 2021-2027 is to safeguard, develop and promote European Culture and linguistic diversity, and to promote Europe’s cultural heritage.	
5.	Take steps to ensure that cultural professionals are sufficiently protected at EU level, particularly in any future crises, by adopting a legal statute at European level.	In May 2021, as part of the EU response to the impact of the COVID-19 pandemic on the culture and creative sector, the Council adopted Conclusions on the recovery, resilience and sustainability of the cultural and creative sectors, inviting the Member	The statute of cultural and creative professionals could be explored in the context of the Work Plan for Culture 2023-2026. What is meant by ‘ <i>a legal statute at EU level</i> ’

²⁰² Dutch NCP (‘Our vision of culture, youth and sport’), recommendation no 2.

²⁰³ Italian NCP recommendation on “overcoming the 20th century production model”

		<p>States and the Commission to explore new ways and means of securing artists' income, discussing the status of artists, and exchanging ideas on working conditions in the cultural and creative sectors and industries in Europe.</p>	<p>(to protect cultural professionals') would need to be clarified.</p> <p>When these professionals qualify as workers, EU measures on working conditions etc. would be applicable to them. Furthermore, they may benefit from Union measures adopted to mitigate the effects of any such crisis on the larger population, including recent measures in the health area.</p>
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49. Proposal - Sport

Objective: Sport is crucial for our societies - in order to defend our values, ensure healthy lifestyle and ageing, promote a culture of exchanges and also celebrate the diversity of European heritage. For this reason, the Member States, with the support of the European Union, should aim to:

	Measures	To what extent are the EU Institutions already working on the measures addressed in the proposal (What is being done)?	How could the proposal/measure be implemented , if at all (assessment of feasibility)? (Please refer to the legal basis on which this could be done – if any) ?
1.	Put emphasis on values, especially gender equality, fairness and inclusiveness that can be concretely reflected through sport practice throughout education.	<p>In November 2021, the Council approved a Resolution on the key features of a European Sport Model, inviting Member States to promote values in sport and sport organisations, and inviting the sport movement and all relevant stakeholders to work to preserve and strengthen i.a. gender equality and social inclusion in sport.</p> <p>In April 2022, the Council approved conclusions on sport as a lever to transform behaviour for sustainable development, considering, among others, gender and inclusiveness in sport.</p>	The EU has competence, under Article 19 TFEU, in the area of sport, to adopt anti-discriminatory legislation. The EU also has competence to carry out actions to support, coordinate or supplement the actions of the Member States (Articles 6 and 165 TFEU). Member States cooperate in sport issues in line with the principle of subsidiarity. The Union can already take supporting measures to promote these values.
2.	Raise awareness about health benefits of sport and physical activity. ²⁰⁴	In November 2021, the Council approved conclusions on lifelong physical activity, recalling the importance of sport practice and physical activity on health.	See measure 49.1 above.

²⁰⁴ ECP 1 recommendation no 29.

3.	Include sport activities among EU level exchange and mobility programmes. ²⁰⁵	The Erasmus+ programme (2021-2027) already allows for mobility and exchanges in the field of sport, for instance through learning mobility of sport staff, cooperation, quality, inclusion, creativity and innovation at the level of sport organisations and sport policies.	
4.	Improve attention given not just to professional and commercial sports but also to local and traditional sport, as an aspect of European Cultural Diversity and cultural heritage promotion, and champion support for sports in a non-professional setting.	<p>The Erasmus+ programme (2021-2027) in its Sport chapter covers ‘grassroots sport’ (physical leisure activities practiced regularly at non-professional level by people of all ages for health, educational or social purposes).</p> <p>The Council’s Resolution on the key features of a European Sport Model highlights the diversity of sports in the EU. Member States are invited to recognise the contribution of volunteers, grassroots sport clubs, families and local communities in the field of sport and support them when appropriate.</p>	See measure 49.1 above.
5.	At the same time, encourage the showcasing of European identity by organising more inter-EU sports events, creating EU sports teams, or displaying EU flags or symbols at European sporting events.	The Council’s Resolution on the key features of a European Sport Model considers that there are common features that define a European sport model in which the Member States can interact, even if it does not cover the proposed EU dimension.	See measure 49.1 above.
6.	Invest more in communication efforts such as the European Week of Sports to ensure that citizens from across the EU can benefit from flagship opportunities together.	The organisation of the European Week of Sports and communication on this initiative is managed by the Commission.	See measure 49.1 above.

²⁰⁵ ECP 1 recommendation no 36.