

# The Briefing for BT4 Europe

28 February 2023 – Edition 11

## MAIN EU STRATEGIC DEVELOPMENTS

- **27 February:** [Press remarks](#) by Commissioner Vălean and Commissioner Simson at the informal meeting of EU transport and energy ministers
- **25 February:** EU agrees [10th package of sanctions](#) against Russia.
- **1 February:** The [Green Deal Industrial Plan](#) Putting Europe's net-zero industry in the lead.

## MAIN EU DEVELOPMENTS RELEVANT TO BUSINESS TRAVEL

### 1. Recovery Monitor developments relevant to the recovery of business travel.

- **13 February:** The European Investment Bank (EIB) approves €5.5 billion investment for energy, business, transport, health, and cities. The EIB Board agreed €501 million new financing to enhance sustainable transport in Europe and Africa.

### 2. Sustainability Monitor developments relevant to the sustainability of business travel.

- **16 February:** The European Parliament agreed a [resolution](#) on developing an EU cycling strategy. The text advocates for the recognition of cycling as a fully-fledged mode of transportation and urges the Commission to develop a European cycling strategy with the aim of doubling the number of kilometres cycled in Europe by 2030. The text notably highlights the benefits of cycling, such as improved air quality and health, as well as reduced traffic congestion and noise pollution, and calls on the Commission to designate 2024 as the European Year of Cycling.
- **13 February:** Commission sets out [rules](#) for what constitutes renewable hydrogen in the EU
- **10 February:** Establishing a Union methodology setting out detailed rules for the production of renewable liquid and gaseous transport fuels of non-biological origin (RFNBOs) - This [delegated regulation](#) is set under the Renewable Energy Directive (REDII) and sets a separate target of 14% renewables in the transport sector. The Commission notes that renewable liquid and gaseous transport fuels of non-biological origin (RFNBOs), such as renewable hydrogen, are important to increase the share of renewable energy in sectors that are expected to rely on gaseous and liquid fuels in the long term, including maritime and aviation.

### 3. Digital transformation Monitor developments relevant to the digital transformation of business travel.

- **28 February:** [Public workshop](#) on the Multimodal Digital Mobility Services initiative. During the workshop, the Commission will present an overview of measures and policy options considered for the initiative.
- **24 February:** The European Union Aviation Safety Agency (EASA) Artificial Intelligence concept paper (proposed Issue 2) open for consultation. As a next major step in the implementation of its [AI Roadmap](#), the European Union Aviation Safety Agency (EASA) has released the [Issue 2 of its Concept Paper on Artificial Intelligence \(AI\) and Machine Learning \(ML\)](#), for a consultation period of 10 weeks.
- **3 February:** Multimodal Passenger Mobility Forum – [final report](#). The Forum was set up to assist the European Commission in the preparation of policy initiatives in the field of sustainable multimodal mobility for passengers. It served as a platform for structured dialogue, exchange of technical knowledge, cooperation and coordination between Union Member States and relevant public and private stakeholders.

### 4. Future funding Monitor developments relevant to broadening the financial resources for BT4Europe.

- **10 February:** [Call for Proposals](#): Clean Aviation: over €350 million to drive aviation towards climate-neutrality by 2050

### 5. Other

- **24 February:** [Short-term rentals](#): EU legislation should help keep their impact on local life and businesses at bay. In a newly adopted opinion on the European Commission's [regulation](#) on short-term accommodation rental through online platforms, the European Economic and Social Committee (EESC) stresses that national and local authorities should be urged to carry out impact assessments to see how such activities are affecting the lives of local residents and businesses such as hotels and other hospitality facilities.
- **21 February:** Event: [European Tourism Day](#) (5 May) - Since 2018, several challenges have confronted the EU tourism ecosystem, but it now has the tools to look forward towards 2030.
- **20 February:** [Event](#) by the GUE/NGL Group in the European Parliament - Overcoming gender-based barriers in transport and mobility. Gender-based violence and harassment largely affect peoples' mobility patterns. To guarantee high-quality, accessible and affordable public transport for all, a gender-sensitive approach to transport policy is necessary.

### 6. Upcoming initiatives

- The European Commission is expected to adopt a [delegated regulation](#) on 'EU-wide multimodal travel – new specifications for information services' in **Q1 2023**. However, the timing will change as a public consultation is still to take place.

- [‘CountEmissionsEU’](#) will offer a framework for calculating transport and logistics-related door-to door greenhouse gas emissions in a consistent way, regardless of transport mode, sector or country of operation. BT4Europe submitted evidence and met the European Commission to discuss options. The consultation which closed 17 October 2022 and the proposal is anticipated in the **second half of 2023**.
- [A common European mobility data space](#) (non-legislative, **21 June**)
- [Digitalisation of travel documents and facilitation of travel](#) (legislative, incl. impact assessment, Articles 77(2)(b) and (d) TFEU, **Q3 2023**)
- The [Multimodal Digital Services initiative](#). This initiative aims to address challenges for the multimodal digital mobility services (MDMS) to better integrate public transport and rail services and achieve seamless multimodal passenger transport. The Commission is set to adopt a legislative proposal on **21 June**.
- The Commission is reviewing the [passenger rights regulatory framework](#), including to ensure its resilience to extensive travel disruptions, and including options for multimodal tickets. The public consultation closed on 7 December and the Commission proposal for a regulation is expected in **Q2, 2023**.

Notes:

- (i) This is the eleventh Briefing Report for BT4Europe, it will be updated regularly
- (ii) Further information on request.

## Glossary of Terms

**Trilogue** - Negotiations between the institutions on legislative proposals generally take the form of tripartite meetings ('trilogues') between Parliament, the Council and the Commission. For a given file, each institution designates its negotiators and defines its negotiating mandate. Trilogues may be organised at any stage of the legislative procedure (first, second or third reading). Any provisional agreement reached in trilogues is informal and has therefore to be approved by the formal procedures applicable within each of the two institutions. In Parliament, the text of the provisional agreement has to be approved by a vote in committee after which it is confirmed in plenary.

The **European Committee of the Regions** is an EU advisory body composed of locally and regionally elected representatives coming from all 27 Member States. Through the CoR they are able to share their opinion on EU legislation that directly impacts regions and cities. CoR members are elected representatives serving in local or regional authorities. The CoR appoints a rapporteur (one of its members) who consults stakeholders and prepares the opinion. The opinion is then presented to all members in plenary session who vote to amend and adopt it. Finally, the opinion is shared and communicated to all relevant EU institutions.

The **acquis communautaire** is the body of common rights and obligations that are binding on all EU countries, as EU Members. It is constantly evolving and comprises:

- the content, principles and political objectives of the Treaties;
- legislation adopted in application of the treaties and the case law of the Court of Justice of the EU;
- declarations and resolutions adopted by the EU;
- measures relating to the common foreign and security policy;
- measures relating to justice and home affairs;
- international agreements concluded by the EU and those concluded by the EU countries between themselves in the field of the EU's activities.

Applicant countries are required to accept the acquis before they can join the EU.

The **Digital Services Act** will oblige tech companies such as twitter and Facebook to monitor online content more aggressively which will protect internet users. Platforms will have to tell regulators what it is exactly they are doing to tackle fake news or misinformation. Brussels will not dictate how these platforms should police the internet but it will provide more of an oversight and concrete guidelines in the interest of users being safer and getting more accurate information online. Among the compromise amendments was around the issue of targeted advertising with legislators banning this practice against minors and the use of information around sexual preferences and religious beliefs. The legislation is likely to have a so-called 'Brussels effect' meaning a ripple effect on governments in other jurisdictions around the world.

The **Digital Markets Act** comes after a number of highly contested decisions adopted by the Commission against tech companies for abusing their position of dominance. One such case which was appealed to the CJEU is *Google (Shopping) v Commission*. The DMA contains a prohibition on self-preferencing and obliges companies that are qualified as gatekeepers in the digital market (Google being one of them) to apply 'non-discriminatory' conditions in the classification of services and products that they offer. It is interesting to note that the new legislative proposals provide for ex ante control in contrast to the ex post control of traditional competition instruments. This, coupled with the fact that the proposals envisage a prima facie prohibition of self-preferencing for digital gatekeepers without having to address effects specifically will in theory allow for speedier and more effective controls on abuses of competition law in light of modern technology.

The **EU Commission** is the institution which represents EU's interests and is known in that respect as the 'Guardian of the Treaties'. The powers and functions of the Commission are set out in the treaties, in particular under Article 17(1) TEU. The Commission is composed of a College of Commissioners from 27 Member States, who are assigned responsibility for specific policy areas by the President.

More information on the steps towards **joining the EU** can be found using this [link](#). The conditions for membership are known as the 'Copenhagen criteria' and include a functioning market economy, a stable democracy and the rule of law, and the acceptance of all EU legislation, including the euro. For more information about Ukraine's potential accession please see [EU Law Live's podcast](#) with Ukrainian academic Roman Petrov.

A **Directive** is a legal instrument which is binding as to the result to be achieved, but the choice of form and methods to achieve this is up to the Member States. An example of this is the Renewable Energy Directive which imposes an obligation on Member States to achieve 32% by 2030. Given the various forms of renewable energies and taking account of specific circumstances of Member States (some will prefer solar others wind depending on geographic location) the Directive leaves it up to Member States to achieve that 32%.

A **Regulation**, on the other hand, has general application, is binding in its entirety and is directly applicable in all Member States. An example of an EU Regulation is the non-commercial movement of pet animals which sets out identical rules for all Member States on transporting pets around the EU.

**EU's Covid recovery funds**, formerly known as the EU's **NextGenerationEU**, is the largest stimulus package ever financed in Europe. A total of 2.018 trillion in grants and loans was announced to help rebuild a post-COVID-19 Europe. The fund hopes to build a greener, more digital and more resilient Europe. The centerpiece is the Recovery and Resilience Facility which required Member States to come up with a plan and submit this to the Commission for approval. More information is available at this [link](#).

**The Council of the European Union.** The Council is one of three legislative bodies and together with the European Parliament serves to amend and approve or veto the proposals of the European Commission. The Council of the European Union (National level Ministers eg. Ireland's Minister for Finance Paschal Donohoe is President of the Eurogroup) and the European Council (Heads of State) are intergovernmental institutions. The presidency of the Council rotates among the EU member states every 6 months with the presidency chairing meets at every level in the Council, helping to ensure the continuity of the EU's work in the Council.