



Paris, February 8, 2023

POLITICAL OPINION

on the European Commission work programme for 2023

- ① The French Senate European Affairs Committee,
- ② Having regard to Article 12 of the Treaty on European Union,
- ③ Having regard to the speech given by Ms Ursula von der Leyen, President of the European Commission, before the European Parliament on 16 July 2019,
- ④ Having regard to the response of the European Commission of 2 May 2022 to its political opinion on the European Commission work programme for 2022, C (2021) 645 final,
- ⑤ Having regard to the European Commission's 2022 strategic foresight report, entitled "Twinning the green and digital transitions in the new geopolitical context" of 29 June 2022, COM (2022) 289 final,
- ⑥ Having regard to Ms Ursula von der Leyen's 2022 State of the Union address delivered before the European Parliament on 14 September 2022,
- ⑦ Having regard to the Communication from the European Commission to the European Parliament, the Council, the European Economic and Social Committee, and the Committee of the Regions of 18 October 2022, presenting its work programme for 2023, entitled "A Union Standing Firm and United," COM (2022) 548 final,

- ⑧ Having regard to the Joint Declaration of the European Commission, the Council of the European Union and the European Parliament of 15 December 2022,
- ⑨ Stresses that all the strategic choices of the Member States and the European Union have been lastingly disrupted since 24 February 2022, the date of Russia's attack on Ukraine; commends the joint efforts to provide support to the Ukrainian people and draw all the proper conclusions from this geopolitical shock in terms of European policies, and calls for European aid to be maintained in the coming months;
- ⑩ Approves the work programme of the European Commission for 2023, structured around the six major ambitions set out in the policy guidelines presented in 2019 by Ms Ursula von der Leyen, namely "A Green Deal for Europe", "A Europe fit for the digital age", "An economy that works for people", "A stronger Europe in the world", "Promoting our European way of life", and "A new push for European democracy";
- ⑪ Questions, however, the current relevance of this presentation of the annual work programme, insofar as it notes that these ambitions are no longer perfectly consistent with the reality of the programme, and may risk rendering it difficult to understand and disingenuous: considering, for example, that the "Promoting our European way of life" ambition includes initiatives relating to security and migration policy and public health actions; that initiatives relating to transport are distributed arbitrarily between the "A Green Deal for Europe" and "A Europe fit for the digital age" ambitions, and that the latter ambition includes an initiative relating to the detection of asbestos in buildings; asks, therefore, that said presentation be clarified to ensure that the ambitions expressed in it are consistent with the initiatives envisaged for the coming year;
- ⑫ Insists also on the need for more transparent and comprehensive programming of the work, and therefore calls for the introduction of new headings in the work programme, mentioning on the one hand the decisions and agreements prepared by the European Commission for the coming year in the field of international relations and trade policy, and on the other the implementing and delegated acts to be adopted over the coming year, in accordance with Articles 290 and 291 of the Treaty on the Functioning of the European Union (TFEU);

- ⑬ Insists on the need for the European Commission to back up its legislative initiatives by systematic impact assessments to verify their necessity and proportionality;
- ⑭ Stresses the importance of involving national parliaments closely in the European decision-making process, even in emergency situations; calls, therefore, for the implementation of the findings of the Conference of Parliamentary Committees for Union Affairs (COSAC) working group on the role of national parliaments in the European Union, made public in June 2022; recalls that these findings in particular recommend establishing a right of legislative initiative for national parliaments (green card), improving the procedures in place for applying the subsidiarity principle by extending the period provided for the review of legislation and lowering the threshold for triggering a "yellow card", and establishing the right to address written questions to the European institutions;
- ⑮ Insists on the cultural and linguistic diversity of the European Union, reflecting its rich common cultural heritage; expresses the hope, therefore, that multilingualism will no longer be the exception but will become the operating rule in the internal work of European institutions, in the drafting and translation of important official and informal documents, as well as on the websites of the European institutions, bodies and agencies;
- ⑯ Considers, finally, that the French Government and European institutions must enhance the status of the seat of the European Parliament in Strasbourg, which symbolises Franco-German reconciliation and embodies the notion of a law-based Europe;
- ⑰ *On a new push for European democracy*
- ⑱ Notes the European Commission's third report on the situation of the rule of law in the European Union, which prioritises efforts to combat corruption; consequently supports the "anti-corruption package" and the "reinforcing democracy package" announced by the European Commission to step up the fight against corruption in the Member States and against any external interference in their democratic processes, and solemnly calls on the European Commission and Union lawmakers to ensure that these measures will also apply to European institutions;

- ⑲ In accordance with its political opinion of 17 February 2022, supports the increased transparency measures demanded of authors of political advertisements, denounces the possibility of financing of European political parties by organisations from third countries that are Council of Europe members, and questions whether it is appropriate to maintain the financing of these European parties by companies, which may tend to compromise their necessary independence;
- ⑳ Recalls that press freedom and independence are existential conditions of democracy; expresses, therefore, its deep concern regarding the worsening situation of journalists in their pursuit of the duty to inform within Member States; stresses, in accordance with Senate resolution and reasoned opinion No. 127, adopted on 30 June 2022, the interest of the legislative initiative currently being discussed and intended to help protect journalists and any person participating in public debate from abusive legal proceedings, while emphasising the need to ensure its compatibility with the rules of fair trial; questions, however, the treaty compliance and added value of proposal for a regulation COM(2022) 457 final, the stated objective of which is to guarantee “media freedom”; observes in particular, further to Senate resolution and reasoned opinion No. 36 adopted on 11 December 2022, that the proposal does not account for the essentially national or regional organisation of the media, and that it constructs a draft regulation that fails to reflect Member States' cultural and linguistic diversity, and risks generating a "race to the bottom" in the legal frameworks of Member States with a longstanding and robust body of legislation in this domain, such as France;
- ㉑ Insists on the primary role that the European Union must play in promoting equality between men and women; welcomes, in this regard, the agreement reached on the proposal for a directive ensuring the presence of women on corporate boards, ten years after the tabling of this proposal; expresses its hope, in the same spirit, for the adoption of a European framework enabling the effective implementation of the principle of equal pay for equal work or work of equal value for men and women; and finally, solemnly calls for the rapid adoption of the proposal for a directive on combating violence against women in accordance with Senate European resolution no. 46 of 26 November 2021;

②② *On the European Green Deal and the Common Agricultural and Fisheries Policies*

②③ Notes that it is a matter of absolute priority today for the European Union to adopt a reform of the European electricity market guaranteeing affordable electricity prices for businesses and consumers; expresses its hope that the guidelines set out by the European Commission for designing this reform will be preceded by a precise and exhaustive impact analysis;

②④ Calls for the rapid completion of the ongoing negotiations of the legislative package on gas, which includes a review of the "internal fossil gas market" directive and of the "conditions for access to fossil gas transmission networks" regulation, the main purpose of which is to increase the share of renewable and low-carbon gas, in particular hydrogen, in the Member States' energy "mix"; emphasises the imperative of technological neutrality in the methods adopted for the decarbonisation of industry;

②⑤ Recalls that the "Fit for 55" package contains a set of interdependent measures intended for the implementation of European climate law (Regulation (EU) 2021/1119 of 30 June 2021), with a view to reducing greenhouse gas emissions by at least 55% from 1990 levels by 2030 and achieving carbon neutrality by 2050; welcomes the forthcoming completion of the negotiations on this package;

②⑥ Recommends ensuring the consistency of the reforms recommended as part of this package and carrying out, as soon as possible, a precise assessment of the impact on the sectors concerned of the decarbonisation measures to be taken, and in particular of the agreement of 27 October 2022 to revise the regulation on CO₂ emissions from new vehicles, intended to eliminate internal combustion engines, as well as of the carbon border adjustment mechanism; notes the agreement reached on establishing a Social Climate Fund, intended to ensure a fair ecological transition for all, but expresses its concern about the uncertainties still remaining with regard to its financing and, consequently, its effective entry into force;

②⑦ Has long recommended the development of a European directive on soil protection in accordance with the guidelines in Senate European resolution no. 147 of 23 July 2021; welcomes the announcement of the inclusion of a framework directive to such

effect in the European Commission's work programme for 2023; expresses its hope that this European legislative framework will be adopted before the end of the term of office of the current European Commission, and that it will address all the issues related to the protection, sustainable management and restoration of soils in the European Union, including the prevention of their degradation by industrial and mining activities; emphasises the need to develop European mapping of polluted soils;

⑳ Regrets that no impact analysis has been published with regard to the "Farm to Fork" strategy, despite several independent studies evaluating the reduction in European agricultural production that would result by 2030 at between 10% and 20%; expresses its deep concern about the risk of this high-quality production being replaced by imported substitute products with lower standards; recalls that Senate European resolution No. 126 of 6 May 2022, called, in view of the economic and agricultural consequences of the war in Ukraine, for a reorientation of the European agricultural strategy resulting from the Green Deal in order to ensure the food self-sufficiency of the European Union;

㉑ Calls on the European Union to incorporate the defence and development of small-scale and coastal fisheries into the priorities of the Common Fisheries Policy (CFP) and its dedicated funding mechanism in an unambiguous manner; calls also for the definition of an ambitious European strategy for the protection of the seabed, which is currently threatened by pollution linked to human activity and the industrialisation of the ocean;

㉒ *On trade policy, the European single market and the digital transition*

㉓ Calls on the European Commission, in its negotiation of new trade agreements with third countries, to ensure more effective social and environmental conditionality and guarantee fair competition, fair market conditions, and reciprocity in access to public contracts; reiterates its call to revise the methodology for

negotiating international trade agreements in order to involve national parliaments more effectively in the negotiation process;

③② Commends the now adapted European “arsenal” of trade defence instruments (TDIs), including anti-dumping rules, anti-subsidy measures and safeguard measures; stresses, however, the scale of the challenges in this area; considers that the foremost European response to these challenges must be an ambitious new industrial policy, enabling the European Union to remain a global centre of industrial production; supports, in view of achieving this objective, the announced adjustment of the regime applicable to State aid, but more generally expresses its hope for a lasting update of European competition policy, so as to finally allow the creation of "European champions" and to ensure that European companies in strategic sectors are not obliged to form alliances with partners from third countries at the risk of losing their know-how and their territorial roots;

③③ Calls for the rapid adoption of a strong and coordinated European response to the entry into force of the American “Inflation Reduction Act” (IRA), which, by massively subsidising green industries present on American territory, gives a competitive advantage to the United States in terms of business activity and poses a real risk that European companies may relocate there;

③④ Stresses that the work programme of the European Commission must prioritise the assurance or restoration of EU and Member State self-sufficiency in areas vital to its future; notes in this respect the relevance of drawing up an emergency instrument for the single market capable of guaranteeing that it will remain supplied with essential goods in the event of an emergency or alert situation; recalls, moreover, the fact that electronic chips are decisive articles for managing the digital transition, and therefore expresses its support for the forthcoming conclusion of the negotiations currently underway on the proposal for a regulation on semiconductors (the "Chips Act"), the aim of which is to ensure that the European Union will provide 20% of world chip production by 2030; by the same token, points out that 75 to 100% of the metals used in the European Union come from third countries, and calls for the adoption of European legislation on critical raw materials so as to secure the availability required, for example, for the manufacture of magnets, electric batteries and surgical instruments in the European Union; calls on the Member

States and the European Commission to diversify the sources of supply and set up sustainable and credible channels for processing and recycling these raw materials;

- ③⑤ Notes the progress of the negotiations on the proposal for a regulation concerning data (“Data Act”), intended to ensure a better distribution of the value resulting from the use of personal and non-personal data, and make provision for efforts to combat internet piracy and ensure long-term European regulation of metaverses, i.e., virtual reality spaces in which users can interact;
- ③⑥ Stresses that all these initiatives must comply with the principles of personal data protection and privacy protection guaranteed by the European Union General Data Protection Regulation (GDPR) of 2016 and by the "E-privacy" Directive of 2002; calls, in this regard, for the updating of this protective legal framework to take account of the emergence of new technologies and new players; notes the ongoing redefinition of the rules governing the transfer of personal data between the European Union and the United States following the voiding of adequacy decisions by the Court of Justice of the European Union (CJEU), which found that the conditions in place for the collection and transfer of personal data failed to comply adequately with the guarantees of the GDPR and were therefore illegal;
- ③⑦ Insists, moreover, on the need for a European legal framework for the use of artificial intelligence (AI) so as to develop secure systems that respect fundamental rights, and therefore calls on the Council and the Parliament to agree as soon as possible on a proposal for a regulation laying down harmonised rules on artificial intelligence (COM (2021) 206 final);
- ③⑧ Supports the updating of European rules to promote innovation, ensure better coordination of the conditions for radioelectric spectrum allocation by Member States, and facilitate the roll-out of wireless communication networks, in particular so as to reduce cellular "dead zones";
- ③⑨ In line with its political opinion of 5 October 2022, recognises the urgent need for the European Union to establish clear working conditions for online platform workers; solemnly requests, therefore, that Member States seek to reach an ambitious compromise to resolve their current differences of interpretation

regarding the qualifying criteria for the presumption of salaried status;

- ④⑩ Draws attention to the need for the European Union to adopt the pharmaceutical strategy anticipated in the work programme for 2022 without further delay, in order to ensure the European Union's self-sufficiency in the research and production of active ingredients and drugs;
- ④⑪ Observes that the lockdowns ordered due to the Covid-19 pandemic have contributed to a deterioration in the mental health of many citizens, which has now been the subject of increased attention, and which requires a shared approach so as to encourage medical research and provide appropriate treatment protocols and social support services;
- ④⑫ Underlines the need to support the development of cross-border transport between Member States;
- ④⑬ Expresses its hope for a pragmatic implementation of the European Rural Agenda presented on 30 June 2021 and the European Rural Pact launched in December 2021, so as to include European rural territories more effectively in European policies and provide funding to contribute to local development, giving particular attention to “medical deserts” according to the guidelines set forth in Senate resolution no. 26 (2021-2022), adopted on 4 November 2021;
- ④⑭ Expresses its hope that flexible and appropriate consideration will be given to the specific nature of the Outermost Regions (ORs) and the Overseas Countries and Territories (OCTs) in the implementation and financing of all European policies, and especially of maritime policies;
- ④⑮ *On an economy that works for people and a Social Europe*
- ④⑯ Observes that the implementation of the 2021-2027 Multiannual Financial Framework (MFF) is under severe pressure due to decisions made in response to the conflict in Ukraine and the sustained rise in inflation; calls for the greatest vigilance in the mid-term review of this MFF, scheduled for this year, in view of preserving the common agricultural policy (CAP) and cohesion policy;

④⑦ Stresses the need for the European Union to endow itself rapidly with new own resources; recalls in this respect that the European Commission has proposed the introduction of three new own resources for the European Union budget, namely the revenue derived from the European Union Emissions Trading System (ETS-EU), resources generated by the European Union Carbon Border Adjustment Mechanism, and a fraction of the residual profits of multinational corporations, and notes the partial agreements reached on the introduction of such measures; observes that the Senate's concerns about the possible penalisation of exporting companies of the European Union by the carbon border adjustment mechanism as expressed by Senate European resolution No. 124 of 5 April 2022, remain unchanged for the time being; calls once again for national parliaments to be closely involved in the process of organising these new own resources, especially since they will be required to ratify the relevant Council decision; notes the discussions currently underway on the possible establishment of a European sovereignty fund, and stresses that, if such a fund were to come into existence, the European Union would need to finance it from the new own resources now being planned;

④⑧ Commends the European Union's awareness of corporate social responsibility, as manifested by the legislative initiatives now being discussed regarding the corporate duty of vigilance and the ban on products made by forced labour; observes that current French legislation has been a pioneer in these domains; calls on European lawmakers to adopt these legal texts as soon as possible in consideration of its political opinion of 28 June 2022; considers that these systems will usefully complement the objectives of the Corporate Sustainability Reporting Directive (CSRD), which addresses the publication of information in connection with corporate sustainability;

④⑨ Asks the European Union to move to finalise banking union; expresses its disappointment in this respect that the unified deposit insurance scheme has remained a standing proposal since 2015 and is still not in force, although it would help limit the euro zone's recurring vulnerabilities; pending this implementation, considers it necessary to assess the soundness of national guarantee systems;

⑤⑩ Notes with close attention the progress of the digital euro project, intended to allow the European Central Bank (ECB) to provide European public currency to users in electronic form, as a

supplement to cash, whilst preserving the euro as the monetary anchor of the payment system; emphasises, however, the need to ensure privacy by design in the digital euro; expresses its wish to further evaluate the international role of the euro;

⑤1 Stresses the interest of establishing a European framework for the social and solidarity economy (SSE), which, through the action of cooperatives, mutual organisations and non-profits, constitutes a vector for growth, job creation, and response to social and environmental challenges;

⑤2 *On Europe's space activities and strengthening the European Union on the international stage*

⑤3 Welcomes the European Union's renewed ambitions in the field of space, which should allow it to maintain its access to space; stresses the need to back up these ambitions with long-term political, financial and technological support;

⑤4 Supports, in this context, the development of a space strategy for security and defence, which recognises the transformation of space into a new potential theater of conflict between powers, and must enable the European Union to preserve its technological sovereignty; and solemnly calls, in accordance with Senate European Resolution No. 149 for secure connectivity of 9 August 2022, for the presentation of a European legislative initiative for space debris mitigation;

⑤5 Supports the revision of the European Union's maritime security strategy, in order to reinforce the maritime security strategies of Member States, in particular to ensure the protection of submarine cables;

⑤6 Stresses the importance of the European Defense Fund and the need to increase its resources, and solemnly acknowledges the need for greater European solidarity in the area of common security and defense policy at a time when the European continent is once again experiencing war; commends in this regard the ongoing industrial cooperation aimed at making this a concrete reality; simultaneously calls, in line with this objective, for the current negotiations on the European Defense Industrial Development Programme (EDIDP) to seek genuinely to safeguard European interests;

- ⑤7 Notes the applications for European Union membership presented by Ukraine, Moldova and Bosnia and Herzegovina, and expresses its hope that the European Commission and the European External Action Service (EEAS) will provide support for said applications so as to help give momentum to their membership efforts while not in any way waiving the criteria required to join the European Union; calls for the strengthening of the Eastern Partnership, in particular to prevent the marginalisation of Georgia; also calls, pragmatically, for a strengthening of neighborhood policy to tie all the Western Balkan states to the European Union while enabling them to comply more effectively with European standards, particularly in efforts to combat corruption and dismantle organised crime; simultaneously stresses the need for the European Union to take up new initiatives to consolidate its dialogue with nations on the southern shore of the Mediterranean, work for the stabilisation and prosperity of that region, and promote the development of a true Euro-Mediterranean space;
- ⑤8 Calls for monitoring of, and compliance with, the reciprocal commitments made by the European Union and the United Kingdom in the Trade and Cooperation Agreement of 24 December 2020 and the attached protocol on Ireland/Northern Ireland, in order to build a dynamic and serene Euro-British relationship;
- ⑤9 *On the Area of freedom, security and justice*
- ⑥0 Recalls its support for the comprehensive approach combining migration policy, asylum policy and control of the external borders of the European Union, as defended by the New Pact on Migration and Asylum; expresses its disappointment that negotiations on the Pact have been slow, and calls for its adoption before the end of the term of office of the current European Commission;
- ⑥1 Observes that the European Border and Coast Guard Agency, Frontex, plays a support role for Member States in their mission to control the external borders of the European Union; supports the need to ensure joint parliamentary oversight of this agency by the European Parliament and national parliaments, in accordance with the provisions of Article 112 of Regulation 2019/1896 and its political opinion of 14 December 2022;

- ⑥② Supports current initiatives aimed at greater European harmonisation in the fight against child sexual abuse and cybercrime against children; calls, in this regard, for the increased accountability of web hosts and the introduction of detection tools proportionate to the requirement of respect for fundamental rights;
- ⑥③ Welcomes the establishment of the European Public Prosecutor's Office as a valuable tool for prosecuting attacks on the financial interests of the European Union, and considers it advisable that an initial assessment should be prepared promptly;
- ⑥④ Observes, finally, the rising tide of natural disasters in Europe, in particular floods and fires; encourages, therefore, the European Union to strengthen its capacity to support Member States in matters of civil protection, so as to address these crises by demonstrating European solidarity.