



2018/0227(COD)

16.7.2018

DRAFT OPINION

of the Committee on Culture and Education

for the Committee on Industry, Research and Energy

on the proposal for a regulation of the European Parliament and of the Council
establishing the Digital Europe programme for the period 2021-2027
(COM(2018)0434 – C8-0256/2018 – 2018/0227(COD))

Rapporteur for opinion (*): Bogdan Brunon Wenta

(*) Associated committee – Rule 54 of the Rules of Procedure

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SHORT JUSTIFICATION

The Rapporteur welcomes the Commission's proposal to establish a Digital Europe Programme. As part of the next long-term EU budget (MFF 2021-2027), and with a budget of €9.2 billion, the Programme aims to shape Europe's digital transformation to the benefit of citizens and businesses.

The Programme focuses on five specific objectives: (1) high-performance computing, (2) artificial intelligence, (3) cybersecurity, (4) advanced digital skills and (5) deployment, best use of digital capacity and interoperability.

The main points of the draft opinion are:

(i) Budget (Article 9)

Whilst the Rapporteur considers it essential to ensure the synergies between the Digital Europe Programme and all other MFF programmes, he would nevertheless like to stress the necessity to secure the budget allocated to Digital Europe, considering its ambitious objectives. In that regard, the Rapporteur therefore suggests some specific modifications to the budget.

In particular, the Rapporteur suggests a slight increase of the budget allocated to the specific objective 4, “Advanced digital skills”, with a proposal for a budget of around €830 million (9% of the overall budget) instead of the €700 million (7,6%) originally foreseen by the Commission.

(ii) Advanced digital skills (Article 7 and annexes)

Considering the crucial importance of ensuring that both the current and future workforce will have the opportunity to acquire advanced digital skills through long- and short-term training courses and on-the-job traineeships, the Rapporteur suggests several amendments in order to reinforce this specific objective and further clarify the proposed provisions.

(iii) Deployment, best use of digital capacity and interoperability (Article 8 and annexes)

This objective is of particular relevance to cultural and creative sectors. The Rapporteur suggests several amendments to strengthen support to cultural and creative industries, in particular in the audiovisual sector, in their ongoing digital transformation and stresses the need to guarantee them access to the most advanced and performing digital technologies from AI to advanced computing.

This objective is also relevant to cultural heritage. The Rapporteur would like to emphasise the important role Digital Europe will play in supporting Europeana.

(iv) Evaluation (Article 25)

The Rapporteur suggests several important changes concerning the evaluation of the Programme because he considers that the Commission's proposal is not sufficiently clear in that regard.

(v) Work programmes (Article 23)

The Rapporteur suggests that the work programmes are adopted by the Commission through delegated acts and not through implemented acts as suggested by the Commission in its proposal.

Overall the Rapporteur welcomes the effort that the Commission has put into this proposal. Nevertheless, the Rapporteur considers it to be far too general, vague, and to be lacking in crucial detail and in legal clarity. In that regard, considering the difficulties in understanding how the Programme will concretely work as well as how the synergies between programmes will be implemented, the Rapporteur suggests a series of amendments, focusing particularly on providing greater legal clarity and certainty to the Programme.

AMENDMENTS

The Committee on Culture and Education calls on the Committee on Industry, Research and Energy, as the committee responsible, to take into account the following amendments:

Amendment 1

Proposal for a regulation

Recital 6

Text proposed by the Commission

(6) The Tallinn Digital Summit⁵⁵ of September 2017 and the Conclusions of the European Council⁵⁶ of 19 October 2017 indicated the need for Europe to invest in digitising our economies and addressing the skills gap to maintain and enhance European competitiveness, our quality of life and social fabric. The European Council concluded that the digital transformation offers immense opportunities for innovation, growth and jobs, will contribute to our global competitiveness, and *enhance* creative *and* cultural diversity. Seizing these opportunities requires collectively tackling some of the challenges posed by the digital transformation and reviewing policies

Amendment

(6) The Tallinn Digital Summit⁵⁵ of September 2017 and the Conclusions of the European Council⁵⁶ of 19 October 2017 indicated the need for Europe to invest in digitising our economies and addressing the skills gap to maintain and enhance European competitiveness, our quality of life and social fabric. The European Council concluded that the digital transformation offers immense opportunities for innovation, growth and jobs, will contribute to our global competitiveness, *whilst enhancing not only cultural and creative industries but also cultural and linguistic* diversity. Seizing these opportunities requires collectively tackling some of the challenges posed by the digital

affected by the digital transformation.

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<https://www.eu2017.ee/news/insights/conclusions-after-tallinn-digital-summit>

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<https://www.consilium.europa.eu/media/21620/19-euco-final-conclusions-en.pdf>

transformation and reviewing policies affected by the digital transformation.

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<https://www.eu2017.ee/news/insights/conclusions-after-tallinn-digital-summit>

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<https://www.consilium.europa.eu/media/21620/19-euco-final-conclusions-en.pdf>

Or. en

Amendment 2

Proposal for a regulation Recital 35 a (new)

Text proposed by the Commission

Amendment

(35a) In that context, and as evidenced by the Europeana initiative, the digitisation of European works represents a significant opportunity to improve the accessibility, distribution and promotion of the European cultural heritage. Digital innovation can provide the impetus for a revolution in how cultural goods are exhibited and accessed. Promoting the use of 3D technologies for data collection and the reconstruction of destroyed cultural goods and heritage is, in that regard, of particular importance. Digital Europe can therefore contribute to the guarantee of funding for the digitisation, preservation and online availability of the European cultural heritage.

Or. en

Amendment 3

Proposal for a regulation Recital 35 b (new)

(35b) On 31 May 2016, the Council underlined the vital importance of ensuring the sustainable funding and governance of Europeana as a combined effort of cultural heritage institutions, Member States and the Commission. As a well-established digital service infrastructure, the Europeana Digital Service Infrastructure should have priority for funding. In particular, the continuity in Union funding in Digital Europe should be ensured in the multiannual financial framework for the period 2021-2027, in order to allow for the uninterrupted and successful delivery of services at the same level as provided for under the current funding scheme.

Or. en

Amendment 4

Proposal for a regulation

Recital 37

(37) In April 2016 the Commission adopted the Digitising European Industry initiative to ensure that "any industry in Europe, big or small, wherever situated and in any sector can fully benefit from digital innovations".⁷¹

(37) In April 2016 the Commission adopted the Digitising European Industry initiative to ensure that "any industry in Europe, big or small, wherever situated and in any sector can fully benefit from digital innovations". ***This is of particular relevance to small and medium enterprises in the cultural and creative sectors.***

⁷¹ *null*

Or. en

Amendment 5

Proposal for a regulation Recital 39

Text proposed by the Commission

(39) Reaching the target objectives may require leveraging the potential of complementary technologies in the networking and computing domains, as stated in the Communication "Digitising European Industry"⁷³ that recognises "availability of world class networking and cloud infrastructure" as an essential **ingredient** of industry digitisation.

⁷³ COM (2016) 180 final: Digitising European Industry – Reaping the full benefits of a digital single market.

Amendment

(39) Reaching the target objectives may require leveraging the potential of complementary technologies in the networking and computing domains, as stated in the Communication "Digitising European Industry"⁷³ that recognises "availability of world class networking and cloud infrastructure" as an essential **component** of industry digitisation.

⁷³ COM (2016) 180 final: Digitising European Industry – Reaping the full benefits of a digital single market.

Or. en

Amendment 6

Proposal for a regulation Recital 45

Text proposed by the Commission

(45) The work programmes should be adopted in principle **as multi-annual work programmes, typically** every two years, or, if justified by the needs related to the implementation of the programme, annual **work programmes**. The types of financing and the methods of implementation under this Regulation should be chosen on the basis of their ability to achieve the specific objectives of the actions and to deliver results, taking into account, in particular, the costs of controls, the administrative burden, and the expected risk of non-compliance. This should include consideration of the use of lump sums, flat rates and unit costs, as well as financing

Amendment

(45) The work programmes should be adopted **by means of delegated acts** in principle every two years, or, if justified by the needs related to the implementation of the programme, **on an annual basis**. The types of financing and the methods of implementation under this Regulation should be chosen on the basis of their ability to achieve the specific objectives of the actions and to deliver results, taking into account, in particular, the costs of controls, the administrative burden, and the expected risk of non-compliance. This should include consideration of the use of lump sums, flat rates and unit costs, as well as financing not linked to costs as referred

not linked to costs as referred to in Article 125(1) of the Financial Regulation.⁷⁶

to in Article 125(1) of the Financial Regulation.

***76 THIS FOOTNOTE IS MISSING.
THANK YOU FOR USING ANOTHER
LANGUAGE.***

Or. en

Amendment 7

Proposal for a regulation

Recital 46

Text proposed by the Commission

(46) The power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission concerning amendments to Annex II to review and/or complement the indicators. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.

Amendment

(46) The power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission concerning ***the adoption of work programmes***, amendments to Annex II to review and/or complement the indicators. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.

Or. en

Amendment 8

Proposal for a regulation

Article 1 – paragraph 1

Text proposed by the Commission

This Regulation establishes the Digital Europe programme ('Programme').

Amendment

This Regulation establishes the Digital Europe programme ('Programme'), **which shall be implemented for the period of 1 January 2021 to 31 December 2027.**

Or. en

Amendment 9

Proposal for a regulation

Article 3 – paragraph 1 – introductory part

Text proposed by the Commission

1. The **Programme has the following** general objective: to support the digital transformation of the European economy and society and bring its benefits to European citizens and businesses. **The Programme will:**

Amendment

1. The general objective **of the Programme shall be** to support the digital transformation of the European economy and society and bring its benefits to European citizens and businesses. **It shall:**

Or. en

Amendment 10

Proposal for a regulation

Article 3 – paragraph 2 – introductory part

Text proposed by the Commission

2. The **Programme will have** five specific objectives:

Amendment

2. The five specific objectives **of the Programme shall be:**

Or. en

Amendment 11

Proposal for a regulation

Article 7 – paragraph 1 – introductory part

Text proposed by the Commission

The financial intervention by the Union under Specific Objective 4. Advanced Digital skills shall support the development of advanced digital skills in areas supported by this programme, thus contributing to increase *Europe's* talent pool, fostering greater professionalism, especially with regard to high performance computing, big data analytics, cybersecurity, distributed ledger technologies, robotics and artificial intelligence. The financial intervention shall pursue the following operational objectives:

Amendment

The financial intervention by the Union under Specific Objective 4. Advanced Digital skills shall support the development of advanced digital skills in areas supported by this programme, thus contributing to increase *the Union's* talent pool, fostering greater professionalism, especially with regard to high performance computing, big data analytics, cybersecurity, distributed ledger technologies, robotics and artificial intelligence. The financial intervention shall pursue the following operational objectives:

Or. en

Amendment 12

Proposal for a regulation

Article 7 – paragraph 1 – point b

Text proposed by the Commission

(b) support the design and delivery of short-term trainings and courses for entrepreneurs, small business *leaders* and the workforce;

Amendment

(b) support the design and delivery of short-term trainings and courses for entrepreneurs, *including* small business *entrepreneurs* and the workforce;

Or. en

Amendment 13

Proposal for a regulation

Article 7 – paragraph 1 – point c a (new)

Text proposed by the Commission

Amendment

(ca) support on-the-job trainings for the workforce.

Or. en

Amendment 14

Proposal for a regulation

Article 9 – paragraph 1 – subparagraph 1 a (new)

Text proposed by the Commission

Amendment

The annual appropriations shall be authorised by the European Parliament and the Council within the limits of the multiannual financial framework.

Or. en

Amendment 15

Proposal for a regulation

Article 9 – paragraph 2 – introductory part

Text proposed by the Commission

Amendment

2. The *indicative distribution of the* referred *amount* shall be:

2. The *financial envelope* referred *to in paragraph 1* shall be *allocated as follows*:

Or. en

Amendment 16

Proposal for a regulation

Article 9 – paragraph 2 – point a

Text proposed by the Commission

Amendment

(a) ***up to EUR 2 698 240 000*** for Specific Objective 1, High Performance

(a) ***a maximum of 29%*** for Specific

Amendment 17

Proposal for a regulation Article 9 – paragraph 2 – point b

Text proposed by the Commission

(b) **up to EUR 2 498 369 000** for Specific Objective 2, Artificial Intelligence

Amendment

(b) **at least 27%** for Specific Objective 2, Artificial Intelligence

Amendment 18

Proposal for a regulation Article 9 – paragraph 2 – point c

Text proposed by the Commission

(c) **up to EUR 1 998 696 000** for Specific Objective 3, Cybersecurity and Trust

Amendment

(c) **at least 21%** for Specific Objective 3, Cybersecurity and Trust

Amendment 19

Proposal for a regulation Article 9 – paragraph 2 – point d

Text proposed by the Commission

(d) **up to EUR 699 543 000** for Specific Objective 4, Advanced Digital skills

Amendment

(d) **at least 9%** for Specific Objective 4, Advanced Digital skills

Amendment 20

Proposal for a regulation

Article 9 – paragraph 2 – point e

Text proposed by the Commission

(e) ***up to EUR 1 299 152 000***for Specific Objective 5, Deployment, best use of digital capacities and Interoperability

Amendment

(e) ***at least 14% for*** Specific Objective 5, Deployment, best use of digital capacities and Interoperability

Or. en

Amendment 21

Proposal for a regulation

Article 13 – paragraph 1

Text proposed by the Commission

1. The Programme ***is designed to be implemented enabling*** synergies, as further described in Annex III, with other Union funding programmes, in particular through arrangements for complementary funding from EU programmes where management modalities permit; either in sequence, in an alternating way, or through the combination of funds including for the joint funding of actions.

Amendment

1. The Programme ***shall enable*** synergies, as further described in Annex III, with other Union funding programmes, in particular through arrangements for complementary funding from EU programmes where management modalities permit, either in sequence, in an alternating way, or through the combination of funds including for the joint funding of actions.

Or. en

Amendment 22

Proposal for a regulation

Article 23 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a. The Commission shall be empowered to adopt delegated acts in accordance with Article 27 in order to supplement this Regulation by adopting work programmes.

Amendment 23

Proposal for a regulation Article 23 – paragraph 2

Text proposed by the Commission

2. Those work programmes shall be adopted as multiannual programmes **for the entire Programme**. If justified by specific implementation needs, they may also be adopted as annual programmes which cover one or more Specific Objectives.

Amendment

2. Those work programmes shall be adopted as multiannual programmes **every two years**. If justified by specific implementation needs, they may also be adopted as annual programmes which cover one or more Specific Objectives.

Or. en

Amendment 24

Proposal for a regulation Article 24 – paragraph 2

Text proposed by the Commission

2. To **ensure effective assessment of** progress of the Programme towards the achievement of its objectives, the Commission **is** empowered to adopt delegated acts in accordance with Article 27 to amend Annex II to review or complement the indicators where considered necessary and to supplement this Regulation with provisions on the establishment of a monitoring and evaluation framework.

Amendment

2. To **assess efficiently the** progress of the Programme towards the achievement of its objectives, the Commission **shall be** empowered to adopt delegated acts in accordance with Article 27 to amend Annex II to review or complement the indicators where considered necessary and to supplement this Regulation with provisions on the establishment of a monitoring and evaluation framework.

Or. en

Amendment 25

Proposal for a regulation Article 24 – paragraph 3

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Text proposed by the Commission

3. The performance reporting system shall ensure that data for monitoring programme implementation and results are collected efficiently, effectively, and in a timely manner. To that end, ***proportionate*** reporting requirements shall be imposed on recipients of Union funds and Member States.

Amendment

3. The performance reporting system shall ensure that data for monitoring programme implementation and results are collected efficiently, effectively, and in a timely manner. To that end, ***specific*** reporting requirements shall be imposed on recipients of Union funds and Member States.

Or. en

Amendment 26

**Proposal for a regulation
Article 24 – paragraph 4**

Text proposed by the Commission

4. Official EU statistics such as regular ICT statistical surveys shall be used ***to their maximum***. National Statistical Institutes shall be consulted on, and involved together with Eurostat, in the initial design and subsequent development of statistical indicators used for monitoring the implementation of the programme and the progress made with regard to digital transformation.

Amendment

4. Official EU statistics such as regular ICT statistical surveys shall be used ***in the most efficient manner possible***. National Statistical Institutes shall be consulted on, and involved together with Eurostat, in the initial design and subsequent development of statistical indicators used for monitoring the implementation of the programme and the progress made with regard to digital transformation.

Or. en

Amendment 27

**Proposal for a regulation
Article 25 – title**

Text proposed by the Commission

Evaluation

Amendment

Programme Evaluation

Or. en

Amendment 28

Proposal for a regulation Article 25 – paragraph 1

Text proposed by the Commission

1. *Evaluations shall be carried out in a timely manner to feed into the decision-making process.*

Amendment

1. *The Commission shall ensure regular monitoring and external evaluation of the Programme, based notably on the performance reporting system as referred to in Article 24, paragraph 3.*

Or. en

Amendment 29

Proposal for a regulation Article 25 – paragraph 2

Text proposed by the Commission

2. *The interim evaluation of the Programme shall be performed once there is sufficient information available about the implementation of the Programme, but no later than four years after the start of the implementation of the Programme.*

Amendment

2. *In addition to regularly monitoring the Programme, the Commission shall establish an interim evaluation report and shall submit it to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions no later than 31 December 2024.*

Or. en

Amendment 30

Proposal for a regulation Article 25 – paragraph 3

Text proposed by the Commission

3. *At the end of the implementation of the Programme, but no later than four years after the end of the period specified*

Amendment

3. *On the basis of a final external and independent evaluation, the Commission shall establish a final*

in Article [1], a final evaluation of the Programme shall be carried out by the Commission.

evaluation *report* of the Programme, *which assesses its longer-term impacts and its sustainability.*

Or. en

Amendment 31

Proposal for a regulation Article 25 – paragraph 4

Text proposed by the Commission

Amendment

4. *The evaluation reporting system shall ensure that data for programme evaluation are collected efficiently, effectively, in a timely manner and at the appropriate level of granularity by recipients of Union funds;*

deleted

Or. en

Amendment 32

Proposal for a regulation Article 25 – paragraph 4 a (new)

Text proposed by the Commission

Amendment

4a. *The Commission shall submit the final evaluation report referred to in paragraph 3 to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions no later than 31 December 2030.*

Or. en

Amendment 33

Proposal for a regulation Article 25 – paragraph 5

Text proposed by the Commission

Amendment

5. The Commission shall communicate the conclusions of the evaluations accompanied by its observations, to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions.

deleted

Or. en

Amendment 34

Proposal for a regulation Article 27 – paragraph 2

Text proposed by the Commission

Amendment

2. The power to adopt delegated acts referred to in **Article 24** shall be conferred on the Commission until 31 December 2028.

2. The power to adopt delegated acts referred to in **Articles 23 and 24** shall be conferred on the Commission until 31 December 2028.

Or. en

Amendment 35

Proposal for a regulation Article 27 – paragraph 3

Text proposed by the Commission

Amendment

3. The delegation of power referred to in **Article 24** may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of power specified in that decision. It shall take effect the day following the publication of the decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.

3. The delegation of power referred to in **Articles 23 and 24** may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of power specified in that decision. It shall take effect the day following the publication of the decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.

Amendment 36**Proposal for a regulation
Article 27 – paragraph 6***Text proposed by the Commission*

6. A delegated act adopted pursuant to *article* 24 shall enter into force if no objection has been expressed either by the European Parliament or by the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.

Amendment

6. A delegated act adopted pursuant to **Articles 23 and** 24 shall enter into force if no objection has been expressed either by the European Parliament or by the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.

Or. en

Amendment 37**Proposal for a regulation
Annex I – part 5 – subpart I – point 5***Text proposed by the Commission*

5. Education **and culture: Provide creators and creative industry in Europe with access to latest digital technologies from AI to advanced computing. Exploit the European cultural heritage as a vector to promote cultural diversity, social cohesion and European citizenship.** Support the uptake of digital technologies in education.

Amendment

5. Education: Support the uptake of digital technologies in education, **notably the further inclusion of digital skills as well as the use of digital technologies in all curricula.**

Or. en

Amendment 38

Proposal for a regulation

Annex I – part 5 – subpart I – point 5 a (new)

Text proposed by the Commission

Amendment

5a. Cultural and creative sectors: Support cultural and creative industries, in particular in the audiovisual sector, in their ongoing digital transformation whilst guaranteeing them the access to the most advanced and performing digital technologies from AI to advanced computing.

Or. en

Amendment 39

Proposal for a regulation

Annex I – part 5 – subpart I – point 5 b (new)

Text proposed by the Commission

Amendment

5b. Cultural heritage: Exploit the European cultural heritage as a vector to promote cultural and linguistic diversity, social cohesion and European citizenship. Protect and promote cultural heritage through digitisation and specific digital initiatives such as Europeana.

Or. en

Amendment 40

Proposal for a regulation

Annex I – part 5 – subpart II – title

Text proposed by the Commission

Amendment

II Initial activities related to the **digitization** of industry:

II Initial activities related to the **digitisation** of industry:

Amendment 41

Proposal for a regulation Annex II – part 4 – point 4.1

Text proposed by the Commission

4.1 Number of ICT specialists trained and working

Amendment

4.1 Number of ICT specialists trained and working ***each year in the Union***

Or. en

Amendment 42

Proposal for a regulation Annex II – part 4 – point 4.2

Text proposed by the Commission

4.2 Number of enterprises having difficulty recruiting ICT specialists

Amendment

4.2 Number of enterprises having difficulty recruiting ICT specialists ***each year in the Union***

Or. en

Amendment 43

Proposal for a regulation Annex III – point 4 a (new)

Text proposed by the Commission

Amendment

4a. Synergies with Creative Europe shall ensure that:

(a) The Programme will support the development and acquisition of the advanced digital skills needed for the deployment of cutting-edge technologies relevant to cultural and creative industries, in particular in the audiovisual sector;

(b) The Creative Europe Programme, with its general objective of increasing the competitiveness of the cultural and creative sectors, in particular the audiovisual sector, will complement in that regard the interventions of Digital Europe, which aim to support the digital transformation of cultural and creative industries;

(c) Within the Programme two leadership projects will assure the continuation of deployment activities linked to the #Digital4Culture strategy. The leadership project on digital transformation of the cultural heritage sector will continue to support European initiative launched during the European Year on Cultural Heritage 2018. The part of the Programme focusing on digital skills has synergies with issues such as media literacy and film education.

Or. en