OPINION

of the Committee on Transport and Tourism

for the Committee on Industry, Research and Energy

on a European strategy for data
(2020/2217(INI))

Rapporteur for opinion: Roman Haider
SUGGESTIONS

The Committee on Transport and Tourism calls on the Committee on Industry, Research and Energy, as the committee responsible, to incorporate the following suggestions into its motion for a resolution:

– having regard to the Commission communication of 19 February 2020 entitled ‘A European strategy for data’ (COM (2020)0066),

– having regard to Directive 2010/40/EU of the European Parliament and of the Council of 7 July 2010 on the framework for the deployment of Intelligent Transport Systems in the field of road transport and for interfaces with other modes of transport\(^1\) (‘ITS Directive’) and the delegated acts thereof,


– having regard to Directive 2008/57/EC of the European Parliament and of the Council of 17 June 2008 on the interoperability of the rail system within the Community\(^3\),

– having regard to Commission Regulation (EU) 2016/919 of 27 May 2016 on the technical specification for interoperability relating to the ‘control-command and signalling’ subsystems of the rail system in the European Union\(^4\),

– having regard to its resolution of 13 March 2018 on a European strategy on Cooperative Intelligent Transport Systems\(^5\),

– having regard to its resolution of 15 January 2019 on autonomous driving in European transport\(^6\),

– having regard to its resolution of 15 January 2020 on the European Green Deal\(^7\),

– having regard to the position of the European Parliament adopted on 8 October 2020 on the proposal for a European Climate Law\(^8\),

A. whereas a common European data strategy should provide benefits for the European transport and tourism sector and contribute to the transition towards a safe, sustainable and efficient transport system, while ensuring sufficient interoperability with other sectors, particularly by incentivising the development of technologies based on artificial intelligence (AI); whereas fair conditions in the marketplace for the European economy and businesses, especially for micro-, small and medium-sized enterprises (SMEs),

\(^5\) OJ C 162, 10.5.2019, p. 2.
\(^7\) Texts adopted, P9_TA(2019)0005.
\(^8\) Texts adopted, P9_TA(2020)0253.
should be created and promoted and fair competition between market players and all transport modes ensured;

B. whereas a European data strategy should contribute to the alignment of the EU transport sector with the European Green Deal and the attainment of the EU’s climate targets; whereas it should facilitate the transition to a sustainable, zero-emission and seamless multimodal single European transport area;

C. whereas SMEs operating in the transport and tourism sectors do not fully benefit from the data they generate; whereas many small and medium-sized enterprises are unaware of the value of their data, lack the tools to process it and are not sufficiently prepared to operate in the digital economy;

D. whereas the principles of privacy and the guarantee of consumer and passenger rights should be kept at the core of any European transport legislative action, including and especially when digitalisation is involved;

E. whereas the implementation of a European data strategy should aim to improve European digital competitiveness, achieve transport safety, interoperability, compatibility, continuity, security of data usage, decarbonisation of transport and a reduction of the impact of transport on the environment, multimodality of transport, and the further development of digitisation, particularly electronic documents, in order to reduce unnecessary administrative burdens and costs for companies and citizens, while also creating quality employment;

F. whereas data sharing in the transport sector is aimed at improving traffic management and thus the safety, sustainability, data minimisation and efficiency of both passenger and freight transport; whereas it is of the utmost importance to focus on sensitive issues such as data protection, privacy, consumer rights and the security of sensitive and personal data;

G. whereas a European data area in the transport sector will only be successful if the EU manages to invest sufficiently in technologies and infrastructure facilities which will in turn strengthen Europe’s technological independence in the data economy;

H. whereas the Union has already begun taking steps in regulating how data should be used and stored in transport, through, inter alia, Regulation (EU) 2020/1056 on electronic freight transport information, Directive (EU) 2019/1936 on road infrastructure safety management, Regulation (EU) 2019/1239 establishing a European Maritime Single Window environment, and the proposal for a Regulation of the European Parliament and of the Council amending Regulation (EU) 2015/757 in order to take appropriate account of the global data collection system for ship fuel oil consumption data

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(COM(2019)0038);

1. whereas a European data strategy should enhance the safety, sustainability and efficiency of European transport; whereas data should be made available in accordance with the principle ‘as open as possible, as closed as necessary’; whereas data collection, sharing and usage must respect EU fundamental rights and guarantee personal data protection, especially with regard to purpose limitation and the exclusion of its use in sectors such as advertising, as well as ensuring the protection of sensitive data and the highest standards of cyber-security;

1. Welcomes the Commission’s proposal to create a European single market for data, including a common European mobility data space; and recognises its huge economic potential; stresses that such a data space should yield benefits for sustainability in European transport, while providing advantages to European citizens, consumers, healthcare professionals, researchers and companies, both those that generate data and those that aggregate and process data, taking into account their competitiveness, business models and trade secrets, while preventing unauthorised access to sensitive data and ensuring cyber-security and full compliance with EU privacy and data protection laws;

2. Establishes the ambition to make the EU the world leader in digital innovation, business digitalisation and smart data usage in the fields of transport, mobility and tourism;

3. Underlines that future legislation must facilitate, rather than hinder, technological development, innovation and data portability, as well as empowering consumers and passengers and raising their awareness of their rights and digital responsibilities, so that they become fully-fledged participants in the mobility data space;

4. Highlights that this European data space would be of particular interest to the European transport and logistics sectors, as it has the potential to enhance efficiency in the organisation and management of freight and passenger traffic flows, as well as to make better and more efficient use of infrastructure and resources throughout the Trans-European Transport Network (TEN-T);

5. Underlines, furthermore, that this European data space will also ensure improved visibility in the supply chain, the real-time management of traffic and cargo flows, interoperability and multimodality, as well as the simplification and reduction of administrative burdens across the TEN-T, in particular in cross-border sections;

6. Encourages the Commission to facilitate voluntary data sharing schemes; urges the Commission to enact measures to incentivise businesses to share their relevant data, possibly through a rewards-based system, with the objective of pooling vast sets of transport data and making it equally available for EU businesses to access, in particular for those businesses that, due to a lack of resources, have struggled to collect, store and make use of their own data and to access the data necessary to reap the benefits of technological advancements; stresses the need for contracts to set clear obligations and liabilities for data aggregators when it comes to accessing, storing, sharing and processing data in order to limit the misuse of such data;

7. Stresses the need to avoid service provider or technological lock-ins for publicly
collected data; underlines the need for public funding programmes and public procurement to sufficiently build the capacity of Member States’ public authorities for data storage and data processing, further facilitating business-to-government (B2G), government-to-government (G2G) and government-to-business (G2B) data sharing;

8. Notes the fact that a small number of digital platforms from third countries have gained a strong position in the EU market and been able to accumulate large amounts of data while operating with little formal, structured government oversight, in a patchwork of privacy laws and industry self-regulation in their country of origin; affirms, in the light of this situation, that European legislation must be devised to facilitate the emergence and growth of digital platforms within the EU, reducing the dependence on foreign platforms and increasing European competitiveness; deems it paramount in instances where appropriately defined systemic market imbalances are present, and where justified by overriding public interest, for the EU to set mandatory business-to-business (B2B) and B2G data sharing and data access obligations, in full respect of Union intellectual property rights (IPR) and trade secrets legislation, in order to ensure a level playing field with the aim of supporting the rise of EU businesses and SMEs in transport while also protecting citizens’ privacy rights; calls for the correct implementation of the Open Space Directive\(^{12}\), which put forward new rules on the sharing of data by public undertakings in transport;

9. Points out that in respect of data generated by the transport sector, ownership and rights of use must be clarified so as to ensure the freedom of exchange and processing of non-personal and anonymised data by public and private actors; stresses the need for legislative action to remove barriers to the exchange and re-use of data;

10. Takes note of the European Data Protection Board’s\(^{13}\) guidelines on processing personal data for connected vehicles, which highlight the need to address the issue of differentiating between personal and non-personal data in such vehicles and to uphold the rule, enshrined in Article 5(3) of the ePrivacy Directive, that prior authorisation is required by the data subject for the accessing, storing and processing of data on terminal equipment; underlines the importance of legally distinguishing between personal and non-personal data to achieve legal certainty; calls on the Commission to issue specific guidelines on how the rules of Regulation 2016/679 should be applied to mixed data sets in the transport sector, guaranteeing full respect for data privacy;

11. Points out that the European transport sector, including its EU logistics value chain, and the tourism sector together generate a large amount of data of strategic and economic importance; stresses that the further digitalisation of these sectors, by creating further business models and new job opportunities, would enhance the growth, competitiveness and prosperity of the European transport and tourism sectors; stresses that the collection, sharing and use of data should aim at increasing transport safety and efficiency and reducing emissions, and that the exchange of data should be promoted while complying with the appropriate privacy and security safeguards;


\(^{13}\) European Data Protection Board - Guidelines 1/2020 on processing personal data in the context of connected vehicles and mobility related applications.
12. Points out that the public and private sectors and digital platforms generate a vast amount of raw data, i.e. data that has not been processed for use, and non-personal data with the potential to serve the public good both within and outside the transport sector; calls on the Commission to incentivise the release of such data as open data and to develop a model for cooperation between stakeholders;

13. Acknowledges the benefits of data sharing for transport safety and sustainable and efficient transport management; stresses the importance, however, of taking strong and effective personal data protection and cyber-security measures to prevent misuse in the processing and sharing of data;

14. Highlights that the correct application of AI technology in transport can provide great opportunities in achieving interoperable, efficient, safe and zero-emission mobility, especially with regard to passenger safety, traffic management, lowering emissions and reducing sectoral costs;

15. Notes that current developments in AI, such as autonomous driving, connected vehicles and user identification technologies in the travel sector, pose some great risks that must be addressed and effectively managed so as to avoid adverse consequences for European travellers and consumers; underlines in this context the potential risks and the potential for violations of privacy rights in the context of biometric technology use; stresses that the use of public and private vehicles and transport infrastructure, together with tourism services, must continue to be possible for citizens without mandatory biometric recognition, with the exception of instances in which biometric recognition technology use is necessary for overriding reasons of public interest clearly defined in EU or Member State legislation;

16. Stresses that the human factor plays a crucial role and underlines the importance of ensuring that AI, robotics and related technologies remains firmly human-centric, enhancing human well-being and safety as well as the well-being of society and the environment, in reducing the risks that may be inherent in automated processes; calls on the Commission to consider the specific needs of the transport and tourism sectors and their various modes in its upcoming initiative on artificial intelligence and its application;

17. Underlines that competitive access to data is of the utmost importance for the development of AI, increasingly so in the transport and tourism sectors, and that the benefits of AI technology can only be enjoyed if vast amounts of high quality data sets are available to EU researchers and businesses, free from excessive regulatory burdens, especially when the AI application for which the data is used does not entail high risks;

18. Stresses that without a sector specific transport data strategy on how to process and store data and enhance its quality, the EU will fall behind in rolling out AI technology across the sector, and thus lose competitiveness;

19. Emphasises that a regulatory separation is needed between high- and low-risk AI based on how the data is used; notes that this separation must not be made on a sectoral basis, potentially hampering technological development in an entire sector, but instead on the means of application, in order to ensure precision in the regulatory scope and avoid unnecessary administrative burdens;
20. Points out the tangible legal uncertainty facing businesses and researchers using personal data and the dampening effect this has on innovation; asks the Commission to present guidance for pre-approved data usage procedures, as well as for pseudonymisation and anonymisation, in order to increase legal certainty for stakeholders dependent on data usage in the transport and tourism sectors; Maintains that national agencies should follow this EU guidance in exercising their authority, as a means of ensuring regulatory coherence and seamless data flows between Member States;

21. Underlines that legal certainty and a fair possibility to oversee the development of and comprehend data rules are key factors to unleashing the innovative potential of European businesses and researchers;

22. Stresses that the lack of interoperability and uniform standards significantly hampers the exchange and combination of transport and mobility data from different sources; points out that the rapid development of modern digital solutions for transport and tourism, such as autonomous vehicles and intelligent transport systems (ITS), is impossible without the establishment at European level of common, uniform and structured machine-readable data formats, which should be based on open recording standards; draws attention to the important role played by the European Multi-Stakeholder Platform on ICT Standardisation in this regard; calls on the Commission to ensure the development of common data standards in the transport sector to optimise interoperability, compatibility and continuity of data in the transport system;

23. Notes that the success of an EU data strategy, in particular for transport, relies on a sound industrial policy, with investments, both public and private, in new data infrastructure and the data economy aimed at building a resilient EU network that promotes rapid data consumption and sharing, enhancing interoperability to the benefit of all stakeholders while better achieving European digital leadership;

24. Welcomes the European data strategy’s proposal for compatible application programming interfaces and data formats, as format interoperability also ensures fair competition and a level playing field;

25. Highlights the central role of transport in ensuring the uninterrupted activities of other sectors such as health, food, and manufacturing; stresses, therefore, the need to build synergies among the different data spaces the Commission intends to devise, to remove bottlenecks, boost productivity and facilitate the free flow of goods and people; calls for improved coordination among Member States to facilitate the cross-border flow of data across sectors, through government and stakeholder dialogue, with the objective of establishing a common way of collecting data based on the principles of findability, accessibility, interoperability, and reusability;

26. Calls on the Commission to promote the Global Navigation Satellite System (GNSS) for heavy goods transport as an effective tool for monitoring lorries and ensuring goods traceability in real time; stresses that this would lead to lower costs in treatment and hospitalisation due to road accidents and provide greater road safety safeguards while ensuring the processing of data in real time (such as data on available parking areas); notes that the GNSS could help law enforcement with the prevention of illegal
operations;

27. Notes that European companies operating in some third countries are increasingly faced with unjustified barriers and digital restrictions; welcomes the Commission’s commitment to address such unjustified obstacles to international data flows in bilateral discussions and international forums, including the WTO;

28. Asks the Commission to explore the possibilities to facilitate data flows with strategically important third countries, in full compliance with the EU data protection acquis; notes, to this end, that data localisation requirements should be avoided where appropriate, that data must be covered by the EU’s free trade agreements, and that efforts to conclude adequacy decisions with third countries must be accelerated;

29. Highlights that data sharing could improve the efficiency of traffic management and road safety for all transport modes; stresses the potential benefits of sharing data, such as real-time traffic avoidance navigation and real-time notifications for delayed public transport, in saving extra working hours, improving efficiency and avoiding bottlenecks; stresses the importance, however, of taking strong and effective cyber-security measures to prevent misuse in the processing and sharing of data, and of finding common ground in addressing the relevant technical and legal issues, particularly in cross-border sections;

30. Points out that private operators in the transport sector generate a significant amount of the data created during the provision of services of general interest or the carrying out of tasks which are co-financed by public funds, such as public transport; stresses that, given its importance and high value for society, such data should be made available for re-use in the general interest, while guaranteeing a high level of personal data protection; asks the Commission to guarantee the proper use and protection of personal data gathered from transport and tourism-related applications and services that includes the traceability of users, passengers and consumers of these applications;

31. Takes note of the work of the EU Agency for Network and Information Security (ENISA) in securing transport critical infrastructure; underlines the enormous potential of the Internet of Things (IoT) for transport, in guaranteeing better operational performance, increased security and efficient real-time service; highlights that next generation technologies in transport will store data close to where the data is generated (data at the edge), increasing cyber risks; calls for a coordinated EU approach in establishing common protocols for safe access to, and storage and processing of data across the transport sector;

32. Stresses that data sharing in the European transport sector could facilitate cross-border TEN-T infrastructure projects, which often face particular challenges as regards the coordination of permit granting procedures; highlights that a European data area that provides for an increase in data sharing and digitalisation could have a positive impact in the implementation of the SMART TEN-T Directive, and consequently on the implementation of EU streamlining measures in permit granting procedures, cross-border procurement procedures and other administrative procedures; highlights that this simplification of procedures is key to advancing in the realisation of the trans-European transport network in a more efficient way, reducing technical obstacles and
administrative burdens, and thus reducing the possibility of delays and increased costs in TEN-T transport infrastructure projects;

33. Highlights that European partnerships could play an important role in advancing innovation and research in the transport sector’s performance and safety; stresses that data sharing could be of particular importance for strengthening the role of European partnerships; highlights that European partnerships in the different modes of transport can have a very positive impact on the safe, sustainable and smart deployment of the TEN-T;

34. Stresses the need to regulate the exchange of data between public actors (G2G) in cross-border transactions, particularly in areas such as information on the usage history of second-hand vehicles; notes that the lack of a uniform cross-border system for the exchange of vehicle information has a negative impact on road safety and consumer protection against fraud;

35. Stresses the importance of data exchange for the creation of interoperable multimodal ticketing systems; highlights the particular need for through-ticketing in the railway sector and calls on the Commission to enable data sharing between different railway operators with the aim of facilitating international rail travel;

36. Stresses the importance of data exchange for new market entrants and innovation; highlights the benefits of data sharing in the transport sector, particularly with regard to ticketing systems, both for businesses and consumers;

37. Notes the importance of data exchange from vehicle to vehicle, transport infrastructure to transport infrastructure and vehicle to transport infrastructure, as well as between Member States; calls on the Commission to ensure interoperability between vehicles and transport infrastructure;

38. Calls on the Commission to swiftly finalise the deployment of the European Rail Traffic Management System (ERTMS) in the European railway network in order to reap the benefits of an interoperable signalling system;

39. Calls for a data strategy which aims to achieve sustainability for all transport modes; highlights the importance of railways as the transport mode that overall currently presents the lowest carbon footprint for both passenger and freight;


41. Stresses the need for an EU legislative proposal which provides for a governance framework for access to data for public authorities and businesses, accessible also to technology developers; believes that allowing businesses and the public to reuse data...
could help address major societal challenges and boost economic development in Europe;

42. Proposes that, in the process of creating a regulatory framework for interoperable data exchange in rail transport, the Commission should revise Commission Regulation (EU) No 454/2011 of 5 May 2011 on the technical specification for interoperability relating to the subsystem ‘telematics applications for passenger services’ of the trans-European rail system\textsuperscript{15} and Commission Regulation (EU) No 1305/2014 of 11 December 2014 on the technical specification for interoperability relating to the telematics applications for freight subsystem of the rail system in the European Union\textsuperscript{16};

43. Stresses the need to devise intelligent, sustainable and affordable solutions for citizens and public authorities in the field of urban and interurban mobility, such as integrated ticketing systems, while bringing about a public transport system that is widely accessible, affordable, inclusive, smart, sustainable, efficient and non-discriminatory on the basis of race, identity or sexual orientation; notes, in this context, the importance of mobility as a service (MaaS) and of logistics as a service (LaaS), and their potential benefits, in line with the Paris Agreement and the climate targets of the European Green Deal; urges the Commission to uphold the principle of ‘data for the public good’, to take full account of data generated by active modes of transport and to facilitate the sharing of data sets with the aim of fuelling research and promoting the uptake of policies to boost mobility for all EU citizens; calls on the Commission, furthermore, to help enable alternative means of transport using digital platforms aimed at increasing the sharing of these means, inter alia, car-sharing, bike-sharing;

44. Highlights that the digitisation of documents in freight and passenger transport should aim to reduce costs and administrative burdens for businesses, public authorities and users, contributing to making these operations more efficient and sustainable, while ensuring that jobs are protected, with regular training, reskilling and upskilling creating a data literate workforce, spurring economic growth and job creation; highlights the importance of digital skills and innovative technologies for enhancing the efficiency and the user-friendliness of the European transport sector; calls for operators from all Member States, especially SMEs, to be enabled to freely provide transport services in the single market by easily verifying their identity and authorisations;

45. Stresses that traditional employment in today’s transport sector will greatly diminish or evolve into new roles in which new skills will be required; highlights the need for programmes aimed at upskilling and reskilling workers in the transport sector, creating a data literate workforce while ensuring that worker’s rights are protected;

46. Calls on the Commission to devote particular attention to the situation of start-ups and SMEs, and to design future legislation in such a way as to improve conditions for these undertakings;

47. Underlines the need to avoid introducing requirements that hinder start-ups and SMEs in the digital sector, with the aim of preserving a diversity of actors, ensuring

\textsuperscript{15} OJ L 123, 12.5.2011, p. 11.
satisfactory competition and preventing the emergence of monopolies;

48. Points out that existing directives, such as the ITS Directive, should not be weakened by an overarching set of rules and that facilitating a data-sharing environment will be crucial for the EU in the coming years; calls on the Commission to include data sharing, particularly in the field of ticketing and booking systems, in the upcoming revision of the ITS Directive;

49. Notes the importance for the tourism industry of collecting and analysing economic, environmental and socio-cultural data as a means to support decision-making by public and private agents, and to make it possible through the combination of official statistics and real-time and/or big data to customise products and services throughout the tourism industry ecosystem;

50. Calls for the creation of a European data space for tourism with the objective of helping all actors in the sector, especially SMEs, benefit from vast amounts of data when implementing policy and projects at the regional and local levels, facilitating recovery and boosting digitalisation;

51. Underlines the enormous benefits of data for the tourism sector, which will greatly facilitate the work of national, regional and local governments in devising policies for safeguarding the social, economic and environmental sustainability of tourism; notes the benefits of using data sets with regard to the circular economy, crowd management, customer experience and language service programmes for tourism;

52. Criticises the fact that the Commission has not included the tourism industry in the European data strategy, since this sector today heavily relies on consumers using digital platforms; calls on the Commission to incorporate the tourism sector in the governance framework for common data spaces, enabling the entire tourism industry ecosystem to fully commit to innovation, digitalisation and sustainability;

53. Points out that data can be an efficient element in the fight against gender bias and encourages the use of unbiased data sets to improve security for women in transport;

54. Urges the Commission to devise policies in cooperation with Member States to promote STEM (science, technology, engineering and mathematics) education with the goal of developing talent in these fields; underlines the need to retain such talent, creating career paths in areas such as software engineering and data science, with a specific focus on gender equality in the sector, while financing research that leads to the creation of European know-how that is necessary to develop next generation technologies.
INFORMATION ON ADOPTION IN COMMITTEE ASKED FOR OPINION

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## FINAL VOTE BY ROLL CALL IN COMMITTEE ASKED FOR OPINION

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0   : abstention