

The European Commission  
Commissioner for Jobs and Social Rights  
Mr. Nicolas Schmit

### **Shared EU and Nordic priorities for the future of our labour markets**

Dear Commissioner

Congratulations on your recent appointment as European Commissioner for Jobs and Social Rights.

The Nordic Council of Ministers for Labour looks forward to starting a fruitful and constructive cooperation and dialogue with you. We agree with you on the need to develop an even stronger, more sustainable and socially inclusive Europe. In order to begin this dialogue we would like to invite you to participate in our next Ministerial Meeting on 2 April 2020 in Copenhagen.

Based on our Nordic Models and experiences, we would like to share with you some priorities that we, with the respect of the division of competences and the autonomy of the social partners, believe should be at the center of the Union's policies.

#### *A future based on social responsibility and fair mobility*

Across the EU and the Nordic countries, the past years of economic growth and improved employment outcomes have positively contributed to the overall well-being of women and men. At the same time, the good years give us the opportunity and responsibility to bring more people into employment, not least by equipping our workforce with the skills of tomorrow. In doing so, we would create a more socially inclusive Europe

Based on our Nordic experiences, we look forward to continued cooperation, sharing of experiences and good practice on the topic of labour market adjustments, as well as on the broader issue of "the future of work", including the platform economy. It is important to reflect on these issues in the years ahead as EU activities should respond to the current challenges in our labour markets.

Labour mobility, including the free movement of workers, is of central importance to businesses' access to qualified labour, preventing bottlenecks and allowing businesses to compete on a global scale.

However, in order to achieve a more socially responsible Europe and ensure the continued public support for labour mobility, it needs to be *fair*.

It is important to fight social dumping and abusive practices in the EU and ensure a level playing field in the Single Market.

*A safe and healthy work environment across the EU*

No one should go to work fearing for her/his health and safety. The EU's occupational safety and health rules should be ambitious, up-to-date and effectively implemented and enforced. The Nordic countries support the new Commission's efforts in the area of occupational safety and health, including the adoption of a new EU Strategic Framework on Health and Safety at Work. Addressing occupational safety and health challenges is important for many reasons such as changing working life, psychosocial risks, gender equality, preventing fatal accidents and protecting workers from diseases such as cancer caused by the use of dangerous substances. The work should be based on the latest research while involving the social partners.

*A future European success based on strong social dialogue and national labour markets*

The European Union is playing a crucial role in ensuring economic and social growth in Europe, including the Nordic countries. The EU needs to continue having jobs and growth at the center of EU policies post 2020.

The challenges that the Member States face are often similar, but not identical. That is why it is important that the specificities of each country are taken into account and respected.

In our view, the principle "big on big issues, small on small issues" has served the outgoing Commission well and should continue to be a guiding principle. In a Nordic spirit, an essential aspect of achieving this is to strengthen the social dialogue both nationally and at EU-level, including by encouraging higher union density and promoting the possibility for the social partners to find solutions to labour market challenges, many of which require nationally tailored measures.

Therefore, we very much welcome the assurances you gave *inter alia* at the hearing in the European Parliament of your respect for systems based on collective bargaining, i.e. that any future initiative on minimum wage will not interfere with labour market models where wages are regulated by collective agreements. For the Nordic countries, it is crucial that we can secure the functioning of our labour market model that relies on collective bargaining.

*Equal economic independence of women and men*

There is a close link between gender equality and economic growth. High levels of employment for both women and men are crucial for economic growth, and investments in gender equality contribute to the sustainability of society. This is an integral part of the Nordic model.

However, both in the Nordic countries and the EU women still take a larger responsibility for the unpaid work at home and the care of children and other dependents than men. Women also take longer career breaks than men and are more likely to choose part-time work to reconcile work and care responsibilities. Furthermore, the European labour markets are still occupationally gender segregated, and equal pay continues to be an issue.

In the view of the Nordic countries, it is imperative to strengthen the promotion of gender equality in the EU. Therefore, we warmly welcome the new Commis-

sion's plan to set forth an EU gender equality strategy and suggest that the Commissioner for Jobs and Social Rights contributes actively to the realization of this. The EU needs a powerful, comprehensive and sustainable Gender Equality Strategy. The strategy should have clear goals, be followed-up, and its implementation evaluated and reviewed within the Council.

To conclude, the Nordic Council of Ministers for Labour is looking into the future of the EU labour markets with great anticipation and ambition, while emphasizing the importance of implementing and applying existing measures, legislation and systems, as well as the recognition of effective and well-functioning labour market models such as the Nordic. We hope to have a chance to discuss these topics with you in a near future.

Yours sincerely

*Sweden*



Eva Nordmark  
Minister for Employment

*Finland*



Tuula Haatainen  
Minister of Employment

*Norway*



Anniken Hauglie  
Minister of Labour and Social Affairs



Aino-Kaisa Pekonen  
Minister of Social Affairs and Health

*Iceland*



Ásmundur Einar Daðason  
Minister of Social Affairs and Equality

*Denmark*



Peter Hummelgaard  
Minister for Employment



**MINISTRY OF INDUSTRY, BUSINESS  
AND FINANCIAL AFFAIRS**

Thierry Breton  
Commissioner for Internal Market  
European Commission

**MINISTER FOR INDUSTRY,  
BUSINESS AND FINANCIAL  
AFFAIRS**

Dear Commissioner Thierry Breton,

Please accept my warmest congratulations on your appointment as Commissioner for Internal Market.

A timely response to the challenges and seizing the opportunities posed by climate change and rapid digitalization is of critical importance to ensure a prosperous EU. I would like to present you with the overall Danish agenda in your area of responsibility, as priorities for the Single Market are elaborated further in the attached non-papers. I hope you will read these with interest.

**Towards a competitive and climate-friendly European industry**

European industry is a key player in restoring the EU's global competitiveness as well as fulfilling the Paris Agreement. The upcoming action-plan for industry should set a clear political direction with an emphasis on cost-effective and market-based measures that encourage businesses to make necessary investments needed for the transition to a competitive, circular and climate-neutral European industry.

Furthermore, I would encourage you to make sure that the work on Important Projects of Common European Interest (IPCEIs) related to strategic value chains contribute to our climate and environmental objectives. Moreover, we should improve the transparency of IPCEIs by introducing ex-ante consultation. This will allow all Member States to easily participate and contribute.

There is also a need to re-think the future set-up for identifying strategic value chains. To this end, we need a new procedure for identifying, amending or phasing out strategic value chains. The procedure should maintain the original bottom-up approach characterizing the current Strategic Forum while ensuring political legitimacy and governance and directing initiatives towards major challenges such as climate change.

Moreover, I encourage you to lay down the pillars for a robust framework for secure, interoperable and trustworthy data sharing that can sustain public trust in data usage and contribute to the green transition of industry. We should openly discuss how best to encourage and ensure more data sharing through an ethical and coherent European framework, as the use of data is vital for European businesses if they are to be global frontrunners of the data economy.

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Regarding the external dimension of EU industrial competitiveness, I recognize the tendency towards increased unfair competition and the need to react and safeguard European interests. The best way to preserve fair global competition and a level playing field is through common rules applicable to all, rooted in the WTO. Thus, it is encouraging that the incoming Commission aims to make reform of the multilateral trading system a top priority. This must include an update of the rules so they address unfair market-distorting trade practices and reflect today's digital economy. In parallel, we may need EU instruments to handle distortive behaviour from companies from third countries operating within the Single Market without relaxing the principles of independent enforcement and free and fair competition.

### **A fair Single Market fit for the digital age**

Effective implementation and enforcement are key components towards making the Single Market both fairer and smoother for law-abiding businesses, consumers and workers. We need a firm and ambitious long-term action plan for better implementation and enforcement, containing concrete initiatives on how to improve the uniform implementation, application and enforcement of our common rules. We have several proposals, highlighted in the attached non-paper regarding better implementation and enforcement.

Moreover, I encourage you to ensure that European legislation is digital-by-default and future-proof as this it is a precondition for a well-functioning Digital Single Market. In Denmark, we have introduced a set of principles on digital-by-default and future-proof regulation. I would be happy to share our experience on the use of these principles in lawmaking and further discuss how such principles could be implemented at the European level. Attached you will find a non-paper explaining the Danish principles and priorities on this agenda.

Cross-border digital services is a vital tool to make life easier for citizens and businesses within the Single Market. In this context, I would urge you to take into account the special situation of the public sector as a guarantor of maintaining public confidence in digital infrastructure systems and public digital procedures for instance regarding data transparency and interoperability, and trustworthy electronic identification.

Regarding the new SME Strategy, I hope focus would be on the possibilities for SMEs, solutions to the challenges posed by climate change and rapid digitalization and ways to make it easier to scale-up and participate in European and global value-chains.

### **Digital trust as an enabler of Artificial Intelligence**

I have positively noticed the aim of the new Commission to deliver a European approach to artificial intelligence within your first 100 days in office. In this regard, the aim should be to make data ethics a competitive advantage for European businesses going hand-in-hand with innovation. A European approach could make us a frontrunner in the responsible use of artificial intelligence and data. By introducing a European Data Ethics Seal we would enable consumers to easily identify companies who take data ethics seriously. Together with a requirement for the largest European companies to publish their data ethics policies, the digital economy would become more transparent for consumers. Attached you will find a non-paper explaining our suggestions to this agenda.

Moreover, access to cross-border digital service in the EU is important for the non-discrimination of businesses, workers and citizens when operating and acting on the internal market. However, I would urge you to take into account the special situation of the public sector as a guarantor of maintaining public confidence in digital infrastructure systems and public digital procedures when making new proposals for the use of data, AI and the further development of cross-border digital ecosystems in the EU.

### **A modern and responsible framework for the platform-economy**

It is time to modernize the regulatory framework of the platform economy in order to ensure digital responsibility, better cross-border enforcement and to address emerging issues that are not dealt with under the current rules. In doing so, we should also tackle the increasing fragmentation of the regulatory framework for digital services that constitute barriers to scaling up within the Digital Single Market. A modernized framework for the European platform economy should maintain the essence of the e-Commerce Directive, namely the country of origin principle, which the European platform economy has benefitted immensely from. At the same time, we face an important and necessary discussion regarding liability regimes and the responsibilities of especially large and influential companies in handling data versus the possibilities for smaller companies to develop new business models and scale up across the Single Market. We should modernize the regulatory framework to find horizontal solutions that address the emerging issues in the platform economy, eradicates regulatory fragmentation through uniform application and enforcement of the notice and take down of illegal content across the EU while strengthening the competitiveness of the European platform economy.

### **Strengthening the European defence industry through competition**

The development of a well-functioning and competitive Single European Defence Market, open also to SMEs, is crucial if the EU is to strengthen

the technological and industrial base that is able to deliver the defence capabilities that Europe needs. The European Defence Fund can be an important instrument in this regard - if the key principle of ensuring strong competition for all funds is adopted in its implementation and work programmes.

I hope these ideas will be useful for you in laying out the agenda for your important portfolio for the coming years and I look forward to working together with you to strengthen European competitiveness to the benefit of all Europeans.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Simon Kollerup'. The signature is written in a cursive style with a large initial 'S' and a long, sweeping underline.

Simon Kollerup

## Strengthening the Single Market through better implementation and enforcement

### Proposal

New transposition and application tools are needed to ensure that current rules are transparent and uniformly implemented and complied with across Member States. Among these are:

- Templates and analyses to ensure transparent implementation: Drawing on the experiences in financial services, the use of implementation templates should be made obligatory on a trial basis to ensure that businesses have access to an overview of the specific areas where national rules differ from the adopted EU legislation. This should be supported by ongoing analyses on the differences in implementation across Member States which should be initiated by the Commission in order to increase knowhow and transparent implementation.
- A strengthened Single Market Scoreboard: The Single Market Scoreboard should be developed to promote enforcement and strengthen compliance in practice. The Commission is for example encouraged to broaden its scope to cover the qualitative implementation of legislation. Furthermore, the Single Market Scoreboard should reflect the developments in terms of national rules on goods and services by linking the Scoreboard with the number of notifications in the TRIS and IMI databases.
- Criteria for infringement procedures: Building on the principles set out in the Communication “EU law: Better results through better application”, the Commission should develop and apply a set of criteria as a basis for launching infringement procedures. These criteria should be used to ensure consistency in the detailed process of assessment and selection. The criteria should also indicate overall political and strategic priority areas of the Commission, including prioritisation of violations entailing distortion of competition.
- Single Market implementation reviews: With inspiration from the Environmental Implementation Review (EIR), the Commission should conduct implementation reviews on a regular basis of each Member State’s implementation of selected pieces of horizontal Single Market legislation. The aim should be in constructive dialogue with Member States to set out proposals on how to improve the implementation to strengthen the basic principles governing the Single Market. Inspiration may also be found in the better regulation method related to “neighbour checks”.
- Strengthening enforcement: Efficient and systematic efforts to enforce regulation are indispensable to the optimization of the entire policy process. It must be clear what determines policy outcomes – the rules or their actual application. In order to strengthen the Commission’s work in this area an institutional strengthening should be considered, e.g. by assigning a vice-president with responsibility for better regulation, implementation and enforcement. Explicitly highlighting implementation and enforcement as the responsibility of a vice-president would raise the political focus on this agenda and make it a central element in every new policy initiative.

### Challenge

Diverse application of the EU-law increases administrative burdens and reduces legal certainty for businesses detrimental to cross border trade and investment security. Optimizing European businesses’ framework conditions, including legal certainty necessitates coherent and effective application of the rules governing the Single Market. A more transparent and uniform application of the Single Market acquis will



benefit especially SMEs that are disproportionately affected by diverse application of EU-rules due to their scarce resources and limited capacity to keep track of a complex and quickly changing legal environment.

### **Background**

The enforcement and implementation agenda is a prominent priority in the current Commission. The launch of the compliance package, including e.g. the regulation on a Single Digital Gateway and an action plan for SOLVIT are important initiatives which aim at simplifying the life of businesses in practice. However, more can be done by building on existing mechanisms and applying these more systematically and with more transparency. Making the very basis of the Single Market function better is a precondition for developing the Single Market further.

### Proposal

#### Data Ethics as Corporate Social Responsibility

The Commission should consider a revision of the directive as regards *disclosure of non-financial and diversity information by certain large undertakings and groups*. The revision should include provisions for certain large undertakings - to prepare a non-financial statement containing information relating to their data ethics policies as part of their annual management reports.

#### European Data Ethics Seal

The Commission should encourage the development of a European Data Ethics Seal by the relevant industry and standardization bodies. The seal should be awarded to companies, products and services that meet a pre-defined list of data ethical requirements e.g. companies or products that meet high standards for data security, companies or products that do not collect unnecessary data on the user, or companies or products that have been tested for bias etc. The European Data Ethics Seal could be a way to operationalize the Commission's idea of "ethics by design" and make it visible for consumers which companies, products and services to trust - and thus creating a market incentive for producers to become more data ethical.

#### Standards on AI Trustworthiness

The Commission should investigate the possibilities for promoting the use of technical standards on AI Trustworthiness in the European legislation. ISO/IEC and CEN/CENELEC as well as the IEEE are currently working on different aspects of standardization of AI and ethics/trust. The inherent agility of technical standards could create the necessary balance between long-term durability and short-term efficiency.

### Challenge

Trust is the most important component in ensuring wide uptake of digital technology and solutions. It is thus of the utmost importance that the European Union succeeds in creating a legal and ethical framework that can ensure citizens' trust in the new technologies. Moreover, the responsible use of data has the potential to become a competitive advantage for European businesses in the competition with American and Chinese companies. In order to give EU businesses a first mover advantage, the EU should take concrete steps to strengthen data and AI ethics through transparency, and thus empowering consumers and businesses to choose products and solutions that are based on a responsible use of AI and data.

### Background

Our ambition as a European community should be to break down national silos to ensure that the leading digital companies of the future will be European. EU has a very important global role in terms of promoting the responsible and ethical approach to data use. We are convinced that Europe not only could, but should lead the way for responsible use of data - and thereby potentially gain an invaluable competitive advantage on the global marketplace.

## Digital-by-default and future-proof regulation

### Proposal

To ensure that EU regulation is digital-by-default and future-proof, the Commission should introduce a set of principles on digital-by-default and future-proof regulation and initiate targeted measures at all stages of the legislative cycle to enforce these principles. These measures should have a two-fold purpose:

1. Enable digital administration to promote more user-friendly and efficient public services to businesses and citizens as well as to improve enforcement and prevent errors and fraud.
2. Provide a future-oriented regulatory framework to accommodate and enable businesses to innovate and apply new technologies and business models.

The set of principles could be the following six: 1) Simple and clear rules, 2) Accommodate new business models and technology-neutrality, 3) Digital communication, 4) Automated digital case processing, 5) Coherence and consistency across regulation and authorities - uniform concepts and reuse of data, 6) Improving enforcement and preventing errors and fraud. Needless to say, safe and secure data handling is a fundamental precondition that should accompany these efforts. See annex 1 for a description of the principles.

It is vital to ensure that the principles on digital-by-default and future-proof regulation are considered by the relevant Directorate-General in the early drafting stages of a proposal and in relation to the impact assessments. The implementation of the following procedures will ensure proper enforcement of the principles. An early screening could determine whether the principles are relevant and, if that is the case, whether they have been followed. The existing better regulation structure within the Secretariat-General could carry out the screening drawing on the expertise from relevant units in DG CONNECT and DG DIGIT. Measures later in the legislative process can also be considered - such as ex-ante digital-by-default and future-proof checks by the Regulatory Scrutiny Board. Finally, ex-ante and ex-post evaluations such as user journeys, user-friendliness tests and REFIT-activities can evaluate whether regulation has been meaningfully translated into user-friendly digital solutions and identify ways of making regulation more future-oriented and fit for the digital age.

### Challenge

The accelerating digital transformation of businesses and society poses both new opportunities and challenges for EU regulation. EU regulation needs to be fit for the digital reality of businesses and citizens, enable user-friendly digital solutions and promote innovation, including new technologies and business models. Digital-by-default and future-proof regulation is a precondition for a well-functioning Digital Single Market, which is both genuinely *digital* by promoting innovation, new technologies and business models and *single* by enabling more seamless, efficient and user-friendly national and European digital public services that reduce burdens for businesses and citizens operating across the EU. This is an opportunity to improve public services and provide European businesses with the competitive edge which is crucial for succeeding in the fast-moving global digital economy.

### Background

Existing and new regulation is often not designed to accommodate the way in which new technologies and business models can create new value for businesses and society. We still see proposals that are not suited

to the current digital reality of businesses or are difficult to digitalise and automatise by public authorities. The Commission has already included a “Research and Innovation Tool” and a “Digital Check” in its Better Regulation Toolbox. These are steps in the right direction, but there is a need to step up these efforts by placing principles on digital-by-default and future-proof regulation at the heart of the Commission’s better regulation machinery. This will ensure that EU regulation is suited to the digital reality, reduces unnecessary burdens and enhances well-functioning national and European digital public services for the benefit of businesses, citizens and the authorities themselves. We stand ready to engage in dialogue with the Commission to develop such measures as we have introduced similar measures at national level.

## **Annex 1: Principles for digital-by-default and future-proof regulation**

To ensure that EU regulation is digital-by-default and future-proof, the Commission should introduce a set of principles on digital-by-default and future-proof regulation and initiate targeted measures at all stages of the legislative cycle to enforce these principles. These measures should have a two-fold purpose:

- I. Enable digital administration to promote more user-friendly and efficient public services to businesses and citizens as well as to improve enforcement and prevent errors and fraud.
- II. Provide a future-oriented regulatory framework to accommodate and enable businesses to innovate and apply new technologies and business models.

Needless to say, safe and secure data handling is a fundamental precondition that should accompany these efforts.

### Principles

The following principles should be promoted at EU-level:

#### **1. Simple and clear rules**

*Simple and clear rules are easy to administer and contribute to more uniform administration and digital support. If the legislation is unclear or complex with many exceptions, requirements, schemes or discretion it can be difficult to administer - also digitally. Legislation should focus on the main objectives while detailed specifications should be handled in delegated or implementing acts which will enable easier and continuous updating of the legislation.*

#### **2. Accommodate new business models and technology-neutrality**

*The legislation should foster innovation by accommodating emerging and new business models and promoting the use of experiments and sandboxing. It must also be technology-neutral to ensure that it does not regulate the use of technology which will subsequently become obsolete*

#### **3. Digital communication**

*The legislation must support user-friendly digital communication between citizens and businesses and the public sector. For citizens who cannot use digital solutions, other solutions must still be offered.*

#### **4. Automated digital case processing**

*The legislation should underpin fully or partly automated digital case processing. As a general rule, the legislation should apply objective criteria, clear and unambiguous definitions and common concepts rather than special concepts. The goal is to enable automation by using objective criteria when it makes sense and to ensure that it is still possible to exercise discretion in cases where it is professionally relevant.*

#### **5. Coherence and consistency across regulation and authorities - uniform concepts and reuse of data**

*Legislation should be coherent across policy silos in order to prevent fragmentation and regulatory uncertainty. Concepts and data must be reused across regulation and authorities to promote efficiency and coherence to thereby reduce burdens for both authorities, citizens and businesses. If data already exists that supports the concepts of the legislation, the legislation should reuse these or consider whether other similar concepts may be used for data that is already available.*

#### **6. Improving enforcement and preventing errors and fraud**

*The legislation must be worded to permit effective IT application and data-driven solutions and tools to ensure better compliance and enforcement through risk-based control. Such solutions can improve the combatting of fraud or reduce errors considerably.*

## **A Competitive, Sustainable and Fair Single Market**

The Single Market is a unique asset in the European cooperation connecting 500 million consumers with 26 million businesses. Over the last 25 years, timely and ambitious steps have resulted in the Single Market becoming a vital source of economic growth in all EU Member States providing for more than 56 million jobs across the EU. However, in an ever-changing environment where well-known challenges of climate change, unfair market practices, and digital transformation are imminent, and where new cross border challenges keep arising, new and targeted measures are needed to bolster and future-proof EU's global competitiveness. To this end, the EU should agree on a holistic EU Sustainable Growth Agenda where efforts towards a climate-neutral economy goes hand in hand with measures promoting a competitive, integrated and fair Single Market effectively combating fraud and circumvention of the common rules in support of growth, employment and consumer interests.

In line with the European Council conclusions of March 2019 and the Council Conclusions on the Single Market, Denmark outlines the following vision for a competitive, sustainable, and fair Single Market:

- **Becoming a competitive climate-neutral economy.** The transition to a climate neutral economy will broaden the realm of growth policies by giving rise to new business models based on climate neutral, circular, and digital solutions. Such innovation and job opportunities should be exploited to the fullest to increase European competitiveness while bringing environmental benefits to EU citizens. To this end, a clear political direction should be formulated with an emphasis on cost-effective and market-based measures that encourage businesses to invest in renewable energy sources, new infrastructures, and in research and development, allowing for the technological breakthroughs needed for European businesses to become climate neutral while remaining competitive on a global scale. Such investments should be sustainable and responsible, taking into account ethical, social, and management issues, including amongst other things human rights and labor rights.
- **Preserving EU leadership in clean tech solutions.** Tomorrow's industry will depend even more on a better use of new digital technologies allowing for more efficient manufacturing and new smarter products intended to strengthen consumer convenience and safety. To this end, businesses should have access to a non-fragmented, futureproof and innovative Digital Single Market underpinned by a safe, secure and responsible European platform and data economy. The further development of the European data economy should focus on making the responsible and ethical use of data a competitive edge for European businesses by amongst other placing the issue center stage in the Commission's work on artificial intelligence. Furthermore, it is important to promote the availability and use of data in the EU, which is central to the development of innovative solutions supporting the green transitioning such as data within the area of utilities, mobility, environment and the food sector, taking into account security and the General Data Protection Regulation.
- **A strengthened focus on resource efficiency and circular economy.** The EU needs to exploit the business opportunities resulting from the transition to a more sustainable, resource efficient and climate neutral economy. Policies need to provide the necessary coherence, consistency and certainty, creating incentives for a company's transition to a circular economy. To this end, a strategy for circular economy should be developed with a particular focus on how digitalization and artificial intelligence can support circular

solutions and business models. Such strategy should be underpinned by a comprehensive action plan for a transition to a circular and climate neutral European industry.

- **An action plan for a sustainable and competitive European retail sector.** The further development of the European retail sector should be linked to the EU's new sustainable growth agenda and the path towards a climate-neutral economy. To this end, the Commission should develop an action plan for a more sustainable retail sector including through circular economy and reductions of greenhouse gas emissions from European retailers and their supply chains. Such a plan should aim to further incentivize the sector's focus on sustainability and commitment to manage environmental impacts. The plan could include initiatives to reduce the sector's use resources in general, for example the use of plastics while promoting the use of recyclable packaging as well as to reduce the use throughout the whole value chain through actions in the retail sector. Such efforts should be conducted in accordance with existing initiatives at EU level, in particular the work of the Circular Plastic Alliance. Furthermore, the plan should address the need for electrification in order to integrate more renewable energy, improving the energy efficiency and recycling in the sector's production mode and supply chain.
- **Ensuring a fair and well-functioning Single Market through uniform implementation and effective enforcement.** An effective implementation and enforcement of Single Market legislation is a key component towards making the Single Market fairer and more beneficial for law-abiding businesses, consumers and workers. By streamlining enforcement efforts and effectively combating deliberate attempts to circumvent and abuse Single Market legislation, the incentive to abide by the Single Market rulebook will rise, leading to greater trust and legal certainty essential for upholding consumer protection and workers' rights and safety in the Single Market. To this end, the EU needs a firm and ambitious long-term action plan for better implementation and enforcement of Single Market rules, containing concrete initiatives on how to improve the uniform implementation, application and enforcement of our common rules governing the Single Market. For instance can the new European Labour Authority ELA play a key role in the enforcement of relevant Union law. A stronger focus on effective enforcement will allow businesses to rely on the same compliance set-up based on the same sets of rules when expanding their businesses across the EU thus reducing businesses' compliance costs leading to greater competition through a greater variety of quality goods and services to lower prices. The Single Market should be continuously adjusted to support the transition to a climate neutral economy in the EU by 2050 at the latest.
- **Effective and sustainable capital markets.** Developing open, transparent and globally competitive European capital markets is key for European businesses' possibility to invest in and finance e.g. the transition to climate neutral productions and value chains. The European capital markets should continue to develop towards securing a leading position for the EU in promoting sustainable and responsible investments, enabling the financial sector to support sustainable growth. At the same time, the effectiveness of the European capital markets could be increased by facilitating access to cross-border investments, thereby creating real value and tangible improvements for investors and businesses.
- **Strengthening efforts against fraud and financial crime.** It is paramount to create a level playing field in the Single Market where both law-abiding businesses and frauds have confidence in the rules being upheld and crimes being punished. Crimes or deliberate circumvention of EU law undermines the trust and confidence in the Single Market detrimental to both growth and welfare. The EU should therefore continue its fight against

cross border incidents of money laundering and tax fraud. Amongst other initiatives, the next steps could be to investigate the possibility to allocate special competences to an EU-body to fight money laundering and create a Single Rule Book throughout the EU by transforming parts of the anti-money laundering directive to a regulation. The EU should also assist/support the financial sector in building a common infrastructure that can strengthen customer due diligence processes with respect to legal certainty for individual customers.

- **Providing tools for overcoming increasing complexity and legal fragmentation.** The level of complexity and legal fragmentation in the rules governing the Single Market is on the rise. When EU-legislation fails to create common ground across Member States and break down barriers and new national, technical regulations are being adopted, businesses' burden of compliance increases. To overcome the increasing complexity and legal fragmentation especially in the digital economy, more focus should be devoted to ensuring clear, simple and coherent rules providing for legal certainty. Businesses should have easy access to tailor-made information regarding the rules they have to comply with when scaling across borders within the Single Market. A better national dissemination of rights and obligations for businesses could furthermore have a positive impact on businesses' compliance with EU-law.
- **Regulation that is digital-by-default and future-proof.** A continued strong better regulation agenda is essential to simplify legislation and reduce unnecessary burdens for businesses. European regulation needs to become more innovation-friendly and forward-looking to allow businesses to test, develop, and apply new business models. For Member States to support businesses' transformation and greater use of digital solutions, it is important that EU-legislation enable digital administration relying on state-of-the-art technology, reuse of relevant data and standards. To this end, the EU should ensure that digitization, interoperability and automatization are comprehensively considered in every step of the adoption of EU-legislation where relevant. Amongst other a set of principles on digital-by-default and future-proof regulation could be introduced and enforced at all stages of the legislative cycle.





**MINISTRY OF INDUSTRY, BUSINESS  
AND FINANCIAL AFFAIRS**

Didier Reynders  
Commissioner for Justice  
European Commission

**MINISTER FOR INDUSTRY,  
BUSINESS AND FINANCIAL  
AFFAIRS**

Dear Commissioner Didier Reynders,

**MINISTRY OF INDUSTRY, BUSI-  
NESS AND FINANCIAL AFFAIRS**

Please accept my warmest congratulations on your appointment as Commissioner for Justice.

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A timely response to the challenges and seizing the opportunities posed by climate change and rapid digitalization is of critical importance to ensure a more sustainable and prosperous EU. Consumer demands play an important role in creating competitive, innovative and sustainable markets. I would like to present you with the overall Danish agenda in your area of responsibility, which I hope will be of interest to you.

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### **Consumer policy applicable to the digital future**

With reference to your statements in the parliamentary hearing, we share your opinion that consumers should be empowered, properly informed and encouraged to make sustainable choices. Over the past few years, European consumers' consumption patterns and opportunities have been changing. Globalization and digitalization have led consumers to act in completely new ways, and consumers have been given a much wider choice, which can be challenging to navigate on bigger and more complex markets.

With the rapid digital development and the emergence of new business models, it is important to ensure that consumer protection rules are fit for the digital age. Although a political agreement on the omnibus directive from New Deal for Consumers has recently been reached and progress made on the proposal on collective redress, more needs to be done. When developing new consumer policy, it is of high importance to continue the inclusion of behavioural analysis and methods in order to secure that the proposed regulation will have the intentional effect on the market and is fit for purpose.

### **Strengthened enforcement with third countries**

I have positively noticed that you have been tasked with ensuring consumer protection within cross-border trade with third countries. This is highly relevant as challenges in relation to consumer protection go beyond the frontiers of the Union. In order to strengthen the cross border consumer enforcement, international agreements with third countries should be negotiated. This has been made possible through the revised CPC regulation.

Moreover, I encourage you to look more online platforms and websites from third countries as they do not always comply with EU marketing rules. This implies that European companies are not competing on a level playing field with companies from third countries. Despite the fact that EU rules are applicable to third country business' marketing, it is often difficult for the consumer protection authorities to pursue cases against companies established in third countries, as there is no legally binding bilateral cooperation agreements between EU and third countries.

### **Company law and the SME Strategy**

Providing the right regulatory framework for businesses is not just important within the digital sphere, but also for company law in general. We are facing a number of challenges posed by climate change and rapid digitalisation. I fully support your mission to ensure that company law contributes to the upcoming SME strategy so that SMEs can prosper through creating solutions to the current challenges. Businesses have a significant responsibility as well as opportunity to deliver the changes necessary to tackle the issues facing us today. We need to have the right framework in place to ensure that our companies are able to harness the opportunities as well as held accountable for their sustainable promises.

In general, I find it important to strike a balance between providing businesses a number of rights and ensuring that they comply with the corresponding obligations. Transparency around our companies' conduct is key – not only to see whether they are delivering on their promises, but also to make sure that we have efficient systems in place to address questionable practices. That is why I find the proposal on public country-by-country reporting an important step towards a fairer and more effective tax system in the EU. We will seek to revitalise the negotiations in Council, and work towards a more ambitious proposal containing global disaggregation, requiring multinational companies to report country by country for all countries.

I also see increased transparency concerning companies' social responsibility as a way of ensuring that businesses are not just talking the talk but also walking the walk towards improved practices. I look forward to working with you on updating the framework for responsible business conduct and thereby contribute to a more sustainable future.

### **Digital trust as an enabler of Artificial Intelligence**

I have positively noticed the aim of the new Commission to deliver a European approach to artificial intelligence within your first 100 days in office. In this regard, the aim should be to make data ethics a competitive advantage for European businesses going hand-in-hand with innovation. A European approach could make us a frontrunner in the responsible use

of artificial intelligence and data. By introducing a European Data Ethics Seal we would enable consumers to easily identify companies who take data ethics seriously. Together with a requirement for the largest European companies to publish their data ethics policies, the digital economy would become more transparent for consumers. Attached you will find a non-paper explaining our suggestions to this agenda.

### **Ensuring consumer enforcement in the platform economy**

It is time to modernize the regulatory framework of the platform economy in order to ensure digital responsibility, better cross-border consumer enforcement and to address emerging issues that are not dealt with under the current rules. We also need to address the increasing regulatory fragmentation at European and member-state level regarding the liability-regime for third party content. This has led to legal uncertainty for both businesses and consumers.

A modernized framework for the European platform economy should maintain the essence of the e-Commerce Directive, namely the country of origin principle, which the European platform economy has benefitted immensely from. At the same time, we face an important and necessary discussion regarding liability regimes and the responsibilities of especially large and influential companies in handling data versus the possibilities for smaller companies to develop new business models and scale up across the Single Market.

We should modernize the regulatory framework to find horizontal solutions that addresses the emerging issues in the platform economy, eradicates regulatory fragmentation through uniform application and enforcement of the notice and take down of illegal content such as misleading marketing and dangerous products across the EU while strengthening the competitiveness of the European platform economy.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Simon Kollerup'. The signature is fluid and cursive, with a long horizontal stroke at the end.

Simon Kollerup

### Proposal

#### Data Ethics as Corporate Social Responsibility

The Commission should consider a revision of the directive as regards *disclosure of non-financial and diversity information by certain large undertakings and groups*. The revision should include provisions for certain large undertakings - to prepare a non-financial statement containing information relating to their data ethics policies as part of their annual management reports.

#### European Data Ethics Seal

The Commission should encourage the development of a European Data Ethics Seal by the relevant industry and standardization bodies. The seal should be awarded to companies, products and services that meet a pre-defined list of data ethical requirements e.g. companies or products that meet high standards for data security, companies or products that do not collect unnecessary data on the user, or companies or products that have been tested for bias etc. The European Data Ethics Seal could be a way to operationalize the Commission's idea of "ethics by design" and make it visible for consumers which companies, products and services to trust - and thus creating a market incentive for producers to become more data ethical.

#### Standards on AI Trustworthiness

The Commission should investigate the possibilities for promoting the use of technical standards on AI Trustworthiness in the European legislation. ISO/IEC and CEN/CENELEC as well as the IEEE are currently working on different aspects of standardization of AI and ethics/trust. The inherent agility of technical standards could create the necessary balance between long-term durability and short-term efficiency.

### Challenge

Trust is the most important component in ensuring wide uptake of digital technology and solutions. It is thus of the utmost importance that the European Union succeeds in creating a legal and ethical framework that can ensure citizens' trust in the new technologies. Moreover, the responsible use of data has the potential to become a competitive advantage for European businesses in the competition with American and Chinese companies. In order to give EU businesses a first mover advantage, the EU should take concrete steps to strengthen data and AI ethics through transparency, and thus empowering consumers and businesses to choose products and solutions that are based on a responsible use of AI and data.

### Background

Our ambition as a European community should be to break down national silos to ensure that the leading digital companies of the future will be European. EU has a very important global role in terms of promoting the responsible and ethical approach to data use. We are convinced that Europe not only could, but should lead the way for responsible use of data - and thereby potentially gain an invaluable competitive advantage on the global marketplace.



**MINISTRY OF INDUSTRY, BUSINESS  
AND FINANCIAL AFFAIRS**

Maroš Šefcovič,  
Vice-President for Interinstitutional Relations and Foresight  
European Commission

**MINISTER FOR INDUSTRY,  
BUSINESS AND FINANCIAL  
AFFAIRS**

Dear Commissioner Maroš Šefcovič,

Please accept my warmest congratulations on your appointment as Vice-President for Interinstitutional Relations and Foresight.

Clear, simple and efficient regulation of a high quality is a precondition for delivering solutions to the major challenges facing our society. It is the foundation for a fair, green and competitive EU ensuring a high level of protection of consumers, climate and employees, while promoting economic growth, innovation and jobs.

I have some reflections on the future agenda on better regulation that I hope you will read with interest.

### **European legislation fit for the digital age**

With reference to your statements in the parliamentary hearing, I fully share your opinion that all European legislation should be fit for the digital age. Unfortunately, we see an increasing complexity and fragmentation of the regulatory environment - both at national and EU level. Existing and new EU regulation does not always accommodate the way in which new technologies and business models create value for businesses, citizens and society. This creates regulatory uncertainty slowing down innovation and negative impact on our competitiveness.

Therefore, I welcome your ambitions to promote legislation that is digital-by-default and future-proof and I look forward to your work on foresight that I believe can contribute to regulation that is suited to the technologies of tomorrow. In Denmark, we have introduced a set of principles on digital-by-default and future-proof regulation. I would be happy to share our experience on the use of these principles in lawmaking and further discuss how such principles could be implemented at the European level. Attached you will find a non-paper explaining the Danish principles and priorities on this agenda.

### **An intelligent model for implementing “One-in, One out”**

The Commission’s instrument to deliver on the “One in, One out”-principle at European level will be crucial and we stand ready to contribute to the development of this instrument. It will be important to ensure an intelligent model, which delivers more simple, effective and future-proof regulation while contributing to the green transition and better protection of

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consumers, health, environment and workers' rights. The right implementation model of the principle has the potential to lift the better regulation agenda - ranging from impacts assessments and regulatory scrutiny to implementation and evaluation.

As you have rightly indicated, simplification and removal of unnecessary burdens will require regulation that is fit for digital solutions and technologies. We need to get rid of outdated regulation, paper forms and introduce user-friendly digital solutions that adapt to the feedback from users.

### **Strengthening the efforts on implementation and enforcement**

Better regulation also serves as an essential element for improving the implementation and enforcement of our common rules governing the Single Market. Reaping such benefits require that implementation and enforcement are taken due into account in every step of the legislative cycle based on a positive and continuous dialogue between Member States and the Commission from the preparation of impact assessments to the final entry into force. A consecutive and coordinated focus on the implementation and enforcement of specific legislation has the potential to deliver better and uniform results for consumers, workers, businesses and citizens in the EU. We have several proposals, highlighted in the attached non-paper regarding better implementation and enforcement.

### **Better regulation as a driver for green sustainable growth**

An efficient regulatory policy is key for the transition to a carbon-neutral economy. An enabling regulatory framework that promotes innovation, competitiveness and employment is the precondition for sustainable growth. Sustainability must be mainstreamed across the better regulation tools and improved assessments of climate impacts for all relevant new proposals are needed.

I hope these ideas inspire you as you develop your priorities as Vice-President for Interinstitutional Relations and Foresight. I wish you every success in your new role and look forward to our future cooperation.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Simon Kollerup'. The signature is fluid and cursive, with a prominent initial 'S' and a long, sweeping underline.

Simon Kollerup

## Strengthening the Single Market through better implementation and enforcement

### Proposal

New transposition and application tools are needed to ensure that current rules are transparent and uniformly implemented and complied with across Member States. Among these are:

- Templates and analyses to ensure transparent implementation: Drawing on the experiences in financial services, the use of implementation templates should be made obligatory on a trial basis to ensure that businesses have access to an overview of the specific areas where national rules differ from the adopted EU legislation. This should be supported by ongoing analyses on the differences in implementation across Member States which should be initiated by the Commission in order to increase knowhow and transparent implementation.
- A strengthened Single Market Scoreboard: The Single Market Scoreboard should be developed to promote enforcement and strengthen compliance in practice. The Commission is for example encouraged to broaden its scope to cover the qualitative implementation of legislation. Furthermore, the Single Market Scoreboard should reflect the developments in terms of national rules on goods and services by linking the Scoreboard with the number of notifications in the TRIS and IMI databases.
- Criteria for infringement procedures: Building on the principles set out in the Communication “EU law: Better results through better application”, the Commission should develop and apply a set of criteria as a basis for launching infringement procedures. These criteria should be used to ensure consistency in the detailed process of assessment and selection. The criteria should also indicate overall political and strategic priority areas of the Commission, including prioritisation of violations entailing distortion of competition.
- Single Market implementation reviews: With inspiration from the Environmental Implementation Review (EIR), the Commission should conduct implementation reviews on a regular basis of each Member State’s implementation of selected pieces of horizontal Single Market legislation. The aim should be in constructive dialogue with Member States to set out proposals on how to improve the implementation to strengthen the basic principles governing the Single Market. Inspiration may also be found in the better regulation method related to “neighbour checks”.
- Strengthening enforcement: Efficient and systematic efforts to enforce regulation are indispensable to the optimization of the entire policy process. It must be clear what determines policy outcomes – the rules or their actual application. In order to strengthen the Commission’s work in this area an institutional strengthening should be considered, e.g. by assigning a vice-president with responsibility for better regulation, implementation and enforcement. Explicitly highlighting implementation and enforcement as the responsibility of a vice-president would raise the political focus on this agenda and make it a central element in every new policy initiative.

### Challenge

Diverse application of the EU-law increases administrative burdens and reduces legal certainty for businesses detrimental to cross border trade and investment security. Optimizing European businesses’ framework conditions, including legal certainty necessitates coherent and effective application of the rules governing the Single Market. A more transparent and uniform application of the Single Market acquis will

benefit especially SMEs that are disproportionately affected by diverse application of EU-rules due to their scarce resources and limited capacity to keep track of a complex and quickly changing legal environment.

### **Background**

The enforcement and implementation agenda is a prominent priority in the current Commission. The launch of the compliance package, including e.g. the regulation on a Single Digital Gateway and an action plan for SOLVIT are important initiatives which aim at simplifying the life of businesses in practice. However, more can be done by building on existing mechanisms and applying these more systematically and with more transparency. Making the very basis of the Single Market function better is a precondition for developing the Single Market further.



## Digital-by-default and future-proof regulation

### Proposal

To ensure that EU regulation is digital-by-default and future-proof, the Commission should introduce a set of principles on digital-by-default and future-proof regulation and initiate targeted measures at all stages of the legislative cycle to enforce these principles. These measures should have a two-fold purpose:

1. Enable digital administration to promote more user-friendly and efficient public services to businesses and citizens as well as to improve enforcement and prevent errors and fraud.
2. Provide a future-oriented regulatory framework to accommodate and enable businesses to innovate and apply new technologies and business models.

The set of principles could be the following six: 1) Simple and clear rules, 2) Accommodate new business models and technology-neutrality, 3) Digital communication, 4) Automated digital case processing, 5) Coherence and consistency across regulation and authorities - uniform concepts and reuse of data, 6) Improving enforcement and preventing errors and fraud. Needless to say, safe and secure data handling is a fundamental precondition that should accompany these efforts. See annex 1 for a description of the principles.

It is vital to ensure that the principles on digital-by-default and future-proof regulation are considered by the relevant Directorate-General in the early drafting stages of a proposal and in relation to the impact assessments. The implementation of the following procedures will ensure proper enforcement of the principles. An early screening could determine whether the principles are relevant and, if that is the case, whether they have been followed. The existing better regulation structure within the Secretariat-General could carry out the screening drawing on the expertise from relevant units in DG CONNECT and DG DIGIT. Measures later in the legislative process can also be considered - such as ex-ante digital-by-default and future-proof checks by the Regulatory Scrutiny Board. Finally, ex-ante and ex-post evaluations such as user journeys, user-friendliness tests and REFIT-activities can evaluate whether regulation has been meaningfully translated into user-friendly digital solutions and identify ways of making regulation more future-oriented and fit for the digital age.

### Challenge

The accelerating digital transformation of businesses and society poses both new opportunities and challenges for EU regulation. EU regulation needs to be fit for the digital reality of businesses and citizens, enable user-friendly digital solutions and promote innovation, including new technologies and business models. Digital-by-default and future-proof regulation is a precondition for a well-functioning Digital Single Market, which is both genuinely *digital* by promoting innovation, new technologies and business models and *single* by enabling more seamless, efficient and user-friendly national and European digital public services that reduce burdens for businesses and citizens operating across the EU. This is an opportunity to improve public services and provide European businesses with the competitive edge which is crucial for succeeding in the fast-moving global digital economy.

### Background

Existing and new regulation is often not designed to accommodate the way in which new technologies and business models can create new value for businesses and society. We still see proposals that are not suited

to the current digital reality of businesses or are difficult to digitalise and automatise by public authorities. The Commission has already included a “Research and Innovation Tool” and a “Digital Check” in its Better Regulation Toolbox. These are steps in the right direction, but there is a need to step up these efforts by placing principles on digital-by-default and future-proof regulation at the heart of the Commission’s better regulation machinery. This will ensure that EU regulation is suited to the digital reality, reduces unnecessary burdens and enhances well-functioning national and European digital public services for the benefit of businesses, citizens and the authorities themselves. We stand ready to engage in dialogue with the Commission to develop such measures as we have introduced similar measures at national level.

## **Annex 1: Principles for digital-by-default and future-proof regulation**

To ensure that EU regulation is digital-by-default and future-proof, the Commission should introduce a set of principles on digital-by-default and future-proof regulation and initiate targeted measures at all stages of the legislative cycle to enforce these principles. These measures should have a two-fold purpose:

- I. Enable digital administration to promote more user-friendly and efficient public services to businesses and citizens as well as to improve enforcement and prevent errors and fraud.
- II. Provide a future-oriented regulatory framework to accommodate and enable businesses to innovate and apply new technologies and business models.

Needless to say, safe and secure data handling is a fundamental precondition that should accompany these efforts.

### Principles

The following principles should be promoted at EU-level:

#### **1. Simple and clear rules**

*Simple and clear rules are easy to administer and contribute to more uniform administration and digital support. If the legislation is unclear or complex with many exceptions, requirements, schemes or discretion it can be difficult to administer - also digitally. Legislation should focus on the main objectives while detailed specifications should be handled in delegated or implementing acts which will enable easier and continuous updating of the legislation.*

#### **2. Accommodate new business models and technology-neutrality**

*The legislation should foster innovation by accommodating emerging and new business models and promoting the use of experiments and sandboxing. It must also be technology-neutral to ensure that it does not regulate the use of technology which will subsequently become obsolete*

#### **3. Digital communication**

*The legislation must support user-friendly digital communication between citizens and businesses and the public sector. For citizens who cannot use digital solutions, other solutions must still be offered.*

#### **4. Automated digital case processing**

*The legislation should underpin fully or partly automated digital case processing. As a general rule, the legislation should apply objective criteria, clear and unambiguous definitions and common concepts rather than special concepts. The goal is to enable automation by using objective criteria when it makes sense and to ensure that it is still possible to exercise discretion in cases where it is professionally relevant.*

#### **5. Coherence and consistency across regulation and authorities - uniform concepts and reuse of data**

*Legislation should be coherent across policy silos in order to prevent fragmentation and regulatory uncertainty. Concepts and data must be reused across regulation and authorities to promote efficiency and coherence to thereby reduce burdens for both authorities, citizens and businesses. If data already exists that supports the concepts of the legislation, the legislation should reuse these or consider whether other similar concepts may be used for data that is already available.*

#### **6. Improving enforcement and preventing errors and fraud**

*The legislation must be worded to permit effective IT application and data-driven solutions and tools to ensure better compliance and enforcement through risk-based control. Such solutions can improve the combatting of fraud or reduce errors considerably.*



**MINISTRY OF INDUSTRY, BUSINESS  
AND FINANCIAL AFFAIRS**

Margrethe Vestager  
Executive Vice-President for a Europe fit for the Digital Age  
European Commission

**MINISTER FOR INDUSTRY,  
BUSINESS AND FINANCIAL  
AFFAIRS**

Dear Executive Vice-President Margrethe Vestager,

Please accept my warmest congratulations on your appointment as Executive Vice-President for a Europe fit for the Digital Age and Commissioner for Competition.

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A timely response to the challenges and seizing the opportunities posed by climate change and rapid digitalization is of critical importance to ensure a more sustainable and prosperous EU. I would like to present you with the Danish agenda in your area of responsibility, which I hope you will read with interest.

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**Maintain the core principles of competition**

I have positively noticed that you have been tasked with the continued strengthening of competition enforcement. Effective enforcement should be a priority in all sectors and especially in the digital economy, where technological developments challenge our market structures.

A fair and effective competition policy is a cornerstone of the Single Market and a prerequisite to bolster EU's global competitiveness in the future. Thus, it is important to maintain and *not* relax the existing competition framework and the EU Merger Regulation.

However, I recognize the tendency towards increased unfair competition and the need to react and safeguard European interests. The best way to preserve fair global competition and a level playing field is through common rules applicable to all, rooted in the WTO. Thus, it is encouraging that the incoming Commission aims to make reform of the multilateral trading system a top priority. This must include an update of the rules so they address unfair market-distorting trade practices and reflect today's digital economy. Therefore, we can agree that it should be assessed whether EU's competition framework is fit for purpose to address anti-competitive practices. For instance, we do see potential in making it easier for national and European competition authorities to respond more swiftly to anti-competitive behaviour from platforms. We may also need instruments to handle distortive behaviour from companies from third countries operating within the Single Market without relaxing the principles of independent enforcement, free and fair competition.

**Towards a competitive and climate-friendly European industry**

European industry is a key player in restoring the EU's global competitiveness as well as fulfilling the Paris Agreement. The upcoming action-plan for industry should set a clear political direction with an emphasis

on cost-effective and market-based measures that encourage businesses to make necessary investments needed for the transition to a competitive, circular and climate-neutral European industry.

Furthermore, I would encourage you to make sure that the work on Important Projects of Common European Interest (IPCEIs) related to strategic value chains contribute to achieve our climate and environmental objectives. Moreover, we should improve the transparency of IPCEIs by introducing ex-ante consultation. This will allow all Member States to easily participate and contribute.

There is also a need to re-think the future set-up for identifying strategic value chains. To this end, we need a new procedure for identifying, amending or phasing out strategic value chains. The procedure should maintain the original bottom-up approach characterizing the current Strategic Forum while ensuring political legitimacy and governance and directing initiatives towards major challenges such as climate change.

Moreover, I encourage you to lay down the pillars for a robust framework for secure, interoperable and trustworthy data sharing that can sustain public trust in data usage and contribute to the green transition of industry. We should openly discuss how best to encourage and ensure more data sharing through an ethical and coherent European framework as the use of data is vital for European businesses if they are to be global frontrunners of the data economy.

The external dimension of EU's industrial competitiveness should be pursued through a free, fair and sustainable trade policy based on updated multilateral rules. To this end, we fully support the need to secure a level playing field at global level and fight protectionist and unilateral measures. However, the Danish Government is still not convinced that the current proposal for an International Procurement Instrument (IPI) is the right way forward. When resuming discussions on the IPI, we would like to see further clarification and revision in order to avoid negative effects.

Finally, a strong European industrial sector depends critically on a competitive and innovative Single Market. Effective implementation and enforcement are key components towards making the Single Market both fairer and smoother for law-abiding businesses, consumers and workers. We need a firm and ambitious long-term action plan containing concrete initiatives on how to improve the uniform implementation, application and enforcement of our common rules.

### **Digital trust as an enabler of Artificial Intelligence**

I have positively noticed the aim of the new Commission to deliver a European approach to artificial intelligence within your first 100 days in office. In this regard, the aim should be to make data ethics a competitive advantage for European businesses going hand-in-hand with innovation. A European approach could make us a frontrunner in the responsible use of artificial intelligence and data. By introducing a European Data Ethics Seal we would enable consumers to easily identify companies who take data ethics seriously. Together with a requirement for the largest European companies to publish their data ethics policies, the digital economy would become more transparent for consumers. Attached you will find a non-paper explaining our suggestions to this agenda.

### **European legislation fit for the digital age**

I encourage you to ensure that European legislation is digital-by-default and future-proof as this it is a precondition for a well-functioning Digital Single Market. In Denmark, we have introduced a set of principles on digital-by-default and future-proof regulation. I would be happy to share our experience on the use of these principles in lawmaking and further discuss how such principles could be implemented at the European level. Attached you will find a non-paper explaining the Danish principles and priorities on this agenda.

Cross-border digital services is a vital tool to make life easier for citizens and businesses within the Single Market. In this context, I would urge you to take into account the special situation of the public sector as a guarantor of maintaining public confidence in digital infrastructure systems and public digital procedures for instance regarding data transparency and interoperability, and trustworthy electronic identification.

### **A modern and responsible framework for the platform economy**

It is time to modernize the regulatory framework of the platform economy in order to ensure digital responsibility, better cross-border enforcement and to address emerging issues that are not dealt with under the current rules. In doing so, we should also tackle the increasing fragmentation of the regulatory framework for digital services that constitute barriers to scaling up within the Digital Single Market. A modernized framework for the European platform economy should maintain the essence of the e-Commerce Directive, namely the country of origin principle, which the European platform economy has benefitted immensely from. At the same time, we face an important and necessary discussion with regards to liability regimes and the responsibilities of especially large and influential companies in handling data versus the possibilities for smaller companies to develop new business models and scale up across the Single Market. We should modernize the regulatory framework to find horizontal solutions that address the emerging issues in the platform economy, eradicates regulatory fragmentation through uniform

application and enforcement of the notice and take down of illegal content across the EU while strengthening the competitiveness of the European platform economy.

I hope these ideas will be useful for you in laying out the agenda for your important portfolio for the coming years and I look forward to work together with you to strengthen European competitiveness to the benefit of all Europeans.

Finally, I look forward to continuing the fruitful cooperation with DG Competition on enforcing the competition rules and ensuring well-functioning markets in the EU.

Yours sincerely,

A handwritten signature in black ink, appearing to read "Simon Kollerup". The signature is fluid and cursive, with a prominent loop at the end.

Simon Kollerup

### Proposal

#### Data Ethics as Corporate Social Responsibility

The Commission should consider a revision of the directive as regards *disclosure of non-financial and diversity information by certain large undertakings and groups*. The revision should include provisions for certain large undertakings - to prepare a non-financial statement containing information relating to their data ethics policies as part of their annual management reports.

#### European Data Ethics Seal

The Commission should encourage the development of a European Data Ethics Seal by the relevant industry and standardization bodies. The seal should be awarded to companies, products and services that meet a pre-defined list of data ethical requirements e.g. companies or products that meet high standards for data security, companies or products that do not collect unnecessary data on the user, or companies or products that have been tested for bias etc. The European Data Ethics Seal could be a way to operationalize the Commission's idea of "ethics by design" and make it visible for consumers which companies, products and services to trust - and thus creating a market incentive for producers to become more data ethical.

#### Standards on AI Trustworthiness

The Commission should investigate the possibilities for promoting the use of technical standards on AI Trustworthiness in the European legislation. ISO/IEC and CEN/CENELEC as well as the IEEE are currently working on different aspects of standardization of AI and ethics/trust. The inherent agility of technical standards could create the necessary balance between long-term durability and short-term efficiency.

### Challenge

Trust is the most important component in ensuring wide uptake of digital technology and solutions. It is thus of the utmost importance that the European Union succeeds in creating a legal and ethical framework that can ensure citizens' trust in the new technologies. Moreover, the responsible use of data has the potential to become a competitive advantage for European businesses in the competition with American and Chinese companies. In order to give EU businesses a first mover advantage, the EU should take concrete steps to strengthen data and AI ethics through transparency, and thus empowering consumers and businesses to choose products and solutions that are based on a responsible use of AI and data.

### Background

Our ambition as a European community should be to break down national silos to ensure that the leading digital companies of the future will be European. EU has a very important global role in terms of promoting the responsible and ethical approach to data use. We are convinced that Europe not only could, but should lead the way for responsible use of data - and thereby potentially gain an invaluable competitive advantage on the global marketplace.



## Digital-by-default and future-proof regulation

### Proposal

To ensure that EU regulation is digital-by-default and future-proof, the Commission should introduce a set of principles on digital-by-default and future-proof regulation and initiate targeted measures at all stages of the legislative cycle to enforce these principles. These measures should have a two-fold purpose:

1. Enable digital administration to promote more user-friendly and efficient public services to businesses and citizens as well as to improve enforcement and prevent errors and fraud.
2. Provide a future-oriented regulatory framework to accommodate and enable businesses to innovate and apply new technologies and business models.

The set of principles could be the following six: 1) Simple and clear rules, 2) Accommodate new business models and technology-neutrality, 3) Digital communication, 4) Automated digital case processing, 5) Coherence and consistency across regulation and authorities - uniform concepts and reuse of data, 6) Improving enforcement and preventing errors and fraud. Needless to say, safe and secure data handling is a fundamental precondition that should accompany these efforts. See annex 1 for a description of the principles.

It is vital to ensure that the principles on digital-by-default and future-proof regulation are considered by the relevant Directorate-General in the early drafting stages of a proposal and in relation to the impact assessments. The implementation of the following procedures will ensure proper enforcement of the principles. An early screening could determine whether the principles are relevant and, if that is the case, whether they have been followed. The existing better regulation structure within the Secretariat-General could carry out the screening drawing on the expertise from relevant units in DG CONNECT and DG DIGIT. Measures later in the legislative process can also be considered - such as ex-ante digital-by-default and future-proof checks by the Regulatory Scrutiny Board. Finally, ex-ante and ex-post evaluations such as user journeys, user-friendliness tests and REFIT-activities can evaluate whether regulation has been meaningfully translated into user-friendly digital solutions and identify ways of making regulation more future-oriented and fit for the digital age.

### Challenge

The accelerating digital transformation of businesses and society poses both new opportunities and challenges for EU regulation. EU regulation needs to be fit for the digital reality of businesses and citizens, enable user-friendly digital solutions and promote innovation, including new technologies and business models. Digital-by-default and future-proof regulation is a precondition for a well-functioning Digital Single Market, which is both genuinely *digital* by promoting innovation, new technologies and business models and *single* by enabling more seamless, efficient and user-friendly national and European digital public services that reduce burdens for businesses and citizens operating across the EU. This is an opportunity to improve public services and provide European businesses with the competitive edge which is crucial for succeeding in the fast-moving global digital economy.

### Background

Existing and new regulation is often not designed to accommodate the way in which new technologies and business models can create new value for businesses and society. We still see proposals that are not suited

to the current digital reality of businesses or are difficult to digitalise and automatise by public authorities. The Commission has already included a “Research and Innovation Tool” and a “Digital Check” in its Better Regulation Toolbox. These are steps in the right direction, but there is a need to step up these efforts by placing principles on digital-by-default and future-proof regulation at the heart of the Commission’s better regulation machinery. This will ensure that EU regulation is suited to the digital reality, reduces unnecessary burdens and enhances well-functioning national and European digital public services for the benefit of businesses, citizens and the authorities themselves. We stand ready to engage in dialogue with the Commission to develop such measures as we have introduced similar measures at national level.

## **Annex 1: Principles for digital-by-default and future-proof regulation**

To ensure that EU regulation is digital-by-default and future-proof, the Commission should introduce a set of principles on digital-by-default and future-proof regulation and initiate targeted measures at all stages of the legislative cycle to enforce these principles. These measures should have a two-fold purpose:

- I. Enable digital administration to promote more user-friendly and efficient public services to businesses and citizens as well as to improve enforcement and prevent errors and fraud.
- II. Provide a future-oriented regulatory framework to accommodate and enable businesses to innovate and apply new technologies and business models.

Needless to say, safe and secure data handling is a fundamental precondition that should accompany these efforts.

### Principles

The following principles should be promoted at EU-level:

#### **1. Simple and clear rules**

*Simple and clear rules are easy to administer and contribute to more uniform administration and digital support. If the legislation is unclear or complex with many exceptions, requirements, schemes or discretion it can be difficult to administer - also digitally. Legislation should focus on the main objectives while detailed specifications should be handled in delegated or implementing acts which will enable easier and continuous updating of the legislation.*

#### **2. Accommodate new business models and technology-neutrality**

*The legislation should foster innovation by accommodating emerging and new business models and promoting the use of experiments and sandboxing. It must also be technology-neutral to ensure that it does not regulate the use of technology which will subsequently become obsolete*

#### **3. Digital communication**

*The legislation must support user-friendly digital communication between citizens and businesses and the public sector. For citizens who cannot use digital solutions, other solutions must still be offered.*

#### **4. Automated digital case processing**

*The legislation should underpin fully or partly automated digital case processing. As a general rule, the legislation should apply objective criteria, clear and unambiguous definitions and common concepts rather than special concepts. The goal is to enable automation by using objective criteria when it makes sense and to ensure that it is still possible to exercise discretion in cases where it is professionally relevant.*

#### **5. Coherence and consistency across regulation and authorities - uniform concepts and reuse of data**

*Legislation should be coherent across policy silos in order to prevent fragmentation and regulatory uncertainty. Concepts and data must be reused across regulation and authorities to promote efficiency and coherence to thereby reduce burdens for both authorities, citizens and businesses. If data already exists that supports the concepts of the legislation, the legislation should reuse these or consider whether other similar concepts may be used for data that is already available.*

#### **6. Improving enforcement and preventing errors and fraud**

*The legislation must be worded to permit effective IT application and data-driven solutions and tools to ensure better compliance and enforcement through risk-based control. Such solutions can improve the combatting of fraud or reduce errors considerably.*



**MINISTRY OF INDUSTRY, BUSINESS  
AND FINANCIAL AFFAIRS**

Adina-Ioana Vălean  
Commissioner for Transport  
European Commission

**MINISTER FOR INDUSTRY,  
BUSINESS AND FINANCIAL  
AFFAIRS**

Dear Commissioner Adina-Ioana Vălean,

Please accept my warmest congratulations on your appointment as Commissioner for Transport.

As a nation with strong maritime interests, the Danish Government is deeply committed to ensuring the quality and competitiveness of the European maritime transport sector, which is of vital importance to the European economy and labour market. However, climate change and global competition challenge the prosperity of the maritime transport sector in Europe.

To face these challenges, I consider it the joint task of the new Commission and the Member States to ensure a viable European maritime transport sector. A sector that is a global maritime power hub for quality shipping and can place key strategic priorities onto the global agenda.

This includes transforming the EU into a key driver for decarbonisation and green growth, whilst also providing attractive framework conditions for the shipping industry to increase the attractiveness of EU Member State ship registries.

To make sure shipping can reach zero emissions, research and development of new technologies and fuels is needed. This is crucial if the maritime sector is to decarbonise fully, and the EU can play a major role in this regard. In addition, it is paramount that a global ambitious goal-based regulation is adopted as soon as possible within the IMO to make sure the sector starts decarbonisation. In anticipation of such results, we also need to make sure that any EU measures with regard to greenhouse gas emissions from shipping are flag neutral, avoid carbon leakage and do not hinder the development of global rules within the IMO. That way, emissions can be brought down effectively and fair competition on the world market for the European maritime sector is ensured.

Speaking more generally, in a global perspective, the key role of the EU is to support the enforcement and harmonisation of the global regulatory framework developed in organisations such as the International Maritime Organization and the International Labour Organization.

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Finally, I believe it is only by setting ambitious goals for the maritime sector that the EU can pave the way for a high level of competence being available in the future.

The Danish government and I look forward to working actively with you and the new Commission with the aim of creating a prosperous and competitive European maritime transport sector.

Yours sincerely,

A handwritten signature in black ink, appearing to read "Simon Kollerup". The signature is written in a cursive style with a large initial 'S' and a distinct 'K'.

Simon Kollerup



**MINISTRY OF INDUSTRY, BUSINESS  
AND FINANCIAL AFFAIRS**



**MINISTRY OF FINANCE**



**Ministry of  
Employment**

Valdis Dombrovskis  
Executive Vice-President for An Economy that Works for the People  
European Commission

Dear Executive Vice-President Valdis Dombrovskis,

Please accept our warmest congratulations on your appointment as Executive Vice-President for An Economy that Works for the People.

We would like to present you with some ideas and priorities, which we hope you will read with interest.

**A sustainable, fair and stable Single Market for financial services**

Developing an open, transparent and globally competitive European financial sector is key for European businesses' possibility to finance e.g. the transition to climate neutral productions and value chains.

We fully support your focus on further developing the EU-framework for sustainable investments. The European financial sector should continue to develop towards securing a leading position for the EU in promoting sustainable and responsible investments, enabling the financial sector to support sustainable growth and mobilizing the private investments necessary to decarbonize our economies. In this regard, we look forward to an ambitious green financing strategy. We also look forward to the Sustainable Europe Investment Plan and to discuss different options for strengthening the EIB's efforts on climate.

In addition, we believe that rebooting the Capital Markets Union can contribute to unlocking sustainable investments across borders. More integrated European capital markets could make it easier for European firms to obtain funding and thereby promote sustainable growth. The Capital Markets Union can also create better saving opportunities for households and generally promote private risk sharing, thereby making the economic and monetary union more stable.

A main priority for Denmark is to continue our fight against money laundering. It will take a sustained and determined effort both at national level and at EU-level. We therefore look forward to discussing how we can strengthen and intensify the cross-border cooperation and coordination. From our perspective, many initiatives are worth considering. The next steps could be to investigate the possibility to allocate special competences to an EU-body to fight money laundering and further harmonize the Single Rule Book throughout the EU by transforming parts of the anti-money laundering directive to a regulation.

We encourage the Commission to look into the potential of technology in assisting financial institutions in their fight against dirty money. We believe the development of technology can considerably help financial institutions in detecting dirty money, e.g. on KYC-procedures.

The implementation of the final Basel III standards in EU will mark an important step in our efforts to secure a robust and well-functioning financial system. However, the so-called output floor risks leading to a general reduction in risk sensitivity of capital requirements. Reduced risk sensitivity implies that institutions have incentives for increased risk taking, as the institutions can take on more risky exposures without corresponding increases in the capital requirements. We encourage an implementation of the Basel III standards that preserves the risk sensitivity of banking regulation and takes into account the special characteristics of well-functioning European credit institutions, as we have done in the past. We have confidence that you will work towards finding appropriate solutions in the upcoming proposal.

### **Towards a competitive and climate-friendly European industry**

European industry is a key player in restoring the EU's global competitiveness as well as fulfilling the Paris Agreement. The upcoming action-plan for industry should set a clear political direction with an emphasis on cost-effective and market-based measures that encourage businesses to make necessary investments needed for the transition to a competitive, circular and climate-neutral European industry.

Furthermore, we would encourage you to make sure that the work on Important Projects of Common European Interest (IPCEIs) related to strategic value chains contribute to achieve our climate and environmental objectives. Moreover, we should improve the transparency of IPCEIs by introducing ex-ante consultation. This will allow all Member States to easily participate and contribute.

There is also a need to re-think the future set-up for identifying strategic value chains. To this end, we need a new procedure for identifying, amending or phasing out strategic value chains. The procedure should maintain the original bottom-up approach characterizing the current Strategic Forum while ensuring political legitimacy and governance and directing initiatives towards major challenges such as climate change.

We also encourage you to lay down the pillars for a robust framework for secure, interoperable and trustworthy data sharing that can contribute to the green transition of industry. We should openly discuss how best to encourage and ensure more data sharing through a coherent European framework as the use of data is vital for European businesses if they are to be global frontrunners of the data economy.

Moreover, the European industrial sector is closely linked to and depends on a competitive and innovative Single Market. An effective implementation and enforcement are a key component towards making the Single Market both fairer and smoother for law-abiding businesses, consumers and workers. We need a firm and ambitious long-term action plan for better implementation and enforcement, containing concrete initiatives on how to improve the uniform implementation, application and enforcement of our common rules.

Regarding the new SME Strategy, we hope focus would be on the possibilities for SMEs, solutions to the challenges posed by climate change and rapid digitalization and ways to make it easier to scale-up and participate in European and global value-chains.

### **Sound public finances and consistent implementation of fiscal rules**

It is crucial that Europe avoids a new debt crisis. We have seen how quickly weak public finances can create or aggravate a crisis, undermining welfare and increasing unemployment, spreading rapidly across Europe. Those who have the least lose the most in an economic crisis.

Public finances are in many countries worse prepared for a new crisis today, with much higher debt level than before the crisis a decade ago. All Member States should respect our common fiscal rules and make sure that their own house and public finances are in order. The Commission and the Council should ensure consistent and transparent enforcement of the common rules. This is key for credibility and stable, low interest rates, which are preconditions for avoiding a new crisis and creating jobs and growth.

Not many years ago we finalised several significant and time-consuming reforms of our fiscal framework in view of the lessons learned during the crisis. We should now focus on implementing the agreed rules, rather than embarking on yet another reform. *If* a reform is initiated the overall objective should be to maintain the same average level of ambition we have now, and not permit higher deficits in general. Within the rules on deficits and debt, expenditure priorities is a national responsibility and not a matter for the common rules. The rules should not differentiate between more and less productive expenditure, as all expenditure is equally relevant for debt dynamics and market reactions.

Europe does not need weaker, but stronger, public finances in order to realise our political priorities and tackle the challenges of today and the future.



### **Social dialogue at European level and minimum wage**

We are very happy to note your continued strong dedication to the important issue of social dialogue at European level.

Including the views of the social partners is key for designing labour market policies and initiatives that reflect the diversity of the European labour markets. The experience and knowledge of the social partners can also contribute to ensuring European labour market regulation that works in practice and increase the public support for these initiatives.

Denmark supports a social and fair Europe including the aim to ensure that every worker in the EU has an adequate living income when working full-time. It is essential that all Member States have labour market models which ensure a decent living.

In order to exploit the full potential and legitimacy of a forthcoming proposal on minimum wage, the right balance between a need for common guidelines, national competences and enforcement must be struck.

Therefore, we very much welcome the assurances given by the Commission of respect for systems based on collective bargaining, i.e. that any future initiative on minimum wage will not interfere with labour market models where wages are regulated by collective agreements.

Yours sincerely,

Simon Kollerup,  
Minister for Industry, Business and Financial Affairs

Nicolai Wammen,  
Minister for Finance

Peter Hummelgaard Thomsen  
Minister for Employment



JUSTITIS MINISTERIET

Ministry of Justice

Ylva Johansson  
Commissioner for Home Affairs  
European Kommission

Date: **25 FEB. 2020**  
Doc.: 1328253

Dear Commissioner Ylva Johansson,

Please accept my warmest congratulations on your appointment as Commissioner for Home Affairs. I very much look forward to our cooperation in this field.

I have read the mission letter of 1 December 2019 with great interest. I welcome the priorities outlined herein.

I would however like to take the opportunity to raise a few issues of particular importance to the role of law enforcement agencies in Denmark. It is important to me that our law enforcement agencies are able to make use of technology such as data retention, facial recognition technology etc. Furthermore, I would like to address the proposal for a regulation on preventing the dissemination of terrorist content online, which give rise to constitutional concerns for Denmark.

### **Retention of data**

In its judgment of 21 December 2016 (in the so-called Tele2 case), the European Court of Justice found that the Directive on Privacy and Electronic Communications (Directive 2002/58/EC) read in the light of the Charter of Fundamental Rights must be interpreted in such a way that it precludes national legislation which, for the purpose of fighting crime, provides for general and indiscriminate retention of all traffic and location data of all subscribers and registered users relating to all means of electronic communication.

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The judgement of the Court has left considerable doubts as to how national provisions on retention of data can be brought in line with the ruling in the Tele2 case.

Since the spring of 2017, there has been ongoing discussions within the EU on how Member States can organize their national rules on retention of data so that they are in accordance with the judgment.

Currently there are preliminary cases from France and Belgium pending before the Court on national provisions on retention of data. Denmark has - alongside 16 other Member States as well as the Commission - made submissions before the Court, who is expected to give its rulings in May 2020.

The retention of data is a necessary and highly efficient tool for national law enforcement agencies in regards to the prevention and investigation of serious types of crimes, including terrorism.

Denmark is therefore following the cases before the Court very closely. It is my hope that the Court will reassess its ruling in the Tele2 case, and allow Member States to establish national provisions that ensure effective retention of data for the purpose of law enforcement, while still respecting the fundamental rights under the Charter and adequately addressing public order and public security needs.

In addition, I look forward to receiving the guidelines on retention of data by EU Commission.

### **5G network**

The use of new technology and the internet poses both opportunities and threats to the internal security of the EU as a whole as well as the Member States. Communication infrastructures are the cornerstone of our societies, with 5G networks as the building blocks of a new digital environment. However, the deployment of the 5G network also entail various challenges for law enforcement agencies in maintaining effective measures to prevent crime.

These challenges have also been addressed in various meetings in the Council of Justice and Home Affairs and the EU Counter-Terrorism Coordinator, Gilles de Kerchove, has helped shed light on the challenges at hand.

It is important that we continue to identify and tackle the relevant risks, at EU as well as national level. The deployment of the 5G network must not negatively affect law enforcement agencies' possibility to investigate.

### **ePrivacy negotiations and the role of law enforcement**

The ePrivacy Regulation, presented by the Commission on 10 January 2017 and still subject to negotiations under the Council of Transport, Telecommunication and Energy, also raise some concerns.

While the regulation does not apply to activities of competent authorities for the purposes of the prevention, investigation, detection or prosecution of criminal offences or the execution of criminal penalties, there are elements to consider under the proposed text which may limit the methods of investigation of national law enforcement agencies.

As an example, a provision under the regulation places an obligation on the providers of electronic communications to establish internal procedures. However, the regulation does not specify that Member States may place additional obligations on providers of electronic communication to assist law enforcement agencies with necessary technical measures to enable access to end-users' electronic communications data. Thus, the regulation seems to create a risk of overruling national legislation that allow law enforcement agencies' access to uphold necessary and crucial means of investigation, for instance legal interception of telephone communication. Denmark suggested during the negotiations, to include a paragraph that allow Member States to place obligations on providers of electronic communications services to make the technical operations of services available as well as make access possible for law enforcement agencies to the electronic communication data.

Therefore, it is important that relevant experts on law enforcement - both at EU as well as national level - are involved in the negotiations of the regulation to ensure that the regulation does not unintentionally have negative effects on methods of investigation of national law enforcement agencies.

### **The proposal for a regulation on preventing the dissemination of terrorist content online (TCO)**

The so-called TCO proposal addresses an issue of great importance. Denmark fully supports the efforts to remove online terrorist content across the EU quickly and effectively. Thus, the proposal is an important file and I believe that it will be an effective contribution to our essential fight against

terrorism. However, I am concerned that the on-going trilogues may result in a regulation that is incompatible with the Danish constitution.

On 6 December 2018, the Council agreed on a general approach. Despite our overall support for the Council's position, Denmark voted against the general approach because the proposed rules on jurisdiction in the regulation give rise to a constitutional issue.

According to the Council's general approach, the competent authorities in other Member States will have the power to issue removal orders and referrals, which produce legal effects on hosting service providers in Denmark.

According to the Danish constitution, such a power can only be delegated to international authorities, such as the EU, but the power cannot be delegated to other Member States.

In Denmark's view, the Danish constitutional issue can be resolved in a technical manner, by involving a Danish authority in the issuing of removal orders and referrals prior to obtaining legal effect in Denmark.

Denmark is currently in dialogue with members of the Commissioner's staff as well as the Council's Legal Service in order to reach a common understanding with the Commission that solves this matter.

I would like to express my utmost gratitude for the goodwill demonstrated by the Commission in this regard, and I hope that we together can ensure a solution that addresses the Danish situation without affecting the effectiveness of the proposed regulation.

Finally, I look forward to our future cooperation, and I will be at your disposal if you wish to discuss any of the above mentioned concerns.

Yours sincerely,



Nick Hækkerup



JUSTITSMINISTERIET

Ministry of Justice

Didier Reynders  
Commissioner for Justice  
European Commission

Date: **25 FEB. 2020**  
Doc.: 1350426

Dear Commissioner Didier Reynders,

Please accept my warmest congratulations on your appointment as Commissioner for Justice. I very much look forward to our cooperation in this field.

I have read the mission letter of 1 December 2019 with great interest. I welcome the priorities outlined herein, e.g. ensuring the full implementation and enforcement of the General Data Protection Regulation (GDPR) and the promotion of the European approach as a global model.

I believe that protecting citizen's rights to their personal data is essential, and that GDPR is the foundation for European digital policy moving forward. Thus, GDPR must be a key enabler in promoting responsible development and use of new, advanced technologies.

However, I would like to take this opportunity to express my view and concerns regarding the GDPR and the protection of citizen's personal data in relation to, among other things, the consistency mechanisms and the margin left for national legislators.

I find, that some of the big tech companies' business models, which have been discussed lately, are causing great concerns. It is worrisome if big tech companies in an unjustified manner process personal data. In this regard, GDPR must be a key enabler in promoting responsible development and use of new technologies, especially concerning big tech companies' processing of personal data. Cases concerning unjustified processing of personal data using new technology across the European Union by e.g. big tech companies are prime examples of situations, where the cooperation and consistency mechanisms become key instruments to ensure a high and effective level of

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protection of personal data in the European Union. In cases like this, the cooperation and consistency mechanisms shall prove its worth.

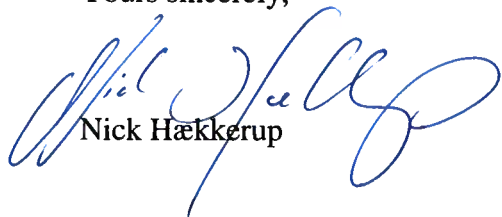
Let me also take this opportunity to address the importance of the margin left for national legislators. As already stated in the Danish contribution to the ongoing evaluation of the GDPR, I would like to stress out the importance of the margin left for national legislators after which the Member States may introduce specific provisions in order to adapt the application of GDPR. The margin left for national legislators was intentional, and it enables the Member States to take into account conditions specific for the relevant Member State. For example, the Danish Video Surveillance Act contains specific provisions on which types of private entities that lawfully may have video surveillance in public areas and the storage period. The same goes for the Member States' possible use of facial recognition technology. In my opinion, it is essential not to limit or restrict this intended margin for national legislators.

In addition, I would like to point out, that the application of GDPR in certain situations causes difficulties in Denmark. Also, based on the preliminary experiences, some voluntary associations, businesses of all sizes and especially SMEs, day care centers, minor public authorities, voluntary associations, e.g. sport clubs, etc. are faced with considerable administrative burdens in order to comply with GDPR.

Therefore, I will also like to take this opportunity to suggest that you, in your new position as Commissioner, make sure the Commission initiate a broad public consultation when you draw up the evaluation of GDPR cf. GDPR article 97.

Finally, I hope you will have an open mind regarding the GDPR and the above mentioned concerns and I would like to point out that I am at your disposal if you wish to discuss any of the above mentioned concerns.

Yours sincerely,

  
Nick Hækkerup



Danish Ministry of Climate,  
Energy and Utilities

**The Minister**

**Date**  
30 November 2019

Dear Mr. Timmermans,

Congratulations on your new position as Executive Vice-President for the Green Deal in the European Commission. We wish the best for a successful mandate.

Ambitious action is urgently needed to curb climate change and stop the global environmental degradation. The EU can and must play a leading role in global climate action. The EU can support the green transition of Member States through cost effective policies. EU policies are key to greening the European continent. And only through effective and coordinated EU action can we spur the global action that is required.

The Danish Government therefore strongly supports the Commission's endeavour to make Europe a front-runner in the global green transition and warmly welcomes the proposal for a **European Green Deal** by the new Commission.

Of immediate urgency, the European Council in December should agree on the objective of **climate neutrality in the EU by 2050** at the latest to be included in an ambitious binding EU Climate Law. Furthermore, the EU should commit itself to setting targets and implementing policies and measures to limit the global average temperature increase to 1.5 C in line with the Paris Agreement.

In order to meet the objectives of the Paris Agreement, the EU's **2030 target** must be increased to at least 55 percent. Member States should agree upon this in the first half of 2020 and submit it to the UNFCCC as the EU's updated **Nationally Determined Contribution as early as possible in 2020** in order to leverage higher global ambition in the run-up to COP26 in Glasgow.

An increased 2030 target should be implemented in the most **cost effective way**. The ETS is the most cost effective market based instrument driving the green transition in the covered sectors. The ETS should be further strengthened, as there is scope for making it even more effective.

Our **long-term ambition** to be **climate neutral by 2050** at the latest must be the guiding principle in revising existing regulation towards 2030 as well as for introducing new additional measures.

To make climate neutrality a reality, we need to speed up the pace of our transition efforts. This requires that we **accelerate the deployment of renewable energy**

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in the EU. In recent years, we have seen a rapid development in both wind power and solar panels, as the costs have reduced significantly. Yet, going forward we need to ensure an effective price on carbon emissions to spur investments in renewable energy and a **phase-out of fossil fuels**.

In particular, **offshore wind** is showing a great potential, but in order to utilise this fully, we will need to make sure that there is an enabling EU-framework in place and to significantly strengthen regional cooperation in the North Sea, the Baltic Sea and other coastal regions.

Transport is the only major sector in the EU where greenhouse gas emissions are still increasing. It is important that CO<sub>2</sub>-emissions are limited across the European economy and that the **transition towards zero-emission mobility** is accelerated. The uptake of zero-emission passenger cars needs to accelerate dramatically in the EU over the coming years and decades. Denmark urges the Commission to present a plan with proposals for policy initiatives and incentives for the **transition to a fleet of zero-emission passenger cars**.

The **Common Agricultural Policy** should to a greater extent support European agriculture to produce in accordance with EU's objective on water environment, biodiversity and climate. Denmark wants an even **greener Common Agricultural Policy**. Climate neutrality by 2050 at the latest should also be the guiding principle for the **8<sup>th</sup> Environmental Action Programme**.

The EU should continue to **lead the way internationally** when it comes to climate action. As a prerequisite to meet the goals of the Paris Agreement, we must engage other global partners to increase ambition and ensure delivery of SDG7 on access to sustainable energy. Climate and environmental priorities should also to a greater extent be integrated into EU trade policy, through the strengthening of **chapters on trade and sustainable development** in new trade agreements, **liberalisation of tariffs** and reduction of non-tariff barriers on **green products and services**. Denmark looks forward to the Commission analysis on the possibilities to introduce a **Carbon Border Tax** with due respect to WTO rules.

Attached you will find a paper with more detailed proposals for how we can pursue climate and environment objectives in the EU across a broad spectrum of policy areas. The Danish government very much looks forward to cooperating with you and the rest of the new Commission in making the European Green Deal a reality.

Yours sincerely,

Dan Jørgensen

## Input from the Danish Government for Targets and Policies for an Ambitious *European Green Deal*

### Ambitious Climate Targets and Action

#### Increased 2030 target

The 2030 target must be increased from the current 40 percent to at least 55 percent. Member States should agree upon this in the first half of 2020 and submit it to the UNFCCC as the EU's updated Nationally Determined Contribution in order to push for higher global ambition in the run-up to COP26 in Glasgow. An increased 2030 target should be implemented in the most cost effective way.

#### Target on climate neutrality by 2050

It is of immediate urgency that the European Council agrees on reaching climate neutrality in the EU by 2050 at the latest. The EU should set targets and implement policies and measures to limit the global average temperature increase to 1.5 C in line with the Paris Agreement.

#### Energy Taxation Directive

The revision of the Energy Taxation Directive should support the green transition. Among other things, it is a priority that the tax exemption for aviation fuel is abolished and that energy products are taxed depending on their climate impact.

#### A strengthened EU ETS

The ETS should be further strengthened for the covered sectors, as it is the most cost effective market based instrument driving the green transition and there is further scope for making it even more effective, e.g. through a further reduction of free allowances, an adjustment of the uptake in the Market Stability Reserve, or through a combination of reduced free allowances and uptake in the Market Stability Reserve, as well as an expansion of the ETS to cover the removal of CO<sub>2</sub>.

### Green Finance for the Green Transition

#### 25 percent climate mainstreaming in the MFF

It should be ensured that at least 25 percent of the Multiannual Financial Framework is targeted for climate mainstreaming.

#### EIB as Europe's Climate Bank

The European Investment Bank should be Europe's Climate Bank and promote more green investments.

#### More green investments

The Commission strategy on sustainable finance should include an EU green bond standard and an ECO-label for financial products in order to avoid green washing and expand the market for green and sustainable financial investments, as well as it should include climate risks in risk management and credit ratings.

### Green Mobility to Move Transport to Lower Emissions

#### Aviation

The Commission should present common European measures to regulate the emissions from aviation, amongst others through a strengthening of the EU ETS.

#### Road transport

The Commission should present a concrete plan with proposals for policy initiatives and incentives for the transition to a fleet of zero-emission passenger cars to support the EU in reaching climate neutrality by 2050. Specifically, CO<sub>2</sub> standards for light and heavy-duty vehicles should be strengthened.

#### NOx pollution from passenger cars, vans and heavy duty vehicle

Denmark supports measures that strengthen regulation to reduce NOx emissions in the EU. The current EU regulation on transport intended to reduce NOx emissions is not sufficiently effective.

## Shipping

The EU should continue to work for an ambitious global solution with regard to the climate within the IMO. It needs to be ensured that any EU measures with regard to greenhouse gas emissions from shipping are flag neutral, avoid carbon leakage and do not hinder the development of global rules within the IMO.

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## A Greener Agricultural Sector

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### Farm to Fork strategy and the Common Agricultural Policy 2022-2027

The Common Agricultural Policy should to a larger extent live up to and produce in line with the European ambitions and targets on water environment, biodiversity and climate, through a green ring fencing across the pillars, a green definition of eligible hectare and compensation to farmers for mandatory ambitious national or EU requirements contributing to climate and environment objectives.

The Farm to Fork strategy should include a focus on animal welfare and should be ambitious in regards to goals on antimicrobial resistance.

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## A Climate Neutral Energy System

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### A green, flexible and integrated energy system

The Commission is encouraged to present strategies on sector integration across energy systems, such as electricity, gas and heating, as well as electrification and energy storage.

### EU's state aid rules for energy

State aid rules should be set up to support a green energy transition in the EU and take account of the development of new green technological solutions, such as CO<sub>2</sub>-storage and wind islands in the North Sea.

### New European framework for gas

A new European framework for gas should include a roadmap for phasing out natural gas of the European energy systems. In addition to a strategy for sector integration, this should also address how to develop a well-functioning European market for green gasses.

### Expansion of renewable energy in the EU, including in the North Seas Energy Cooperation

The EU's general level of ambition with regard to renewable energy should be enhanced, e.g. through regional cooperation, such as for instance the North Seas Energy Cooperation focusing on the expansion of offshore wind energy.

### Focused efforts on energy efficiency improvements

Energy efficiency should focus on reducing the consumption of fossil energy use. The Commission should present an action plan with proposals for eco-design and energy labelling that seeks to strengthen existing requirements. New products for example in relation to data centres should be able to deliver flexibility to the energy system

### Reliable and regularly updated green data and assumptions

The Commission's modelling framework is the backbone for assessing consequences of new policy and for making optimal energy policy choices. Denmark encourages the Commission to continue the open and transparent approach on improving the modelling framework.

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## Industrial and Business Policy Supporting the Green Economy

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### A green industrial policy strategy

The upcoming industrial policy strategy should strengthen European industries' competitiveness and contribute in the furthest possible extent to the transition to a climate-neutral EU by 2050, including through a focus on circular economy and a more green use of state aid to IPCEIs.

### Improved reporting on corporate social responsibility (CSR)

The framework for responsible business conduct should be updated, focusing on creating incentives for businesses to contribute to the green transition through transparency and accountability measures.

### Green research and innovation

Ambitious investments in green research and innovation are crucial for reaching EU's climate target. A number of programmes funded under the forthcoming EU budget (2021-2027) focus on R&D in climate, energy and the environment. A central programme is the forthcoming framework programme for research and innovation,

Horizon Europe. Denmark will work to ensure that the implementation of the relevant programmes focus on green research and innovation throughout the value chain, including development of the technology needed for the green transition.

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## More Environment and Nature and a Healthier Everyday Life

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<b>Circular economy</b>	The Commission should propose a coherent political and legal framework for a sustainable product policy, incorporating waste, product and chemical regulation, and for the full implementation of the EU's plastic strategy focusing on, among other things, to create a well-functioning European market for recyclable plastics.
<b>Nature and biodiversity</b>	As part of the Green New Deal, a new EU biodiversity strategy should include effective measures to stop the decline of biological diversity and restore nature. New global nature targets and a strategic plan for the Biodiversity Convention in China in 2020 must be adopted. Efforts should be made in the EU to stop biodiversity decline and restore nature and to stop deforestation globally.
<b>8<sup>th</sup> Environmental Action Programme</b>	A new 8th Environmental Action Programme should amongst others prioritise the transition to a climate-neutral society by 2050, the transition to a circular economy and substantially less pollution of air, soil and water, phasing out the most problematic chemicals, and protecting and restoring nature and biodiversity.
<b>Less pollution – better health</b>	Chemical legislation should be further strengthened, better and uniform regulation of endocrine disruptors and, in the longer term, to sharpen EU limit values for harmful substances in the air.

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## Global Climate Action and Sustainability

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<b>EU leadership in climate negotiations</b>	The EU should take a leadership role in the COP-negotiations and work for an ambitious implementation of the Paris Agreement through robust and transparent rules that foster greater global ambitions. The EU should lead by example with ambitious reduction targets in line with the Paris Agreement.
<b>Green diplomacy</b>	The EU should promote greater ambitions at a global scale by including climate ambitions and SDG7 in all relevant international fora, including 1) the Green Growth Group, 2) in meetings with other regional groups and 3) through our common climate diplomacy. It should be a concerted effort in all lines of action.
<b>Green trade policy</b>	Climate and environmental concerns should to a larger extent be integrated in the EU's trade policy, i.e. chapters on trade and sustainable development in trade agreements should be strengthened and tariffs and other barriers should be removed from green products and services. Furthermore, the EU should analyse the possibilities to introduce a carbon border tax with due respect for WTO regulations.
<b>Green EU development policy</b>	The new broad Neighbourhood, Development and International Cooperation Instrument (NDICI) should integrate climate concerns in all relevant projects and at least 25 percent of its portfolio should be climate relevant.

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Danish Ministry of Climate,  
Energy and Utilities

**The Minister**

**Date**  
30 November 2019

Dear Commissioner Kadri Simson,

Please accept my sincerest congratulations upon your appointment as European Commissioner for Energy. As I am sure you are aware, this is a very important portfolio. Transition of the energy systems will be decisive in order to deliver on our climate ambitions and on the European Green Deal.

I would like to express the strongest **support for the European Green Deal**, and to the Commission's intention to make Europe a front-runner in the green transition. The Danish government believes that combating climate change should be a top priority for the Commission in the next 5 years.

To make that happen, we need to speed up the pace of our transition efforts. First and foremost, this requires that we **accelerate the deployment of renewable energy** in the EU. In recent years we have seen a rapid development in both wind power and solar panels, as the costs have reduced significantly. But going forward, we need to ensure an effective price on carbon emissions to spur investments in renewable energy and a phase-out of fossil fuels.

In particular, offshore wind is showing a great potential, but in order to utilize this fully, we will need to make sure that there is a facilitative EU-framework in place, and to significantly strengthen regional cooperation in the North Sea, the Baltic Sea and other coastal regions.

The **North Seas Energy Cooperation** is a great example of how European countries can accelerate the expansion of offshore wind, when we work together. With the support of the Commission, the North Sea has the potential to be a provider of energy for all of Europe and provide consumers with sustainable, secure, and affordable energy. To do this, more work is needed to increase the focus on maritime spatial planning, coordination of infrastructure projects, and developing standards for safety, design etc.

**Danish Ministry of Climate,  
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In order to incorporate even larger amounts of renewable energy into our energy systems, we will need **EU-strategies for the development of our energy systems**. Such strategies should address electrification, new flexibility and storage solutions, and integration between different sectors. These are necessary next steps if we are to develop European energy systems fully based on renewable energy and deliver on climate neutrality.

The Commission's modelling framework is the backbone for assessing consequences of new policy and for making optimal energy policy choices. Therefore, **reliable and regularly updated data and assumptions** are vital. I would encourage the Commission to continue the open and transparent approach and look forward to further cooperation between the Commission services and the Danish Energy Agency on improving the modelling framework.

There is no doubt that **energy efficiency will also continue to play a role**, but we have to focus our efforts on reducing greenhouse gas emissions. Going forward we therefore need to focus on reducing the consumption of fossil energy use. Furthermore, we need to further develop the product regulation. I hope you will put forward a new action plan for eco-design and energy labelling to strengthen existing requirements, add new products including for example in relation to data centres, and also address the possibilities for adding requirements for the ability of the products to deliver flexibility to the energy system.

In order to reach climate neutrality by 2050 the use of **fossil energy has to be phased out**. This needs to be reflected in a **new European framework for gas** by including a roadmap for phasing out natural gas of the European energy systems. The framework should also include a strategy for sector integration and address the challenges of how to develop a well-functioning European market for green gasses.

When it comes to definitions of gasses we need to keep it simple. The revised renewable energy directive already defines renewable gasses, so all we need is a definition of what can be labelled as "decarbonised" gasses, which ensure that these gasses contribute to substantial, documented CO<sub>2</sub> reductions. We also need uniform requirements for the quality of gas that embrace the varying green gas qualities.

I very much look forward to cooperate with you and the rest of the new Commission in making the European Green Deal a reality. If we manage to succeed, the EU will lead by example in global climate action.

Sincerely yours,

Dan Jørgensen

## CALL FOR ENHANCED CLIMATE AMBITION

### Joint letter to Mr. Frans Timmermans, Executive Vice-President-designate for the European Green Deal

CC: Ms. Kadri Simson

Dear Mr. Timmermans,

The 25<sup>th</sup> session of the Conference of the Parties to the UNFCCC in December is a crucial occasion for all actors, public and private, to demonstrate their determination to rapidly increase their efforts to tackle climate change. In order to be able to show leadership in this regard, respond to scientific evidence and to fulfil the legitimate demands of its citizens, the European Union needs to commit, before the end of the year, to substantially enhanced climate ambition. Both the longer-term strategic outlook, indispensable to guide our joint efforts over the coming decades, and short-term action are equally important.

We very much welcome that 24 Member States expressed a clear position at the European Council meeting in June with regard to **achieving climate neutrality (net zero GHG emissions) by 2050 at the latest** and we very much encourage, in line with the European Council Conclusions of June, consensus to be reached as soon as possible and before the end of this year. It is indeed absolutely vital that the EU commits to adopt a **long-term strategy as soon as possible in 2019**, to be submitted to the UNFCCC in early 2020. The strategy should be fully in line with the objective to keep global temperature increase below 1.5°C.

Further to the importance of setting ambitious, collective long-term strategies, it is needless to recall that all Parties to the UNFCCC, including the EU, as committed to in Paris, will have to rapidly and substantially **raise the level of ambition of their NDC**, to ensure that the temperature goals of the Paris Agreement will stay within reach.

The EU should, therefore, commit to **increase the EU GHG reduction target for 2030 to -55%** from 1990 levels and reach climate neutrality by 2050 at the latest, in line with the 1,5°C. A strong commitment by the European Commission on climate paves the way to underpin the European Green Deal to drive the in-depth transformation and bold measures needed across all sectors of the economy.

It is both a challenge and a major opportunity to set the EU on a course towards an ambitious, cost-effective and socially fair transition to a climate neutral economy that can bring benefits for economic growth, employment, quality of life, public health, biodiversity, etc.

In order to reap these benefits, a just transition for all and support for citizens, businesses and regions is needed. To achieve this goal, funding will be necessary to support the necessary investments, e.g. in infrastructure, agriculture and forestry, zero emission vehicles, buildings refurbishment, job training and the creation of new jobs, and to support innovation.

These objectives are within reach if a set of ambitious policies are implemented at the EU level. This requires appropriate measures that can drive the necessary change needed across all sectors of the economy, i.e. elements such as a strengthened ETS, increasing the European Investment Bank's (EIB) climate ambitions as a top priority to promote additional investments in the energy and climate transition, a significantly more ambitious share of the new Multiannual Financial Framework (MFF) for climate action in comparison to the current period, supplemented with improved tracking of these expenditures and an effective monitoring of effects and the achievement of the Climate Target set in the next MFF. These initiatives, among others, will be an opportunity to modernise our economy and to create growth and employment. To avoid these efforts being undermined, the EU must decide, as a general principle, that the EU budget should not finance any policy that is not consistent with the goal of achieving climate neutrality by 2050 at the latest. We need to further analyse measures to avoid carbon leakage, such as a carbon border adjustment mechanism, and how they can be made compatible with WTO rules.

We, therefore, invite the Commission to identify areas where further legislative proposals, both strengthening existing instruments and covering possible gaps, could help Member States substantially lower their emissions beyond the baseline of -45% that we have already decided upon and to align all EU policies to the long-term objective of climate neutrality by 2050 at the latest, while ensuring a just transition for workers, communities and regions.

We count on the Commission to consider the above elements in the preparations of the important upcoming meetings and look forward to cooperating with the Commission, other institutions and all Member States to deliver together on the climate agenda Europe and the world need.

Yours sincerely,

Dan Jørgensen  
Minister for Climate, Energy and Utilities of Denmark

Élisabeth Borne  
Minister for the Ecological and Inclusive Transition of France

Juris Pūce  
Minister of environmental protection and regional development of Latvia

Carole Dieschbourg  
Minister for the Environment, Climate and Sustainable Development of Luxembourg

Eric Wiebes  
Minister for Economic Affairs and Climate Policy of the Netherlands



João Pedro Matos Fernandes

Minister of Environment and Energy Transition of Portugal

Teresa Ribera

Minister for the Ecological Transition of Spain

Isabella Lövin

Minister for Environment and Climate, and Deputy Prime Minister of Sweden

# **Call for a transition to a fleet of zero-emission passenger cars**

**Joint letter to Mr. Frans Timmermans**

**Executive Vice-President for the European Green Deal**

CC: Ms. Adina Vălean  
Commissioner for Transport

Dear Mr. Timmermans,

Congratulations on your new position as Executive Vice-President for the European Commission. We wish the best for a successful mandate.

One very important project for the new Commission is to lay the foundation for the transition to a climate neutral EU by 2050 at the latest. In this regard, we need a clear direction towards climate neutrality for all sectors of the economy. The transport sector plays a crucial role in this respect.

Passenger cars account for around 12 percent of EU's total CO<sub>2</sub>-emissions, and transport is the only major sector in the EU where greenhouse gas emissions are still increasing. It is important that CO<sub>2</sub>-emissions are limited across the European economy and that the transition towards zero-emission transport is accelerated. The uptake of zero-emission passenger cars needs to accelerate dramatically in the EU over the coming years and decades.

The Commission's analysis accompanying 'A Clean Planet for All' demonstrates that no new diesel and petrol cars should be sold after 2040 in the EU in order to reach climate neutrality in 2050. To support the transition to climate neutrality by 2050 at the latest, we need targeted EU measures to support an accelerated and balanced shift from petrol and diesel cars to a fleet of zero-emission passenger cars creating predictability for the automotive industry.

Our long-term ambition to be climate neutral by 2050 at the latest must be the guiding principle in revising existing regulation towards 2030 as well as for introducing new additional measures. The transition requires EU measures as the most effective way to drive a technology shift to zero-emission mobility and cut emissions without distorting competition.

Furthermore, we should ensure that EU legislation allows Member States to take further action nationally. Many Member States have enacted policies, fiscal and otherwise, that provide incentives for the uptake of zero-emission passenger cars. In addition, several Member States have already announced plans for the phasing out of new petrol and diesel cars. However, important legislation, currently deployed and significant in meeting other Union objectives, might currently limit the ability of Member States to speed up the phase-out of petrol and diesel cars.

We welcome that, during your hearing in the European Parliament on 8 October, you emphasised the need to take further action with regard to the decarbonisation of the transport sector. We welcome the incoming Commission's European Green Deal and we look forward to concrete measures for the transport sector, such as the coming strategy for sustainable and smart mobility.

Towards this purpose, we – the undersigning Member States – call on the Commission to present a concrete plan with proposals for policy initiatives and incentives for the transition to a fleet of zero-emission passenger cars to support the EU in reaching climate neutrality by 2050 at the latest, in the context of a wider strategy for sustainable and smart mobility.

Advancing the work on developing a suitable EU framework for the transition to zero emission passenger cars should identify and address potential barriers and examine possible measures to improve the conditions for a cost-effective phase-out of new petrol and diesel passenger cars, supporting the transition to climate neutrality in road transport in the EU, including:

- Alignment of Single Market rules, i.e. EU policies and regulations must facilitate and not impede the phasing out of inter alia new petrol and diesel cars
- Strengthened CO<sub>2</sub>-standards
- Deployment of supporting infrastructure such as charging infrastructure
- Supporting battery and fuel cell technology
- Development of sustainable renewable fuels
- Low-emission zones

Setting a clear and unambiguous objective for a phase-out provides predictability for the automotive sector to initiate the transition towards fully zero emission mobility as early as possible. The EU must stay competitive and be able to cater for the mobility needs of people and goods. Dialogue with the industry is crucial to encourage manufacturers to offer zero-emission passenger cars for mass consumption at affordable prices for users. Notwithstanding the opportunities that a transition to zero-emission mobility presents, a plan should consider the impact on the industry and take full advantage of the potential to become world leading in the production of zero-emission passenger cars, strengthening EU industries competitiveness globally. The development of technology for zero-emission passenger cars could also support decarbonisation of the entire transport sector.

A plan should also consider measures taking account of regions that could be negatively affected by the increase in the supply of used vehicles previously registered in another EU Member State. This calls for discussions and solutions that will facilitate the transition to zero-emission mobility throughout the European Union, rather than their migration from one EU country to another.

We count on the Commission to consider the above elements in the preparations of the new work programme and the European Green Deal and look forward to cooperating with the Commission, other institutions and all Member States to deliver together on the climate agenda in Europe.

Yours sincerely,

**Dan Jørgensen**

Minister for Climate, Energy and Utilities of Denmark

**Benny Engelbrecht**

Minister for Transport of Denmark

**Shane Ross**

Minister for Transport, Tourism and Sport of Ireland

**Richard Bruton**

Minister of Communications, Climate Action & Environment of Ireland

**Carole Dieschbourg**

Luxembourg Minister for the Environment, Climate and Sustainable Development

**Stientje van Veldhoven-van der Meer**

Minister for the Environment and Housing of the Netherlands

**Juris Pūce**

Minister for Environmental Protection and Regional Development of Latvia

**João Pedro Matos Fernandes**

Minister of Environment and Climate Action of Portugal

**Simon Zajc**

Minister for the Environment and Spatial Planning of Slovenia

**Isabella Lövin**

Minister for Environment and Climate, and Deputy Prime Minister of Sweden



Commissioner for Health  
Ms. Stella Kyriakides

3<sup>rd</sup> of December 2019

Dear Stella Kyriakides,

First of all I would like to congratulate you on your appointment as Commissioner for Health. I look forward to our future cooperation.

Furthermore, I look forward to the Commission's Farm to Fork Strategy. The necessity of a sustainable food system is evident. The Danish Government is committed to deliver on the green transition, and I urge you to take a holistic approach addressing the necessary changes. A bold suggestion would be to use this occasion to take action against antimicrobial resistance by setting clear and ambitious common ceilings for all Member States.

I fully agree with Commission President Ursula von der Leyen that animal health and welfare is a moral, health and economic imperative. I hope that it will lead to a new European animal welfare law to ensure better welfare for animals and an level playing field for farmers in all Member States. Furthermore, I hope that you will agree to propose an updated regulation on transport of animals with a maximum limit for transports of 8 hours.

I am also glad that you addressed the fight against African Swine Fever in your hearing. African Swine Fever continues to pose a significant threat to pig production, and it is of utmost importance that the EU takes all necessary steps to prevent and contain outbreaks through a harmonized approach. Denmark has sent a proposal for a research project, to better understand how the disease can spread, that I hope you will support.

I would also like to encourage you to address in the Farm to Fork Strategy how to promote a healthy and sustainable diet for all. Not only do we need to take seriously the increasing prevalence of diet-related lifestyle diseases and obesity, but we also need to address the fact that what we eat and waste affects our climate and environment.

Moreover let us ensure that consumers are not misled about health, by establishing the long overdue nutrient profiles. It is crucial that unhealthy foods are not claimed to have health benefits.

We must also protect European citizens from unwanted chemical substances, and I am happy that you have brought the issue of endocrine disrupting chemicals to the

forefront. There is a definite need to develop specific legislation for food contact materials such as paper and board, similar to what already exists on plastic to ensure compliance with the EU framework regulation (1935/2004).

I hope to meet you very soon for a first exchange of views on these and other important topics – hopefully we can meet on the 10 December 2019 in the margins of the Council (Employment, Social Policy, Health and Consumer Affairs). In the meantime, I wish you very good luck with your new job and with all the work ahead of you.

Yours sincerely,



Mogens Jensen

Looking so much forward to our mutual cooperation with  
our solid background in PACE 😊  
I wish you and your family a merry Christmas and a  
happy new year!



Commissioner for Equality  
Ms. Helena Dalli

3<sup>rd</sup> of December 2019

Dear Helena Dalli,

I would like to congratulate you on receiving your official appointment as Commissioner for Equality. I look forward to our future cooperation in this important area.

Gender equality is one of the common and fundamental principles of the European Union and ensuring the protection of, and respect for the full enjoyment of all human rights continues to be of utmost importance.

The year 2020 marks an important moment for gender equality and women's rights, with the international celebration of the 25<sup>th</sup> anniversary of the Beijing Declaration and Platform for Action. Much has been achieved, but we still need to promote gender equality at national and at EU level.

A priority for the coming years would be to ensure an ambitious European Gender Strategy to address areas where women still face barriers. The strategy could target important areas like the fight against violence against women, including the ratification of the Istanbul convention.

In addition, I find it important to develop initiatives to include and activate youth in the gender equality arena. Focus should be to listen and facilitate a platform for their voices on main concerns and obstacles, including digital harassment and the lack of women in STEM (science, technology, engineering and mathematics).

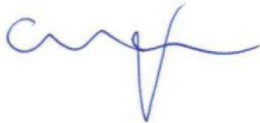
Regrettably, I see that the gender equality agenda in some countries is experiencing a backlash. Therefore, it is important that we defend and strengthen the fundamental values of the European Union. The worst example is women's sexual and reproductive health and rights, which are under pressure. Denmark will continue to stand firm to uphold these rights. Denmark will also continue to support the advancement of the human rights of LGBTI people in the European Union.

Denmark supports the implementation of LGBTI as an independent policy area mirroring the status of gender equality in the European Union. Realizing the difficult task in negotiating a standalone strategy on LGBTI in the years to come, Denmark could support the Commission's efforts to advance human rights through an ambitious strategic list of actions.

I would also like to praise the survey conducted by the EU Fundamental Rights Agency on LGBTI people's experience with discrimination and violence and encourage the Commission to ensure that the survey will be repeated in the future.

I hope to meet you in Brussels soon for a first exchange of views. In the meantime, I wish you very good luck with your new job.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'Mogens Jensen', with a stylized, cursive script.

Mogens Jensen





Commissioner for Environment, Oceans and Fisheries  
Mr. Virginijus Sinkevičius

3<sup>rd</sup> of December 2019

Dear Virginijus Sinkevičius,

First of all, I would like to congratulate you on receiving your official appointment as Commissioner for Environment, Oceans and Fisheries. I am sure that your new post will be both challenging and fulfilling, and I very much look forward to our future cooperation.

With respect to fisheries, we have many challenges in the coming years.

It is very important to ensure a sustainable fishery within the framework of the Common Fisheries Policy. We need to cooperate closely within the EU, but also with our neighboring countries in that respect. Therefore, it will be of utmost importance to maintain a close cooperation on fisheries with the United Kingdom after Brexit. For Denmark, Brexit could have significant consequences with respect to fisheries. I am grateful for the good and close cooperation between our officials, and I hope that we can continue the dialogue as well.

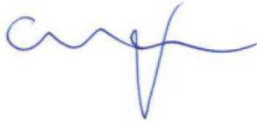
If we are to ensure a sustainable fishery, good and reliable data for the scientific advice is essential. Electronic monitoring would be a cost-efficient tool in that respect. Furthermore, it could improve monitoring and control of the landing obligation. Therefore, we would welcome a long term plan from the Commission on how to ensure a broad European implementation of electronic monitoring thus creating a level playing field.

We managed to reach an agreement on fishing opportunities in the Baltic Sea for 2020 in October 2019. 2020 will be challenging for many fishermen in the Baltic Sea in the coming years. More stocks are in a delicate situation and need protection. In that respect, there is also a need in the future to take into account other factors having an impact on the stock situation such as seals and pollution.

With respect to the yearly negotiations on fishing opportunities for 2020 in the North Sea and with Norway, it is fundamental that the EU-Norway negotiations are concluded before the end of the year. We hope that we reach a sustainable and balanced agreement at the Council (Agriculture and Fisheries) in December this year.

I look forward to meeting you as soon as possible for a first exchange of views on these topics. In the meantime, I wish you very good luck with your new job and with all the work ahead of you.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'Mogens Jensen', with a stylized, cursive script.

Mogens Jensen



Commissioner for Agriculture and Rural Development  
Mr. Janusz Wojciechowski

3<sup>rd</sup> of December 2019

Dear Janusz Wojciechowski,

First of all I would like to congratulate you on your appointment as Commissioner for Agriculture and Rural Development. I look very much forward to our future cooperation.

My government has set an ambitious target to reduce greenhouse gas emissions by 70 percent in 2030 compared to 1990 levels. The incoming Commission has also proposed increased ambitions for the EU, and I am sure that we agree that agriculture has a key role to play in the green transition which is not only about climate change, but also about improved water quality and biodiversity.

I hope that you will be open to consider new ideas on how the Common Agricultural Policy can contribute to the green transition in order to move on from business as usual. I believe that all farmers – big and small – should contribute and therefore the Common Agricultural Policy should incentivize all farmers to participate in the green transition. To begin with the fundamentals, we need to ensure that our criteria for granting direct income support do not incentivize farmers to remove green biotopes. Instead, we should allow farmers to leave parts of their fields untouched to the benefit of biodiversity and accept that farmers can rewet their fields as part of climate action without losing income support. To ensure a greener Common Agricultural Policy we must also allow for compensation through eco-schemes (direct payments) when requirements affect farmers differently in relation to the climate change or environment, e.g. the Water Framework Directive, the Natura 2000 Directives and the NEC directive and the pesticides regulation. Today it is only possible to use rural development support in relation to the Water Framework Directive, the Natura 2000 Directives.

Furthermore, I hope that you will continue to build on the market- and export-orientation of the Common Agricultural Policy which has contributed to the EU's global success in relation to agri-food exports. All farmers big and small should be treated equally taking into account the very different farm structures in the Member States. To continue the market-orientation, it is important that market-distorting coupled support is limited as much as possible in the next reform.

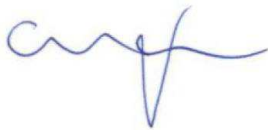
Denmark strongly supports the results-oriented approach of the coming Common Agricultural Policy, and we look forward to the implementation phase. Transparency in the implementation process of the Member States is important. I expect

the Commission – as the approver of the strategic plans – to provide for a level playing field that ensures the communality of the Common Agricultural Policy.

Finally, I hope that you will also be an important voice for animal welfare in the future. I believe that animal welfare should be an integral part of the Farm-to-Fork strategy, and I hope that you will actively support new animal welfare legislation, for example to set a limit for the transportation of animals at 8 hours. Along the same line, I hope that you will also work for ambitious common ceilings for antibiotic use for all Member States, in order to fight the growing challenge of antimicrobial resistance.

I look forward to meet you for a first exchange of views on some of the abovementioned topics. In the meantime, I wish you very good luck with your new job and with all the work ahead of you.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'Mogens Jensen', with a stylized, cursive script.

Mogens Jensen



Executive Vice-President of the European Commission  
Mr. Frans Timmermans

3<sup>rd</sup> of December 2019

Dear Frans Timmermans,

We would like to congratulate you on receiving your formal appointment as Executive Vice-President of the European Commission. We are sure that your new post will be both challenging and rewarding and we look forward to cooperating with you in the years to come.

First of all, we have high expectations to the European Green Deal and hope that it will set a strong green agenda for the next five years. Especially when it comes to biodiversity, we need to act.

Therefore, we also welcome that the European Green Deal to include a new Biodiversity Strategy setting ambitious political objectives that will enable the European Union to take global leadership up to and during COP15 of the UN Convention on Biodiversity in China in October 2020. The strategy should provide a cornerstone in the development of EU policies on biodiversity post 2020 of which implementation of the Nature Directives will be an essential element. In this context, it is very important that the European Union delivers on the challenges in relation to deforestation and ensure sustainable supply chains for food and feed.

We hope that you will be open to consider new ideas on how the Common Agricultural Policy can contribute to the green transition in order to move on from business as usual. We believe that all farmers – big and small – should contribute and therefore the Common Agricultural Policy should incentivize all farmers to participate in the green transition. To begin with the fundamentals, we need to ensure that our criteria for granting direct income support do not incentivize farmers to remove green biotopes. Instead, we should allow farmers to leave parts of their fields untouched to the benefit of biodiversity and accept that farmers can rewet their fields as part of climate action without losing income support. To ensure a greener Common Agricultural Policy we must also allow for compensation through eco-schemes (direct payments) when requirements affect farmers differently in relation to the climate change or environment, e.g. the Water Framework Directive, the Natura 2000 Directives and the NEC directive and the pesticides regulation. Today it is only possible to use rural development support in relation to the Water Framework Directive, the Natura 2000 Directives.

Furthermore, we look forward to the Commission's Farm to Fork Strategy as part of the European Green Deal. The necessity of a sustainable food system is evident.

The Danish Government is committed to deliver on the green transition, and we urge you to take a holistic approach addressing the necessary changes. A bold suggestion would be to use this occasion to take action against antimicrobial resistance by setting clear and ambitious ceilings for all Member States. The strategy must also take into account the issue of animal welfare. We hope that it will lead to a new European animal welfare law to ensure better welfare for animals and a level playing field for farmers in all Member States.

A New Circular Economy Action Plan should also be high on the agenda as part of the European Green Deal. We expect that it will follow up on the ambitious line already put forward to minimise the environmental impacts of plastic and plastic products by addressing other materials with a large environmental footprint as textiles and buildings. There is also a clear need to deal with the issue of plastic waste being exported to developing countries. The Circular Economy Action Plan should also deliver on the commitment to develop a more coherent and legal framework for sustainable production and consumption as already agreed in the 7<sup>th</sup> Environment Action Programme.

The zero-pollution strategy as part of the European Green Deal should focus on air, water and problematic chemicals. We would encourage you to develop a new Sustainable Chemicals Policy that should not only ensure coherence among the various pieces of chemicals legislation but also support the new Circular Economy Action Plan and ultimately deliver into the new Commission's zero-pollution ambition.

We wish you good luck with your new job and the important tasks ahead of you.

Yours sincerely,

Lea Wermelin



Minister for Environment

Mogens Jensen



Minister for Food, Fisheries and Equal Opportunities



Minister for  
Environment

Commissioner for Environment, Oceans and Fisheries  
Mr. Virginijus Sinkevičius

4 December 2019

Dear Virginijus Sinkevičius,

I would like to congratulate you on receiving your formal appointment as Commissioner for Environment, Oceans and Fisheries. I am sure that your new post will be both challenging and rewarding and I look forward to cooperating with you in the years to come.

Allow me to highlight a few issues that I would encourage you to give a prominent place on your agenda.

A New Circular Economy Action Plan should be high on your agenda. We expect that it will follow up on the ambitious line already put forward to minimise the environmental impacts of plastic and plastic products by addressing other materials with a large environmental footprint as textiles and buildings. There is also a clear need to deal with the issue of plastic waste being exported to developing countries. The Circular Economy Action Plan should also deliver on the commitment to develop a more coherent and legal framework for sustainable production and consumption as already agreed in the 7<sup>th</sup> Environment Action Programme. We also see room for strengthening the circular economy through a revision of the batteries directive and the waste shipment regulation.

The zero-pollution strategy should focus on air, water and problematic chemicals. Following up on the Council Conclusions of June 2019 on chemicals, I would have expected the Commission to deliver a non-toxic environment strategy as requested in the 7<sup>th</sup> Environment Action Programme. In any case, I would encourage you to develop a new Sustainable Chemicals Policy that should not only ensure coherence among the various pieces of chemicals legislation but also support the new Circular Economy Action Plan and ultimately deliver into the new Commission's zero-pollution ambition.

I would also welcome a new Biodiversity Strategy setting ambitious political objectives that will enable the European Union to take global leadership up to and during COP15 of the UN Convention on Biodiversity in China in October 2020. The strategy should provide a cornerstone in the development of EU policies on biodiversity post 2020 of which implementation of the Nature Directives will be an essential element. In this context, it is very important that the European Union delivers on the challenges in relation to deforestation and ensure sustainable supply chains for food and feed.

I hope that you will be open to consider new ideas on how the Common Agricultural Policy can contribute to the green transition in order to move on from business as usual. I believe that all farmers – big and small – should contribute and therefore the Common Agricultural Policy should incentivize all farmers to participate in the green transition. To begin with the fundamentals, we need to ensure that our criteria for granting direct income support do not incentivize farmers to remove green biotopes. Instead, we should allow farmers to leave parts of their fields untouched to the benefit of biodiversity and accept that farmers can rewet their fields as part of climate action without losing income support. To ensure a greener Common Agricultural Policy we must also allow for compensation through eco-schemes (direct payments) when requirements affect farmers differently in relation to the climate change or environment, e.g. the Water Framework Directive, the Natura 2000 Directives and the NEC directive and the pesticides regulation. Today it is only possible to use rural development support in relation to the Water Framework Directive, the Natura 2000 Directives.

Since the current 7<sup>th</sup> Environment Action Programme ends by the end of 2020, I would urge you to present, as soon as possible, a proposal for an ambitious 8<sup>th</sup> Environment Action Programme for 2021-2030. This was also called upon by the Council in its conclusions from October 2019. The new programme should keep the 2050 vision from the current programme and should be the environmental pillar for implementation of the Agenda 2030 in the EU. I believe that the 8<sup>th</sup> Environment Action Programme together with the Commission's European Green Deal will ensure ambitious, green and efficient environmental policies for the next decade.

I look forward to meeting you as soon as possible for a first exchange of views on these topics. In the meantime, I wish you good luck with your new job and the important tasks ahead of you.

Yours sincerely,



Lea Wermelin





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**Minister for Health and Senior Citizens**

Commissioner for Health and Food Safety Stella Kyriakides  
Directorate-General for Health and Food Safety  
European Commission  
1049 Bruxelles  
Belgium

Date: 05-12-2019  
Section: MEDINT  
Case Officer: DEPANKH  
Case: 1910357  
Doc.: 1041988

Dear Commissioner Kyriakides,

Please accept my warmest congratulations on your appointment as European Commissioner for Health and Food Safety. I wish you every success in your new position and I look forward to our collaboration.

Protecting and promoting public health is an important and sometimes challenging task. In general, health systems in Europe are well functioning and we should be proud of what we have achieved so far. However, we still face critical challenges that we must address at European level.

We are looking into a future where antimicrobial resistance can have a major negative impact on public health. The need to ensure a stable supply of affordable medicines in Europe as well as the digital aspects of healthcare are also matters that call for our immediate attention and action.

Therefore, I am pleased that these and other key issues, such as cancer prevention, are among the priorities of the new European Commission.

I hope that we will get the opportunity to meet in connection to the EPSCO Council meeting next week and to discuss future EU health policy priorities.

Yours sincerely,

Magnus Heunicke



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Commissioner for Health and Food Safety  
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1049 Bruxelles  
Belgium

Date: 06-01-2020  
Section: MEDINT  
Case Officer: DEPANKH  
Case: 1911037  
Doc.: 1065754

Dear Stella,

Thank you for a productive EPSCO Council meeting and a good bilateral discussion on 9 December.

It was a pleasure to meet you and I look forward to a good and constructive collaboration. During our meeting, I promised to get back to you on some of the issues that we discussed.

*Medicines policy in the EU and supply of medicines*

I found it very positive that you, both during the Council meeting and in our bilateral meeting, emphasized the need to address challenges regarding access and supply of medicines.

During the Council meeting, several Member States, including Denmark, expressed support for the proposal from the Netherlands to develop an EU working agenda on pharmaceutical policy addressing key priorities and concerns.

For Denmark, it is essential to have solid knowledge about both benefits and risks of potential actions before we implement them. I would therefore like to repeat my call for the Commission to carry out an in-depth analysis of the consequences of potential actions to be taken as part of the proposed working agenda.

I look forward to seeing the Commission's proposal at the end of 2020 on how the EU can contribute to ensuring better security of supply, better access and affordable prices of medicines.

*Antimicrobial resistance and ICARS*

We also discussed AMR, a common priority for the Commission and Denmark. In this regard, I appreciated our talk about the International Centre for Antimicrobial Resistance Solutions (ICARS). It was very valuable to hear your thoughts on the initiative. I fully agree with your point that international initiatives on AMR should not overlap. I would therefore like to elaborate a bit on the potential role of ICARS in the global effort against AMR.

ICARS has been established with the purpose of creating a research partnership that can develop context-specific and cost-effective solutions needed to transform national AMR policies into action in low- and middle-income countries (LMICs).

A lot has been done at international level to address the global threat of AMR, but we still face a crucial gap between policy and action, especially in LMICs. ICARS will turn

solution development upside down by putting LMICs in the driving seat when it comes to identifying evidence-based solutions to AMR. Instead of conducting programme driven and fundamental research, ICARS will conduct country-driven implementation and intervention research defined by national political priorities. In addition, ICARS will collaborate with local research communities within the individual country to build capacity and ensure sustainability.

The solutions that ICARS will co-create with individual LMICs will be made available to the global community and can feed into global political decision making, where appropriate. ICARS will take a holistic One Health and interdisciplinary approach that involves human, animal, environmental and social sciences as well as economics.

Altogether, this approach is currently taken by no other international organization working to mitigate AMR.

I have attached some additional information in the form of a leaflet and a concept note describing the idea, vision and mission of ICARS. I hope that we can continue our discussions on AMR and ICARS and that the Commission will support us in the further development of the initiative.

#### **E-cigarettes and tobacco use**

During our meeting, we discussed the challenge of e-cigarettes and you asked for data showing the possible relation between the use of e-cigarettes and tobacco use at a later point in life. A recent publication from the Danish Health Authority highlights the question of e-cigarettes as a gateway to tobacco use with references to different reports and studies. I have attached a list of references, which I hope you will find useful.

I look forward to seeing you again and to continuing our constructive discussions on these and other key health policy issues.

Yours sincerely,

A handwritten signature in blue ink that reads "Magnus Heunicke". The signature is written in a cursive, flowing style.

Magnus Heunicke



**MINISTRY OF FOREIGN AFFAIRS  
OF DENMARK**

  
**MINISTRY OF INDUSTRY, BUSINESS  
AND FINANCIAL AFFAIRS**

File no.  
2019-19685

Department  
Trade Policy

6 December 2019

Dear Commissioner Phil Hogan,

Please accept our congratulations on your appointment as Commissioner for Trade. We are looking forward to cooperating closely with you on priorities for a modern EU trade policy.

As global trade tensions are on the rise, defending rules-based international trade and open markets is more important than ever. The EU should use its leverage as a major trading block to counter the trend of growing protectionism in both its bilateral and multilateral trade negotiations while promoting an ambitious and fair trade policy with high sustainability standards including on labour, climate, environment, and ensuring the external competitiveness of the EU.

It is encouraging that the top priority of the incoming Commission is to lead the reform of the multilateral trading system. The WTO is our best defense against unilateralism and protectionism, our best guarantor of stability in trade relations and our most efficient framework to help less developed countries integrating into the world economy. The first priority must be to solve the crisis in the Appellate Body and ensure an effective, two-tier dispute resolution mechanism. The negotiating function of the WTO also needs attention - with the goal being modern, effective and enforceable rules capable of dealing with current challenges - including unfair trade practices and climate change. We render you our full support in the endeavors for a comprehensive reform agreement in WTO by 2022.

Our bilateral trade and investment agreements also remain crucial in shaping globalization. The Commission has negotiated an impressive number of modern and ambitious agreements in recent years. The latest Eurobarometer survey showed an increasing and significant support for these efforts, but also concerns for globalization, environment and health standards. We must take these concerns seriously and ensure that international trade and investment benefits all. A strong focus must remain on delivering jobs, prosperity and opportunities for European citizens, companies and consumers, while addressing issues that matter for people such as sustainability, fairness and decent work.

The Commission and Denmark share a common agenda, when it comes to climate action and environmental challenges. The Danish Government has set an ambitious goal to reduce greenhouse gas emissions by 70% by

2030, and we support the Commission in its efforts to transform Europe into the world's first climate-neutral continent by 2050. In order to meet these goals, we believe that the EU's trade policy must contribute to a green and sustainable transition. We strongly support that all EU trade agreements must contain a strong and dedicated chapter on sustainable development, including strong provisions on the Paris Agreement, deforestation and biodiversity. In parallel, we should strengthen efforts to reduce or remove trade barriers on green products, technologies and services in order to promote green solutions. We also look forward to discussing in more detail the options for a Carbon Border Tax, fully compliant with WTO rules.

Compliance and enforcement of trade agreements are important elements, and we welcome the Commission's decision to appoint a Chief Enforcement Officer in DG Trade, who will closely monitor the implementation of commitments on labour rights, climate and environmental protection. We also agree that the EU's trade toolbox should be utilized in order to enhance our ability to better respond to unfair trade practices. However, measures must be facts-based. Our joint ambition to achieve a level playing field must not result in protectionism and hidden barriers for trade. In this regard, we need to ensure that the negotiations on an International Procurement Instrument stay focused on its original aim of opening up public procurement markets in third countries. It should be a priority for the Commission to ensure that the instrument works in practice, minimizing potential harmful effects of limiting the European market hampering both competition and innovation in the EU. Curbing unfair financing practices of third countries is also required. We welcome the Commission's efforts to engage main players in order to preserve multilateralism in the field of official trade finance.

Digitization is an increasingly important competitive parameter in international trade. It can help increase participation of SMEs in global value chains, including in developing countries, and ensure exchange of industrial data across borders. The EU must take a leading role in the plurilateral negotiations in the WTO to establish global rules for e-commerce. Furthermore, our bilateral trade agreements with third countries must contain ambitious provisions regarding cross-border data flows, in order to address digital protectionism and to increase trust among customers and businesses.

We wish you every success in your new role and stand ready to cooperate closely with you to achieve our common objectives.

Yours sincerely,



Jeppe Kofod  
Minister for Foreign Affairs



Simon Kollerup  
Minister for Industry, Business and Financial Affairs



THE MINISTER FOR  
FOREIGN AFFAIRS

Journalnummer

44030

Bilag

Dato

10. december 2019

Dear High Representative Josep Borrell,

Please accept my sincere congratulations on your appointment as High Representative for Foreign Policy and Security Policy and Vice-President of the European Commission.

I look forward to our joint efforts to promote the EU's values and interests around the world, including on pressing challenges in our Eastern and Southern neighbourhood regions, forging a stronger EU-Africa partnership and promoting ambitious global climate action.

You will always find in Denmark a wholehearted supporter of your endeavour to advance the EU as a strong, assertive and progressive actor on the global stage.

Upon your leaving the post as Foreign Minister of Spain, I also wish to express my sincere appreciation for the valuable and constructive cooperation between Spain and Denmark during your term of office.

Please accept the assurances of my highest consideration and my best wishes for your term in office.

Yours sincerely,

Jeppe Kofod

Josep Borrell  
High Representative for Foreign Policy and Security Policy and  
Vice-President of the European Commission



THE MINISTER FOR  
FOREIGN AFFAIRS

Journalnummer  
44030  
Bilag

Dato  
10. december 2019

Dear Commissioner Didier Reynders,

Please accept my sincere congratulations on your appointment as Commissioner for Justice.

I look forward to working with you to protect and uphold the rule of law across the EU. Given your track record, I am convinced we will now have real momentum to take new steps towards strengthening our rule of law toolbox. This should include improving our capacity to prevent and identify breaches as well as ensuring timely and targeted support to resolving issues once they have occurred.

You will always find in Denmark a wholehearted supporter of your endeavour to advance the EU as a place of democracy, equality, fairness and social justice.

Upon your leaving the post as Foreign Minister of Belgium, I also wish to express my sincere appreciation for the valuable and constructive cooperation between Belgium and Denmark during your term of office.

Please accept the assurances of my highest consideration and my best wishes for your term in office.

Yours sincerely,

Jeppe Kofod

Didier Reynders  
Commissioner for Justice



THE MINISTER FOR  
FOREIGN AFFAIRS

Journalnummer

44030

Bilag

Dato

10. december 2019

Dear Vice President Maroš Šefčovič,

Please accept my sincere congratulations on your appointment as Vice President for Interinstitutional Relations and Foresight. I look forward to our joint efforts in creating better policymaking in the EU.

I believe there is great momentum for this with the new Commission and your commitment to focusing on the matters where the EU can bring the most added value. Together, we should centre our efforts around the issues that matter most to our citizens and ensure that we deliver on their expectations.

Please accept the assurances of my highest consideration and my best wishes for your term in office.

Yours sincerely,

Jeppe Kofod

Maroš Šefčovič  
Vice President for Interinstitutional Relations and Foresight





THE MINISTER FOR  
FOREIGN AFFAIRS

Journalnummer

44030

Bilag

Dato

10. december 2019

Dear Commissioner Olivér Várhelyi,

Please accept my sincere congratulations on your appointment as Commissioner for Neighborhood and Enlargement.

I look forward to working with you to promote a stable, secure and prosperous neighbourhood region based on democracy, the rule of law and respect for human rights. This is a big task and an important responsibility, and Denmark will be a supportive partner in this endeavour.

Please accept the assurances of my highest consideration and my best wishes for your term in office.

Yours sincerely,

Jeppe Kofod

Olivér Várhelyi  
Commissioner for Neighborhood and Enlargement



THE MINISTER FOR  
FOREIGN AFFAIRS

Journalnummer

44030

Bilag

Dato

10. december 2019

Dear Vice President Vera Jourova,

Please accept my sincere congratulations on your appointment as Vice President for Values and Transparency.

I look forward to working with you to protect and uphold our values and rights across the EU including the rule of law and transparency. I believe that with the new Commission and especially with your area of responsibility, there is real momentum to increase transparency in the EU institutions' legislative decision-making. Enhancing transparency in the Council and the EU as a whole has been a longstanding personal political priority to me, including in my previous capacity as Member of the European Parliament.

You will always find in Denmark a wholehearted supporter of your endeavour to advance the EU as a place of democracy, equality and rule of law.

Please accept the assurances of my highest consideration and my best wishes for your term in office.

Yours sincerely,

Jeppe Kofod

Vera Jourova  
Vice President for Values and Transparency



5 January 2020

Dear Commissioner Jutta Urpilainen

I wish to congratulate you on your appointment as the EU's Commissioner for International Partnerships. I look very much forward to cooperating with you in the coming years and hope to align the Danish and the European development policy priorities even further.

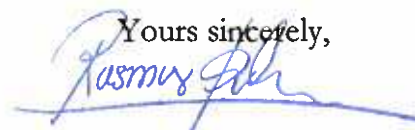
You assume your portfolio at a time when fundamental rights and values and the multilateral system are under increasing global pressure, but also at a time characterized by hope and optimism especially among the African youth. I believe the foundation for tackling the challenges lies in confronting global inequality, showing greater global solidarity, and building mutually beneficial partnerships, not least between EU-Africa.

Denmark is ready to support you and your colleagues in the work for a new comprehensive strategy with Africa to the benefit of both Africa and the EU. At a time when there is a renewed rush for influence on the African continent from a number of state and non-state actors, it is crucial that the strategy is firmly rooted in our fundamental European values. We should strengthen our emphasis on Africa's key opportunities and work for better governance and decent jobs to provide hope and local opportunities for the African youth.

Regions across Africa face increasing security, climate and migration challenges, including the Sahel. A comprehensive EU strategy with Africa must address irregular migration and climate change having the humanitarian-development-peace nexus in mind. Denmark also attach great importance to the EU supporting common efforts to further protect and promote gender equality, and women's and girl's sexual and reproductive rights in the world.

I look forward to meeting you at the earliest possible occasion to discuss our common priorities and our future cooperation on these important agendas. I would also like to take this opportunity to invite you to Copenhagen in early 2020 to continue the discussion on the above priorities.

Please accept my best wishes for your term in office.

Yours sincerely,  
  
Rasmus Prehn

EU-Commissioner for International Partnerships Jutta Urpilainen

Commissioner for Transport  
Mrs Adina-Ioana Vălean

Date 9. december 2019  
Our ref. 2019-90

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Dear Commissioner Vălean,

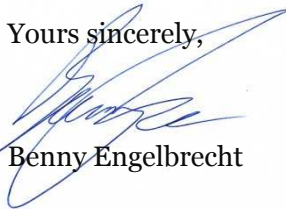
Please accept my warmest congratulations on your recent appointment as Commissioner for Transport.

The European transport sector is of vital importance to the Danish government and I hope that we, together with the other European member states and the European Parliament, are able to set ambitious goals that will ensure a better, greener and cleaner transport sector for the European citizens.

I look forward to working together with you and your staff in reaching these goals and that we together can improve and develop the transportation sector within the European Union.

I would like to wish you the best of luck in your new position as Commissioner of Transport and I look forward to meeting you in the nearest future, where we will have the opportunity to discuss these goals and other important policy matters on the European transport agenda.

Yours sincerely,



Benny Engelbrecht

Minister for Higher Education and Science



Thierry Breton  
Commissioner for Internal Market  
European Commission

Dear Commissioner Thierry Breton

Please accept my warmest congratulations on your appointment as Commissioner for Internal Market and Services and in that capacity responsible for Space.

Denmark strongly supports the European cooperation on space matters based primarily on Copernicus and Galileo/EGNOS. The new integrated EU Space Programme will provide an excellent outset for further work in this area.

The EU should continue to reap the benefits from our large investments in Copernicus, Galileo and EGNOS, by reaching out to the user communities and industrial capacities. Space plays a key role in a number of important policy areas, in particular environmental and climate action.

We are approaching a full operational era of European space infrastructure. Now, the challenge is to fully capitalise from our activities in space while also preparing for the next generation of European Space infrastructure. We need to explore user needs and to keep developing relevant services. In different areas of society, there is great potential in integrating space based solutions, thereby disrupting traditional business models.

A way to leap forward is to support the evolution of ecosystems and create platforms for multi-stakeholder collaboration. This goes for the use of all services based on space components – navigation, observation and communication.

In the proposal for the new EU Space Programme, we have agreed on an objective to implement measures for mitigating space debris within EU space activities. With this commitment, the EU demonstrates ambition and leadership. I strongly support that EU takes action and raise our strategic ambitions, in order for sustainability to become a natural part of the European space policy

In the end, the consequence of not taking action on issues such as space debris mitigation might be the inability to use important orbits in space. This will have a deep negative impact for all of us. In this respect, the EU has a unique chance to show the worldwide space community how to act in a sustainable and responsible way in space.

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CVR no. 1680 5408

Ref. no.  
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2016 saw the introduction of Denmark's first ever Space Law (the Outer Space Act) which was followed up by an Executive Order on the requirements in connection with approval of activities in outer space. Denmark is fully prepared and ready for further actions in this area.

I look forward to working actively with you and the new Commission with the aim of creating a prosperous and competitive European space sector that contributes to green transition and sustainability.

Yours sincerely



Ane Halsboe-Jørgensen

**Ministry of Higher Education  
and Science Denmark**

Minister for Higher Education and Science



Mariya Gabriel  
Commissioner for Innovation, Research, Culture, Education and Youth  
European Commission

Dear Commissioner Mariya Gabriel

Please accept my warmest congratulations on your appointment as Commissioner for Innovation, Research, Culture, Education and Youth.

The main challenge that our societies face in the coming years is addressing climate change. Our education, research and innovation systems are of critical importance in order to address the challenges, and create a more sustainable and prosperous EU.

The EU has a global position in the area of green and sustainable solutions that can strengthen our competitiveness, and at the same time contribute to fulfilling the Paris Agreement and the Sustainable Development Goals.

### **A green Horizon Europe**

Ambitious investments in green research and innovation are crucial for reaching the EU's climate target, and both the current and the next EU-framework programme for research and innovation, Horizon Europe are central to this.

Horizon Europe rightly reflects the urgency of solving the grave climate related challenge. The Danish Government has high expectations to the European Green Deal and hope that it will set a strong green agenda for the next five years.

Nationally, we have committed ourselves to a target of reducing greenhouse gas emissions with 70 percent by 2030 (compared to 1990 levels).

We meet our 3 percent objective in terms of research and innovation investments, including 1 percent from the public sector. Within this budget, the Government will invest additional 1 billion Danish kroner - around 134 million euros – next year on green research and innovation compared to what we invest today.

### **Arctic research and innovation**

In order to address climate change, we must pay particular attention to research and innovation related to the Arctic. This is an overarching European interest and a crucial focus area, not only to counter local climate developments, but because the Arctic region is an indicator of global climate change. Horizon Europe should have a strong focus on Arctic research and innovation – both in relation to

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mitigating climate changes, exploitation of natural resources in a sustainable way, and connectivity, monitoring and infrastructure.

### **Stronger links between higher education, research and innovation**

It was with great pleasure that I learned about your portfolio covering both education, research and innovation. This gives you a unique opportunity to create stronger links and synergies between these closely related policy areas. Creating closer ties between Horizon Europe and the next Erasmus+ programme is instrumental in this regard.

The new European Universities initiative brings a burning platform to both reinvigorate European cooperation in Higher Education as well as truly bring elements from both Erasmus+ and Horizon Europe together in one initiative. The European Universities can hopefully lead to increased quality, excellence and international competitiveness for European higher education and research institutions, and I look forward to collaborating with you to bring these ambitions into reality.

Ministry of Higher Education  
and Science Denmark

### **High quality education with Erasmus+**

The Erasmus+ programme has never been more important than now, and there are high expectations for what the programme should accomplish. The next programme should build on past successes, but be more accessible and simple with reduced bureaucratic procedures.

Erasmus+ should increase the quality and international outlook of European Education systems by fostering mobility and cooperation not just within Europe but also beyond.

Within Erasmus+, we should focus on initiatives that bring EU added value, and contribute to high quality education. This is not the case for DiscoverEU which is an idea that should be abandoned.

I look very much forward to working actively with you and the new Commission with the aim of creating a prosperous and integrated European Research Area and European Education Area that will help preparing Europe for the next decade.

Yours sincerely



Ane Halsboe-Jørgensen