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NOTE

From: Presidency
To: Delegations

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Subject: Proposal for a Regulation of the European Parliament and of the Council
establishing the Digital Europe programme for the period 2021-2027
- Examination of the Presidency text

1. Introduction

Delegations will find in Annex a revised text of the proposal on the Digital Europe Programme, focusing on **articles 9 to 15, 17 to 32 and Annexes 2 and 3**. The modifications are based on the discussions in the WP TELE of 9 October and on delegations' written comments. This document will be discussed in the WP TELE on **25 October**.

In view of putting together a new Presidency text on time for the November meetings, delegations are kindly invited to send their written comments on all provisions (the present document and document 12705/18) by 26 October.

2. Overview of modifications introduced in the document (in chronological order)

For ease of reference, amendments to the Commission proposal are marked in **bold** and the deletions in ~~striketrough~~.

a/ Article 9: Budget

In **art. 9(2)** the phrase 'up to' has been deleted.

A new **art. 9(2a)** has been included to allow certain flexibility in cases of new developments. The provision is inspired by art. 9(3) of Horizon Europe.

In **art. 9(5)** the last sentence has been amended to make clear that the resources in question will be allocated to the Member State concerned only.

b/ Article 11: International cooperation

At a request of several delegations, **art. 11(2)** relating to security covers now also High Performance Computing and Artificial Intelligence objectives.

c/ Article 12: Security

Numbering has been corrected throughout art. 12.

Art. 12(1) has been aligned with art. 16(1) of Horizon Europe.

d/ Article 13: Synergies

Art. 13(2) has been amended to provide more details on ensuring consistency with other programmes. A new **recital** has been proposed in a footnote to provide further clarifications.

e/ Article 14: Implementation and forms of funding

A reference has been corrected in **art. 14(1)**.

f/ Article 18: Eligible entities

The word 'legal' has been included in **art. 18(2)**, where all entities mentioned are legal entities, to make a clear distinction from art. 18(4) that concerns natural persons.

A clarifying reference has been included in **art. 18(5)**.

A new **art. 18(7)** has been included with regard to eligible entities. A similar provision is included in the CEF proposal in art. 11(5).

g/ Article 20: Award criteria

In **art. 20(1)(e)** the word 'potential' has been included.

A new **art. 20(1)(ea)** has been added to include a reference to ease of access to the respective services.

A reference to 'economically disadvantaged' regions has been included in **art. 20(1)(g)**.

A new criterion has been included **art. 20(1)(i)** on synergy and complementarity with other programmes.

h/ Article 22: Cumulative, complementary and combined funding

A clarification on funds under shared management has been included in **art. 22(1)**.

A definition has been proposed for 'seal of excellence' in a **footnote under art. 22(2)**.

The last sentence of **art. 22(2)** now clarifies the moment from which the rules of the fund concerned start applying.

i/ Article 23: Work programme

A link to Annex 1 has been made clear in **art. 23(1)**.

A comitology procedure has been included in **art. 23(5)** which is further accompanied by a new **recital** (see footnote).

j/ Article 25: Evaluation

The Presidency has noted comments of delegations with regard to the evaluation of the functioning of the DIHs. The Presidency believes that this issue would best be addressed in art. 16 (which is not as such subject to this document). The Presidency therefore suggests to introduce a new art. 16(7) with the following wording:

'7. The evaluation referred to in Article 25 shall have a particular regard to the functioning of European Digital Innovation Hubs.'

k/ Article 27: Exercise of delegation

The word 'only' has been introduced in **art. 27** as it is part of the standard text.

l/ Article 27a: Comitology procedure

A standard **art. 27a** on comitology procedure has been added in connection with art. 23(5).

m/ Annex 2

Some explanations for the performance indicator under **point 3.1** have been provided in a footnote.

A new performance indicator has been included under **point 5.4**.

n/ Annex 3

The numbering has been corrected throughout the Annex 3.

Points (a) and (b) in para 2 have been amended in line with delegations' comments on European economy and society, digital transformation and the Tallinn declaration on eGovernment.

A new **para 6** has been added on synergies with other programmes.

Article 9

Budget

1. The financial envelope for the implementation of the Programme for the period 2021–2027 shall be [EUR 9 194 000 000 in current prices].
2. The indicative distribution of the referred amount shall be:
 - (a) ~~up to~~ [EUR 2 698 240 000] for Specific Objective 1, High Performance Computing
 - (b) ~~up to~~ [EUR 2 498 369 000] for Specific Objective 2, Artificial Intelligence
 - (c) ~~up to~~ [EUR 1 998 696 000] for Specific Objective 3, Cybersecurity and Trust
 - (d) ~~up to~~ [EUR 699 543 000] for Specific Objective 4, Advanced Digital skills
 - (e) ~~up to~~ [EUR 1 299 152 000] for Specific Objective 5, Deployment, best use of digital capacities and Interoperability.
- 2a. **In order to respond to unforeseen situations or to new developments and needs, the Commission may, within the annual budgetary procedure, deviate from the amounts referred to in paragraph 2 up to a maximum of [x%].**
3. The amount referred to in paragraph 1 may be used for technical and administrative assistance for the implementation of the Programme, such as preparatory, monitoring, control, audit and evaluation activities including corporate information technology systems.
4. Budgetary commitments for actions extending over more than one financial year may be broken down over several years into annual instalments.
5. Resources allocated to Member States under shared management may, at their request, be transferred to the Programme. The Commission shall implement those resources directly in accordance with point (a) of Article 62(1) of the Financial Regulation or indirectly in accordance with point (c) of that Article. ~~Where possible~~ Those resources shall be used for the benefit of the Member State concerned **only**.
6. Without prejudice to the Financial Regulation, expenditure for actions resulting from projects included in the first work programme may be eligible as from 1 January 2021.

Article 10

Third countries associated to the Programme

The programme shall be open to:

1. Members of the European Free Trade Association, which are members of the European Economic Area, in accordance with the conditions laid down in the European Economic Area agreement;
2. Acceding countries, candidate countries and potential candidates , in accordance with the general principles and general terms and conditions for their participation in Union programmes established in the respective framework agreements and Association Council Decisions, or similar agreements, and in accordance with the specific conditions laid down in agreements between the Union and them;
3. Countries covered by the European Neighbourhood Policy, in accordance with the general principles and general terms and conditions for the participation of those countries in Union programmes established in the respective framework agreements and Association Council Decisions, or similar agreements, and in accordance with the specific conditions laid down in agreements between the Union and those countries;
4. [Third countries in accordance with the conditions laid down in a specific agreement covering the participation of the third country to any Union programme, provided that the agreement
 - ensures a fair balance as regards the contributions and benefits of the third country participating in the Union programmes;
 - lays down the conditions of participation in the programmes, including the calculation of financial contributions to individual programmes and their administrative costs. These contributions shall constitute assigned revenues in accordance with Article [21(5)] of [the new Financial Regulation] ;
 - does not confer to the third country a decisional power on the programme;
 - guarantees the rights of the Union to ensure sound financial management and to protect its financial interests.]

Article 11

International cooperation

1. The Union may cooperate with third countries mentioned in Article 10, with other third countries and with international organisations or bodies established in those countries, in particular within the framework of the Euro-Mediterranean and Eastern Partnerships and with neighbouring countries, in particular those of the Western Balkans and Black Sea regions. Without prejudice to Article [19], related costs shall not be covered by the programme.
2. The cooperation with third countries and organisations mentioned in paragraph 1 under **Specific Objective 1. High Performance Computing, Specific Objective 2, Artificial Intelligence and Specific Objective 3. Cybersecurity and Trust** shall be subject to Article [12] **as appropriate**.

Article 12

Security

31. Actions carried out under the Programme shall comply with the applicable security rules and in particular the protection of the classified information against unauthorised disclosure, including compliance with any relevant national and Union law. In case of actions carried out outside the Union **using and/or generating classified information**, it is necessary that, in addition to the compliance with above requirements, a security agreement must have been concluded between the Union and the third country in which the activity is conducted.
42. Where appropriate, proposals and tenders shall include a security self-assessment identifying any security issues and detailing how those issues will be addressed in order to comply with the relevant national and Union laws.
53. Where appropriate, the Commission or funding body shall carry out a security scrutiny for proposals raising security issues .
64. Where appropriate, the actions shall comply with Commission Decision (EU, Euratom) 2015/444/EC¹, and its implementing rules.
75. The work programme may also provide that legal entities established in associated countries and legal entities established in the EU but controlled from third countries are not eligible for participation in all or some actions under Specific Objective 3 for security reasons. In such cases calls for proposals and calls for tenders shall be restricted to entities established or deemed to be established in Member States and controlled by Member States and/or nationals of Member States.

¹ Commission Decision (EU, Euratom) 2015/444 of 13 March 2015 on the security rules for protecting EU classified information (OJ L 72, 17.3.2015, p. 53).

Article 13

Synergies with other Union programmes

1. The Programme is designed to be implemented enabling synergies, as further described in Annex III, with other Union funding programmes, in particular through arrangements for complementary funding from EU programmes where management modalities permit; either in sequence, in an alternating way, or through the combination of funds including for the joint funding of actions.
2. **The Commission, in cooperation with the Member States, shall ensure the overall consistency and complementarity of the Programme with the relevant policies and Union programmes. To this effect, the Commission shall facilitate setting up** ~~Appropriate mechanisms of coordination between relevant authorities and~~ **establish** appropriate monitoring tools ~~shall be established~~ to systematically ensure synergies between the Programme and any relevant EU funding instruments. The arrangements shall contribute to avoiding duplications and maximising impact of expenditure.²

² A recital has been proposed to provide further clarification on ensuring consistency and coordination:

'In order to ensure efficient allocation of funds from the general budget of the Union, it is necessary to ensure the European added value of all actions and activities carried out with the Programme, their complementarity to Member States' activities, while consistency, complementarity and synergies should be sought with funding programmes supporting policy areas with close links to each other. While for directly and indirectly managed actions the relevant work programmes provide a tool for ensuring consistency, collaboration between the Commission and the relevant Member States authorities should be established to ensure consistency and complementarities also between directly or indirectly managed funds and funds subject to shared management. For instance, the proposal for a Regulation of the European Parliament and of the Council laying down common provisions on the European Regional Development Fund, the European Social Fund Plus, the Cohesion Fund and the European Maritime and Fisheries Fund and financial rules for those and for the Asylum and Migration Fund, the Internal Security Fund and the Border Management and Visa Instrument provides for Strategic Approach which, inter alia, requires the relevant Partnership Agreements to contain elements as regards complementarities between the Funds and other Union instruments.'

Article 14

Implementation and forms of funding

1. The Programme shall be implemented in direct management in accordance with the Financial Regulation or in indirect management with bodies referred to in Article 62(1)(c) ~~and 58(1)(e)~~ of the Financial Regulation notably for Specific Objectives 1 and 3. Funding bodies may depart from the rules for participation and dissemination laid down in this regulation only if this is provided for in the basic act setting up the funding body and/or entrusting budget implementation tasks to it or, for funding bodies under Article 62(1)(c)(ii), (iii) or (v) of the Financial Regulation, if it is provided for in the contribution agreement and their specific operating needs or the nature of the action so require.
2. The Programme may provide funding in any of the forms laid down in the Financial Regulation, including notably procurement as a primary form as well as grants and prizes. It may also provide financing in the form of financial instruments within blending operations.
3. Contributions to a mutual insurance mechanism may cover the risk associated with the recovery of funds due by recipients and shall be considered a sufficient guarantee under the Financial Regulation. The provisions laid down in [Article X of] Regulation XXX [*successor of the Regulation on the Guarantee Fund*] shall apply.

Article 15

European Partnerships

The Programme may be implemented through European Partnerships. This may include in particular contributions to existing or new public-private partnerships in the form of joint undertakings established under Article 187 TFEU. For these contributions, provisions relating to European Partnerships under [Horizon Europe Regulation, ref to be added] apply.

...

CHAPTER II

ELIGIBILITY

Article 17

Eligible actions

1. Only actions contributing to the achievement of the objectives referred to in Article [3] and Articles [4]-[8] shall be eligible for funding.
2. The eligibility criteria for the actions shall be set out in the work programmes.

Article 18

Eligible entities

1. In addition to the criteria set out in Article 197 of the Financial Regulation, the eligibility criteria set out in paragraphs 2 to 4 shall apply:
2. The following **legal** entities shall be eligible:
 - (a) legal entities established in:
 - (i) a Member State or an overseas country or territory linked to it
 - (ii) a third countries associated with the Programme;
 - (b) any legal entity created under Union law or any international organisation.
3. Legal entities established in a third country which is not associated to the Programme are exceptionally eligible to participate in specific actions where this is necessary for the achievement of the objectives of the Programme.
4. Natural persons shall not be eligible, except for grants awarded under Specific Objective 4. Advanced digital skills.
5. The work programme **referred to in Article 23** may provide that participation is limited to beneficiaries established in Member States only, or to beneficiaries established in Member States and specified associated or other third countries for security reasons or actions directly related to EU strategic autonomy.

6. Legal entities established in a third country which is not associated to the programme should in principle bear the cost of their participation.
7. **The work programme referred to in Article 23 may provide that proposals may be submitted by one or more Member States or by international organisations, joint undertakings, or public or private undertakings or bodies established in Member States, with the agreement of the Member States concerned.**

CHAPTER III

GRANTS

Article 19

Grants

Grants under the Programme shall be awarded and managed in accordance with Title VIII of the Financial Regulation.

Article 20

Award criteria

1. The award criteria shall be defined in the work programmes and in the calls for proposals, taking into account at the minimum the following elements:
 - (a) the maturity of the action in the project development;
 - (b) the soundness of the implementation plan proposed;
 - (c) the stimulating effect of Union support on public and private investment, when applicable;

- (d) the need to overcome financial obstacles such as the lack of market finance;
- (e) where applicable, the **potential** economic, social, climate and environmental impact;
- (ea) where applicable, and accessibility and ease of access to respective services;**
- (f) where applicable, a trans-European dimension;
- (g) where applicable, a balanced geographical distribution across the Union, including the outermost **and economically disadvantaged** regions;
- (h) where applicable, the presence of a long-term sustainability plan;
- (i) where applicable, synergy and complementarity with other Union programmes.**

CHAPTER IV

BLENDING OPERATIONS AND OTHER COMBINED FUNDING

Article 21

Blending operations

Blending operations decided under this Programme shall be implemented in accordance with the [InvestEU regulation] and Title X of the Financial Regulation.

Article 22

Cumulative, complementary and combined funding

1. An action that has received a contribution from another Union programme, **including funds under shared management**, may also receive a contribution from under the Programme, provided that the contributions do not cover the same costs. The rules of each contributing Union programme shall apply to its respective contribution to the action. The cumulative funding shall not exceed the total eligible costs of the action and the support from the different Union programmes may be calculated on a pro-rata basis in accordance with the documents setting out the conditions for support.
2. Actions awarded a Seal of Excellence³ certification, or which comply with the following cumulative, comparative conditions:
 - (a) they have been assessed in a call for proposals under the Programme;
 - (b) they comply with the minimum quality requirements of that call for proposals;
 - (c) they may not be financed under that call for proposals due to budgetary constraints.

may receive support from the European Regional Development Fund, the Cohesion Fund, the European Social Fund+ or the European Agricultural Fund for Rural Development, in accordance with paragraph 5 of Article [67] of Regulation (EU) XX [Common Provisions Regulation] and Article [8] or Regulation (EU) XX [Financing, management and monitoring of the Common Agricultural Policy], provided that such actions are consistent with the objectives of the programme concerned. The rules of the Fund providing support shall apply **from the award on.**

³ A definition has been proposed: "'seal of excellence' means a certified label which shows that a proposal submitted to a call for proposals exceeded all of the thresholds set out in the work programme, but could not be funded due to lack of budget available to that call in the work programme;'"

CHAPTER V

PROGRAMMING, MONITORING, EVALUATION AND CONTROL

Article 23

Work programmes

1. The Programme shall be implemented by work programmes referred to in Article 110 of Financial Regulation.
2. Those work programmes shall be adopted as multiannual programmes for the entire Programme. If justified by specific implementation needs, they may also be adopted as annual programmes which cover one or more Specific Objectives.
3. The first multiannual work programme shall focus on the activities set out in the Annex 1 and ensure that the actions thereby supported do not crowd out private financing. Subsequent work programmes may include activities not set out in ~~the~~ **that** Annex provided that they are consistent with the objectives of this Regulation, as set out in Articles [4 – 8].
4. Work programmes shall set out, where applicable, the overall amount reserved for blending operations.
5. **The work programmes for Specific Objectives subject to direct management shall be adopted by the Commission by means of an implementing act . Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 27a(2).⁴**

⁴ A new recital has been proposed to accompany art. 23(5):
'For actions subject to indirect management, the work programmes should be adopted in accordance with rules of the governing boards of the funding bodies.'

Article 24

Monitoring and reporting

1. Indicators to monitor the implementation and progress of the Programme in achieving the general and specific objectives set out in Article 3 are set in the Annex II.
2. To ensure effective assessment of progress of the Programme towards the achievement of its objectives, the Commission is empowered to adopt delegated acts in accordance with Article 27 to amend Annex II to review or complement the indicators where considered necessary and to supplement this Regulation with provisions on the establishment of a monitoring and evaluation framework.
3. The performance reporting system shall ensure that data for monitoring programme implementation and results are collected efficiently, effectively, and in a timely manner. To that end, proportionate reporting requirements shall be imposed on recipients of Union funds and Member States.
4. Official EU statistics such as regular ICT statistical surveys shall be used to their maximum. National Statistical Institutes shall be consulted on, and involved together with Eurostat, in the initial design and subsequent development of statistical indicators used for monitoring the implementation of the programme and the progress made with regard to digital transformation.

Article 25

Evaluation

1. Evaluations shall be carried out in a timely manner to feed into the decision-making process.
2. The interim evaluation of the Programme shall be performed once there is sufficient information available about the implementation of the Programme, but no later than four years after the start of the implementation of the Programme.
3. At the end of the implementation of the Programme, but no later than four years after the end of the period specified in Article [1], a final evaluation of the Programme shall be carried out by the Commission.

4. The evaluation reporting system shall ensure that data for programme evaluation are collected efficiently, effectively, in a timely manner and at the appropriate level of granularity by recipients of Union funds;
5. The Commission shall communicate the conclusions of the evaluations accompanied by its observations, to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions.

Article 26

Audits

1. Audits on the use of the Union contribution carried out by persons or entities, including by others than those mandated by the Union Institutions or bodies, shall form the basis of the overall assurance pursuant to Article 127 of the Financial Regulation.
2. The control system shall ensure an appropriate balance between trust and control, taking into account administrative costs and other costs of controls at all levels.
3. Audits of expenditure shall be carried out in a consistent manner in accordance with the principles of economy, efficiency and effectiveness.
4. As part of the control system, the audit strategy may be based on the financial audit of a representative sample of expenditure. That representative sample shall be complemented by a selection based on an assessment of the risks related to expenditure.
5. Actions that receive cumulative funding from different Union programmes shall be audited only once, covering all involved programmes and their respective applicable rules.

Article 27

Exercise of the delegation

1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.
2. The power to adopt delegated acts referred to in Article 24 shall be conferred on the Commission until 31 December 2028.

3. The delegation of power referred to in Article 24 may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of power specified in that decision. It shall take effect the day following the publication of the decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.
4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016.
5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.
6. A delegated act adopted pursuant to article 24 shall **only** enter into force if no objection has been expressed either by the European Parliament or by the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.

Article 27a

Committee procedure

1. **The Commission shall be assisted by the Digital Europe Programme Coordination Committee. That committee shall be a committee within the meaning of Regulation (EU) No 182/2011.**
3. **Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.**

Article 28

Protection of the financial interests of the Union

Where a third country participates in the programme by a decision under an international agreement or by virtue of any other legal instrument, the third country shall grant the necessary rights and access required for the authorizing officer responsible, the European Anti-Fraud Office (OLAF), the European Court of Auditors to comprehensively exert their respective competences. In the case of OLAF, such rights shall include the right to carry out investigations, including on-the-spot checks and inspections, provided for in Regulation (EU, Euratom) No 883/2013 of the European Parliament and of the Council concerning investigations conducted by the European Anti-Fraud Office (OLAF).

CHAPTER VI

TRANSITIONAL AND FINAL PROVISIONS

Article 29

Information, communication, publicity, policy support and dissemination

1. The recipients of Union funding shall acknowledge the origin and ensure the visibility of the Union funding (in particular when promoting the actions and their results) by providing coherent, effective and proportionate targeted information to multiple audiences, including the media and the public.
2. The Commission shall implement information and communication actions relating to the Programme, and its actions and results. Financial resources allocated to the Programme shall also contribute to the corporate communication of the political priorities of the Union, as far as they are related to the objectives referred to in Article [3].
3. The Programme shall provide support to policy development, outreach, awareness-raising and the dissemination of activities and promote cooperation and the exchange of experience in the areas mentioned in Articles 4 to 8.

Article 30

Repeal

1. Decision (EU) 2015/2240 of the European Parliament and of the Council of 25 November 2015 establishing a programme on interoperability solutions and common frameworks for European public administrations, businesses and citizens (ISA2 Programme) as a means for modernising the public sector is repealed with effect from 1 January 2021.

Article 31

Transitional provisions

1. This Regulation shall not affect the continuation or modification of the actions concerned, until their closure, under Regulation (EU) No 283/2014 of the European Parliament and of the Council⁵ and under Decision (EU) 2015/2240⁶, which shall continue to apply to the actions concerned until their closure.
2. The financial envelope for the Programme may also cover technical and administrative assistance expenses necessary to ensure the transition between the Programme and the measures adopted under Regulation (EU) No 283/2014 and under Decision (EU) 2015/2240⁷.
3. Where necessary, appropriations may be entered in the budget beyond 2027 to cover the expenses referred to in Article [9(4)] in order to enable the management of actions not completed by 31 December 2027.

⁵ Regulation (EU) No 283/2014 of the European Parliament and of the Council of 11 March 2014 on guidelines for trans-European networks in the area of telecommunications infrastructure and repealing Decision No 1336/97/EC (OJ L 86, 21.3.2014, p. 14).

⁶ DECISION (EU) 2015/2240 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 25 November 2015 establishing a programme on interoperability solutions and common frameworks for European public administrations, businesses and citizens (ISA2 programme) as a means for modernising the public sector.

⁷ DECISION (EU) 2015/2240 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 25 November 2015 establishing a programme on interoperability solutions and common frameworks for European public administrations, businesses and citizens (ISA2 programme) as a means for modernising the public sector.

Article 32

Entry into force

4. This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels,

For the European Parliament
The President

For the Council
The President

ANNEX 2

Performance indicators

Specific Objective 1 - High-performance computing

1.1 Number of HPC infrastructures jointly procured

1.2 Usage of the exascale and post-exascale computers in total and by various stakeholder groups (universities, SMEs etc.)

Specific Objective 2 - Artificial intelligence

2.1 Total amount co-invested in sites for experimentation and testing

2.2 Number of companies and organisations using AI

Specific Objective 3 - Cybersecurity & Trust

3.1 Number of cybersecurity infrastructure and/or tools jointly procured.⁸

3.2 Number of users and user communities getting access to European cybersecurity facilities

Specific Objective 4 - Advanced digital skills

4.1 Number of ICT specialists trained and working

4.2 Number of enterprises having difficulty recruiting ICT specialists

⁸ In response to a question for clarifications, the following explanations can be provided with regard to this performance indicator:

'Infrastructures' would typically mean a research or experimentation infrastructure such as testbeds, cyber ranges or computing/communication facilities. This could be either data and/or software only, or involve physical facilities.

'Tools' would typically mean a physical device and/or software/algorithm used to increase the security of ICT systems. Examples would be intrusion detection software or data resources allowing situational awareness of critical infrastructures.

The Competence Centre proposal allows all sorts of procurement, not only joint procurement: by the Competence Centre as a Union body, by others with the help of a Union grant, or by several parties.

Specific Objective 5 - Deployment, best use of digital capacity and interoperability

5.1 Take-up of digital public services

5.2 Enterprises with high digital intensity score

5.3 Alignment of the National Interoperability Framework with the European Interoperability Framework

5.4 Number of businesses and public authorities which have used the Digital Innovation Hubs' services.

ANNEX 3

Synergies with other Union programmes

31. Synergies with Horizon Europe shall ensure that:
- (a) Whereas several thematic areas addressed by Digital Europe and Horizon Europe converge, the type of actions to be supported, their expected outputs and their intervention logic are different and complementary;
 - (b) Horizon Europe will provide extensive support to research, technological development, demonstration, piloting, proof-of-concept, testing and innovation including pre-commercial deployment of innovative digital technologies, in particular through (i) a dedicated budget in the Global Challenges pillar for "Digital and industry" to develop enabling technologies (Artificial Intelligence and Robotics, Next Generation Internet, High Performance Computing and Big Data, Key Digital Technologies, combining digital with other technologies); (ii) support to e-Infrastructures under the Open Science pillar; (iii) the integration of digital across all the Global Challenges (health, security, energy and mobility, climate, etc.); and (iv) support for scale-up breakthrough innovations under the Open Innovation pillar (many of which will combine digital and physical technologies);
 - (c) Digital Europe will invest in (i) digital capacity building in High Performance Computing, Artificial Intelligence, Cybersecurity and advanced digital skills; and (ii) national and regional deployment within an EU framework of digital capacities and the latest digital technologies in areas of public interest (such as health, public administration, justice and education) or market failure (such as the digitisation of businesses, notably small and medium enterprises);
 - (d) Digital Europe capacities and infrastructures are made available to the research and innovation community, including for activities supported through Horizon Europe including testing, experimentation and demonstration across all sectors and disciplines;
 - (e) As the development of novel digital technologies matures through Horizon Europe, these will progressively be taken up and deployed by Digital Europe;
 - (f) Horizon Europe initiatives for the development of skills and competencies curricula, including those delivered at the co-location centres of the European Institute of Innovation and Technology's KIC-Digital, are complemented by Digital Europe-supported capacity-building in advanced digital skills;
 - (g) Strong coordination mechanisms for programming and implementation, are put in place, aligning all procedures for both programmes to the extent possible. Their governance structures will involve all Commission concerned services.

42. Synergies with Union programmes under shared management, including the European Regional Development Fund (ERDF), the European Social Fund Plus (ESF+), the European Agricultural Fund for Rural Development (EAFRD) and European Maritime and Fisheries Fund (EMFF), shall ensure that:

- (a) Arrangements for complementary funding from Union programmes under shared management and the Digital Europe Programme are used to support activities providing a bridge between smart specialisations and support to the digital transformation of the European economy **and society**.
- (b) The ERDF contributes to the development and strengthening of regional and local innovation ecosystems, ~~and~~ industrial transformation **as well as digital transformation of society and of public administration**. This includes support to digitization of industry and take-up of results as well as the rolling out of novel technologies and innovative solutions. **Moreover, this support should stimulate implementation of the Tallinn Declaration on eGovernment reflecting digital transformation in a greater scale.** The Digital Europe programme will complement and support the trans-national networking and mapping of digital capacities to make them accessible to SMEs and to make interoperable IT solutions accessible to all EU regions.

53. Synergies with the Connecting Europe Facility (CEF) shall ensure that:

- (a) The future DEP focuses on large-scale digital capacity and infrastructure building in High Performance Computing, Artificial Intelligence, Cybersecurity and advanced digital skills aiming at wide uptake and deployment across Europe of critical existing or tested innovative digital solutions within an EU framework in areas of public interest or market failure. DEP is mainly implemented through coordinated and strategic investments with Member States, notably through joint public procurement, in digital capacities to be shared across Europe and in EU-wide actions that support interoperability and standardisation as part of developing a Digital Single Market.
- (b) Digital Europe capacities and infrastructures are made available to the deployment of innovative new technologies and solutions in the field of mobility and transport. The CEF supports the roll-out and deployment of innovative new technologies and solutions in the field of mobility and transport.
- (c) Coordination mechanisms will be established in particular through appropriate governance structures.

64. Synergies with InvestEU shall ensure that:

- (a) Support through market-based financing, including pursuing policy objectives under this Programme will be provided under the InvestEU Fund Regulation. Such market-based financing might be combined with the grant support.
- (b) Access to financial instruments by companies will be facilitated by the support provided by Digital Innovation Hubs.

75. Synergies with Erasmus shall ensure that:

- (a) The Programme will support the development and acquisition of the advanced digital skills needed for the deployment of cutting-edge technologies such as artificial intelligence or high-performance computing, in cooperation with relevant industries.
- (b) The advanced skills part of Erasmus will complement the interventions of Digital Europe addressing the acquisition of skills in all domains and at all levels, through mobility experiences.

6. Synergies with other EU Programmes and Initiatives on Competences/Skills shall be ensured.
