



**European Committee
of the Regions**

The President

Brussels, *date of official registration*
PCab/SoB/JSIM/ssch DEC 380/2021

**DECISION No 29/2021
of 20 December 2021**

**on specific health and safety measures pertaining to the functioning of
the European Committee of the Regions during the COVID-19 pandemic**

THE PRESIDENT OF THE EUROPEAN COMMITTEE OF THE REGIONS,

- HAVING REGARD TO the Treaty on the Functioning of the European Union¹ ("TFEU"), in particular Article 306 thereof,
- HAVING REGARD TO the Staff Regulations of Officials of the European Union², in particular Article 1e(2) thereof, and the Conditions of Employment of Other Servants of the European Union², in particular Articles 10(1) and 80(4) thereof,
- HAVING REGARD TO the Rules of Procedure of the Committee of the Regions³ ("the Rules of Procedure"), in particular Rules 39 and 71 thereof,
- HAVING REGARD TO Decision No 25/2021 of the President of the European Committee of the Regions of 4 November 2021 on specific health and safety measures pertaining to the functioning of the European Committee of the Regions during the COVID-19 pandemic ("Decision No 25/2021"),

¹ [OJ C 202](#), 7.6.2016, p. 47.

² Annex to Regulation No 31 (EEC), 11 (EAEC), laying down the Staff Regulations of Officials and the Conditions of Employment of Other Servants of the European Economic Community and the European Atomic Energy Community ([OJ P 045](#), 14.6.1962, p. 1385), as modified by Regulation (EEC, Euratom, ECSC) No 259/68 of the Council of 29 February 1968 laying down the Staff Regulations of Officials and the Conditions of Employment of Other Servants of the European Communities and instituting special measures temporarily applicable to officials of the Commission ([OJ L 56](#), 4.3.1968, p. 1) and as further amended, restated, supplemented or otherwise modified.

³ [OJ L 65](#), 5.3.2014, p. 41.

HAVING REGARD TO Decision No 175/2021 of the Secretary-General of the European Committee of the Regions of 22 November 2021 laying down implementing measures for Decision No 25/2021 of the President of the European Committee of the Regions of 4 November 2021 on specific health and safety measures pertaining to the functioning of the European Committee of the Regions during the COVID-19 pandemic ("Decision No 175/2021"),

AFTER CONSULTING the Conference of Presidents and the chairs of the commissions as well as the Secretary-General ("the Secretary-General") and the Medical Service ("the Medical Service") of the European Committee of the Regions,

WHEREAS:

- (1) Following the improvement in the epidemiological situation throughout the Member States of the European Union ("the Member States") over the summer, the European Committee of the Regions ("the Committee") has, since September 2021, progressively stepped up its activities and, as a result, has adjusted to the gradual return of individuals to the Committee's premises 'in person'.
- (2) Despite the overall effectiveness of the COVID-19 vaccination campaigns in the Member States, a steady deterioration in the epidemiological situation has been observed throughout the European Union over the last few weeks, in particular in the Member State where the Committee conducts most of its activities.
- (3) An examination of aggregated data on COVID-19 vaccination at the Committee, provided by the Medical Service, shows an estimated full vaccination coverage of over 94%. Yet, the latest available data show that full vaccination coverage in the Brussels-Capital region has stabilised at around 58%⁴ while full vaccination coverage in the European Union is at 66.8%⁵ on average, with a range between 26.2% and 82%⁵.
- (4) Combined with strict protective measures, the implementation of suitable access control measures provides the Committee with an objective tool to mitigate health and safety risks inherent in its operation during the COVID-19 pandemic, while allowing the pursuit of a gradual return to normality in carrying out Committee activities.
- (5) Having considerable potential for substantially reducing transmission risks, verifying the possession of a valid EU Digital COVID Certificate^{6,7} helps provide reasonable assurance that the Committee's premises remain a healthy and safe working environment.
- (6) Pursuant to Article 6(1) of Decision No 25/2021, the President of the Committee ("the President") should, where appropriate, review the measures laid down in Decision No 25/2021 after assessment of the implementation thereof.

⁴ Aggregated data as of 9 December 2021 provided by [Sciensano – Belgian Institute for Health](#).

⁵ Aggregated data as of 10 December 2021 provided by the [European Centre for Disease Prevention and Control](#).

⁶ Regulation (EU) 2021/953 of the European Parliament and of the Council of 14 June 2021 on a framework for the issuance, verification and acceptance of interoperable COVID-19 vaccination, test and recovery certificates (EU Digital COVID Certificate) to facilitate free movement during the COVID-19 pandemic ([OJ L 211](#), 15.6.2021, p. 1).

⁷ The EU Digital COVID Certificate ("EUDCC") may take the form of: a vaccination certificate within the meaning of Article 5 of Regulation (EU) 2021/953, or a test certificate within the meaning of Article 6 of Regulation (EU) 2021/953, or a certificate of recovery within the meaning of Article 7 of Regulation (EU) 2021/953.

- (7) Following the monthly assessment of these measures, the President deems it appropriate to adapt the measures currently in effect, and thus to repeal Decision No 25/2021 and replace it with the present Decision.

HAS ADOPTED THIS DECISION:

Article 1
Definitions

For the purpose of this Decision, the following definitions apply:

- (a) "activity" means any activity whose (co-)organisation is duly authorised by the Committee.
- (b) "in-person format" means a situation where all participants attend the same activity in person at the same activity venue.
- (c) "remote format" means a situation where all participants attend the same activity remotely through web conferencing or any other means of simultaneous online communication.
- (d) "hybrid format" means a situation where all participants attend the same activity but some of them do so in person at the same activity venue while others do so remotely through web conferencing or any other means of simultaneous online communication.
- (e) "activity venue" means the physical location where the activity takes place.
- (f) "the Committee's premises" means the infrastructure used by the Committee in the place where it has its seat, as well as that of other Union institutions, bodies, offices and agencies ("EUIs") in the same locality when used temporarily by the Committee.
- (g) "verified-access area" means an area access to which is limited to persons who, without prejudice to the derogations provided for in Article 4(5) and (7), hold in their name one of the certificates referred to in Article 4(4), point (a).
- (h) "badge holder" means a natural person who holds in their name an access pass⁸ issued by an EUI that the Committee acknowledges as being valid.
- (i) "visitor" means any natural person who is not a badge holder.
- (j) "participant" means either a member of Committee staff ("staff members") attending an activity as they carry out their duties or any other badge holder – or, as the case may be, any visitor – whose attendance at an activity may entitle them to the reimbursement of certain expenses and/or the payment of certain allowances.

Article 2
Organisational arrangements

1. Activities may be held in either remote format or in-person format. Remote format shall be favoured where there is no overriding Committee interest in holding the activity concerned in in-person format.

⁸ For the purposes of this Decision, "access pass" shall be understood as excluding one-day access passes.

2. Activities may also be held in hybrid format when they involve – or have been (co-)organised by – Committee members or duly mandated Committee alternates. The conditions for organising activities in hybrid format are appended to this Decision.
3. By way of derogation from paragraphs 1 and 2, the President may, after consulting the members of the Conference of Presidents, prescribe that a specific activity – or a set of activities – be held in a given format where the situation so warrants.
4. Activities may take place either on or away from the Committee's premises.
5. Without prejudice to the measures laid down in Articles 3 and 4, activities taking place away from the Committee's premises shall be (co-)organised in compliance with any national or local rules that are in effect in the locality where the activity venue is located.
6. The total number of participants attending, in person, an activity taking place on the Committee's premises shall be kept within the limits set by the administration and, where applicable, by the relevant national authorities, having regard to the maximum safe occupancy of meeting rooms and other related areas.
7. A participant invited to attend an activity in hybrid format shall indicate to the competent Committee department whether they will attend in person or remotely at the latest seven (7) calendar days before that activity starts.
8. Work-related group or individual visits scheduled by Committee members, duly mandated Committee alternates or staff members may take place in person on the Committee's premises. The same shall apply to non-work-related individual visits, provided that the number of guests accompanying the Committee member, the duly mandated Committee alternate or the staff member is limited to one (1). Paragraph 6 shall apply by analogy to the aforementioned visits.
9. The Secretary-General shall determine the organisational arrangements applicable to:
 - non-work-related group visits organised by the Visitors' Service of the Committee;
 - work-related seated lunches, walking dinners and receptions;
 - team-building and away days;
 - staff social gatherings and similar events.

Article 3

Protective measures

1. When physically present on the Committee's premises, every person shall, at all times:
 - (a) wear⁹ a protective mask¹⁰ covering their nose, mouth and chin¹¹;
 - (b) observe physical distancing of at least one and a half (1.5) meters between them¹²; and

⁹ Protective masks shall be donned before entering the Committee's premises.

¹⁰ Either a medical face mask complying with the standard EN 14683:2019+AC:2019 or a filtering facepiece respirator (FFP2 class minimum), without exhalation valve, complying with the standard EN 149:2001+A1:2009. The Medical Service may allow a person to wear a full face shield when that person is, for duly substantiated medical reasons, unable to don a protective mask.

¹¹ This point shall not apply to a person who has a long-term physical, mental, intellectual or sensory impairment that, in interaction with various barriers, may hinder their full and effective participation in society on an equal basis with others ("person with a disability") and who, as a result, is unable to wear either a protective mask or a full face shield. Such impairment shall be duly substantiated by means of a medical certificate.

¹² This point shall not apply to a person with a disability and their personal aide when the latter assists the former.

- (c) comply with any complementary protective measures in effect at the Committee, as well as any health and safety instructions communicated either by staff members or by the chair or moderator of the activity attended.
2. A person may remove their protective mask when:
 - (a) chairing a meeting, moderating an event or delivering an oral statement, provided that all the persons in their vicinity are wearing a protective mask; or
 - (b) alone inside their personal office; or
 - (c) consuming food or beverages in dedicated areas.
 3. Activity venues shall be arranged so as to allow participants to respect physical distancing. Committee members and duly mandated Committee alternates, as well as staff members, shall have precedence over other participants in accessing an activity venue when the layout required to respect physical distancing does not enable all participants wishing to attend in person to be physically present at the activity venue at the same time.
 4. This Article shall apply without prejudice to any COVID-19-related restrictive or risk-mitigation measures that are in effect in the country where the Committee's premises are – or the activity venue is – located, or that are adopted by the competent authorities of the Committee and the European Economic and Social Committee. Natural persons to whom this Article applies shall comply with any such measures, in particular those relating to travelling to/from and staying in the country concerned.

Article 4

Physical access

1. Shall not be authorised to enter the Committee's premises any person who:
 - (a) shows any COVID-19-related symptoms¹³, or
 - (b) has had any COVID-19-related symptoms¹³ within a period of fourteen (14) consecutive days preceding access to the Committee's premises, or
 - (c) has tested positive for or been diagnosed with COVID-19 within a period of fourteen (14) consecutive days preceding access to the Committee's premises.

The aforementioned requirements are cumulative.

2. By way of derogation from paragraph 1, when a person finds themselves in one of the situations referred to in paragraph 1, points (a) to (c), they may be authorised to enter the Committee's premises after providing the Medical Service with written confirmation¹⁴ from a medical practitioner that they are not – or, as the case may be, no longer – infected with SARS-CoV-2.

¹³ These may include: a body temperature exceeding thirty-seven point seven degrees Celsius (37.7 °C) [fever]; cough; shortness of breath; fatigue; confusion; asthenia; myalgia; muscle or body aches; headache; anosmia [loss of smell] or ageusia [loss of taste]; pharyngitis [sore throat]; rhinorrhea [nasal congestion]; nausea or vomiting; diarrhoea.

¹⁴ A document dated more than forty-eight (48) hours before the person seeks access to the Committee's premises shall not be valid.

3. By entering the Committee's premises, every person declares on their honour that they do not find themselves in one of the situations referred to in paragraph 1, points (a) to (c) – or, if paragraph 2 applies, that a medical practitioner has confirmed in writing¹⁴ that they are not infected with SARS-CoV-2.
4. Shall not be authorised to enter a verified-access area any person who:
 - (a) does not hold in their name either one of the certificates⁷ referred to in Article 3(1) of Regulation (EU) 2021/953⁶ or one of the third country-issued COVID-19 certificates referred to in Article 8(2) of Regulation (EU) 2021/953⁶, or
 - (b) holds in their name one of the certificates referred to in point (a) above but refuses to produce that certificate for verification of its validity, or
 - (c) holds in their name one of the certificates referred to in point (a) above that does not, however, meet the applicable requirements laid down in paragraph 9.
5. By way of derogation from paragraph 4, when a person finds themselves in one of the situations referred to in paragraph 4, points (a) to (c), they may be authorised to enter the verified-access area(s) concerned after providing the Medical Service with unequivocal evidence¹⁵ that they have tested negative for COVID-19 following self-administration under the guidance or supervision of a trained health professional of a rapid antigen self-test that the Medical Service acknowledges as being valid.
6. By entering a verified-access area, every person declares on their honour that they hold in their name one of the certificates referred to in paragraph 4, point (a) – or, if paragraph 5 applies, that they self-administered¹⁵ a rapid antigen self-test that produced a negative result.
7. Notwithstanding paragraphs 4 to 6, the Secretary-General may, after receiving in writing the positive opinion of the medical officer of the Committee, authorise a person who, for duly substantiated reasons, is unable either to hold one of the certificates referred to in paragraph 4 or to self-administer a rapid antigen self-test as referred to in paragraph 5 to enter the verified-access area(s) concerned.
8. The Secretary-General shall lay down rules for the application of paragraph 4 to badge holders and visitors, including the list of the verified-access areas (if any) identified within the Committee's premises as well as the arrangements for verifying¹⁶ the possession and validity of the certificates referred to in paragraph 4, point (a). Neither the data concerning health contained in the aforementioned certificates nor the outcome of the verification shall be stored, transferred or otherwise processed.
9. Shall be considered valid:
 - (a) A vaccination certificate issued for:
 - (i) a COVID-19 vaccine¹⁷ that has been granted marketing authorisation either pursuant to Regulation (EC) No 726/2004 or by the competent authority of a Member State pursuant to Directive 2001/83/EC, or

¹⁵ A self-test carried out more than forty-eight (48) hours before the person seeks access to the Committee's premises shall not be valid.

¹⁶ Verification shall be carried out by a natural person, by means of either a visual check or barcode scanning.

¹⁷ Within the meaning of Article 2(3) of Regulation (EU) 2021/953.

- (ii) a COVID-19 vaccine¹⁷ the distribution of which has been temporarily authorised pursuant to Article 5(2) of Directive 2001/83/EC, or
- (iii) a COVID-19 vaccine¹⁷ that has completed the emergency use listing procedure laid down by the World Health Organization,

in respect of which the person completed¹⁸ the applicable vaccination scheme;

- (b) A test certificate indicating that the negative result produced by the test was obtained within the period of:
 - (i) seventy-two (72) hours preceding access to the Committee's premises, for a NAAT test¹⁹, or
 - (ii) forty-eight (48) hours preceding access to the Committee's premises, for a rapid antigen test²⁰;
- (c) A certificate of recovery indicating that the person was first subject to a NAAT test¹⁹ that produced a positive result on a date falling within the period of one hundred eighty (180) consecutive days preceding access to the Committee's premises.

10. This Article shall apply without prejudice to any COVID-19-related restrictive or risk-mitigation measures that are in effect in the country where the Committee's premises are – or the activity venue is – located, or that are adopted by the competent authorities of the Committee and the European Economic and Social Committee. Natural persons to whom this Article applies shall comply with any such measures, in particular those relating to travelling to/from and staying in the country concerned.

Article 5

Implementing measures

1. The Secretary-General may, as appropriate, issue instructions or adopt implementing measures to, where necessary, further specify and give effect to any provision of this Decision, in compliance with the latter. He or she shall monitor compliance with this Decision.
2. Any infringement of either this Decision or any of the instructions or implementing measures referred to in paragraph 1 may result in action being taken under the Rules of Procedure and the Code of Conduct for Members of the European Committee of the Regions²¹, the Staff Regulations of Officials of the European Union² and the Conditions of Employment of Other Servants of the European Union², any relevant contractual instrument concluded by the Committee or any applicable national law.
3. Based on the advice of the Medical Service, the Secretary-General may suspend in whole or in part the application of Articles 3 or 4 where the health and safety situation either in the place where the activity venue is located or on the Committee's premises no longer requires implementation of these provisions.

¹⁸ The person shall have received their last shot of COVID-19 vaccine at the latest on the fifteenth (15th) consecutive day preceding access to the Committee's premises.

¹⁹ Within the meaning of Article 2(4) of Regulation (EU) 2021/953.

²⁰ Within the meaning of Article 2(5) of Regulation (EU) 2021/953.

²¹ [OJ L 20](#), 24.1.2020, p. 17.

Article 6

Final provisions

1. Implementation of the measures set out in this Decision shall be assessed monthly by the President, based on the advice of the Medical Service. Where appropriate, the President shall revise the aforementioned measures following the monthly assessment.
2. Decision No 25/2021 is hereby repealed. References to the repealed Decision in acts and other documents of the Committee shall be construed as references to this Decision.
3. Decision No 175/2021 shall cease to have effect.
4. This Decision shall enter into force on 1 January 2022 and shall lapse on 30 April 2022.

Done at Brussels, 20 December 2021.



Apostolos Tzitzikostas

APPENDIX

Conditions for organising activities in hybrid format

I. Availability of suitably equipped rooms:

Activities taking place in hybrid format at the Committee's premises are dependent on the availability of rooms equipped with the necessary technical installations, taking into account applicable health legislation on the maximum number of participants allowed and social distancing measures. Adequate information will be provided prior to the activities to all registered participants and be displayed on the Committee's premises.

Without prejudice to the requirements laid down in Section IV below, the organisers of the activity shall inform the Secretary-General at least one (1) week in advance of their intention to organise an activity in hybrid format, as well as of the total number of participants attending in person that they are expecting, so that the Secretary-General can ensure that this number is kept within the maximum safe occupancy limits, both of the individual meeting rooms concerned and of all the areas in the Committee's premises.

If the number of participants confirming their attendance in person exceeds the capacity of the room, the chair of the meeting or the moderator of the event shall establish priority based on the following criteria: chairs and vice-chairs, chairs of political groups/political coordinators, rapporteurs, persons specifically invited as speakers, and at least one representative per Member State, if possible. Where possible, presence in the room shall reflect the membership of the various political groups on a proportional basis.

Participants who cannot be seated in the main room shall be invited to sit in adjacent rooms. They shall be informed about the seating arrangements in good time.

For active participation in the activity (speaking, listening and voting), participants shall bring their own IT device and headphones.

II. Interpreting:

The language arrangements for activities held in hybrid format shall be adapted in line with the interpreting resources technically available.

The Committee's administration shall continue to work with interpreting service providers to ensure that the aforementioned language arrangements are as extensive as possible.

III. Voting:

Live hybrid voting will only be available for the Bureau, Plenary Session and commission meetings held on the Committee's premises. Participants in the room will use a dedicated keypad, and remote participants will vote through a dedicated application; both types of vote will be added up automatically.

IV. Activities taking place away from the Committee's premises that requires services financed by the Committee:

Holding an activity in hybrid format away from the Committee's premises may require launching the usual calls for tender for interpreting services and for renting booths and technical material, and selecting another service provider tasked with setting up the activity. Accordingly, where the aforementioned services are necessary for an activity taking place away from the Committee's premises to be organised in hybrid format and they are to be financed by the Committee, the following three requirements shall be met:

1. The activity request and all technical details about the equipped room must be received by the department responsible at least twenty (20) weeks before the activity is scheduled to take place, so as to ensure that (all) the required call(s) for tenders can be launched and all technical studies carried out.
2. An external contractor that is able to organise the activity in hybrid format must be available.
3. At the moment the request is made, the necessary appropriations must be available to cover the organisation of the activity in hybrid format.