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HAL Id: hal-03701457
https://sciencespo.hal.science/hal-03701457

Submitted on 22 Jun 2022

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Road Space Reallocation for Sustainable Urban Mobility in the EU
The balancing act between EU regulations and cities as urban space managers

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* The authors adhere to LIEPP's code of ethics available online and have declared no potential conflicts of interest.

RÉSUMÉ

Les discussions en cours sur la mobilité urbaine durable au sein de l'Union européenne ont confirmé le passage d'une approche basée sur la gestion des flux de trafic à une approche visant à promouvoir la mobilité durable des personnes et des marchandises. Ceci se reflète dans les réglementations et politiques européennes, qui visent à transformer durablement l'espace routier urbain dans les États membres, à travers la réaffectation de l'espace routier dans les nœuds urbains situés le long du réseau RTE-T. Les villes et les espaces urbains ont acquis, dans ce contexte, un rôle stratégique encore à définir. Bien que la réaffectation de l'espace routier dans les villes européennes puisse paraître une question technique et strictement locale, les résultats du projet H2020 MORE en montrent les implications pour le rôle des villes dans le système de gouvernance de l'UE. Ainsi, les villes émergent comme de puissantes gestionnaires de l'espace urbain qui, non seulement mettent en œuvre les règlements de l'UE au niveau local, mais aussi développent des politiques et des réglementations spécifiques pour relever les défis auxquels elles sont confrontées. Un exemple du rôle transformateur des villes pour façonner l'avenir des routes en Europe est celui des droits d'accès. Il existe deux approches concurrentes en la matière : l'une, ascendante, privilégie les approches initiées par les villes et l'autre, descendante, favorise une approche réglementaire à l'échelle de l'UE visant à harmoniser les droits d'accès. Ce policy brief présente les leçons tirées du projet MORE et des recommandations pour combler le fossé entre ces deux approches concurrentes sur les droits d'accès tout en promouvant le rôle des villes en tant que gestionnaires de l'espace urbain.

ABSTRACT

Current discussions at EU level on urban sustainable mobility have confirmed the shift away from the approach based on managing traffic flows to an approach based on moving people and goods more sustainably. European regulations and policies will impact the future of urban road space across Member States and cities, especially the urban nodes along the TEN-T network. Cities and urban spaces have acquired, in this context, a strategic role yet to be defined. Although it may seem that road space reallocation is a technical and a local issue, the work done in the H2020 MORE project highlighted the importance and implications of thinking about the role of cities within the EU governance system. Cities are emerging as powerful urban space managers that not only implement EU regulations at the local level but also develop context specific policies and regulations to address the challenges they face. One example that highlights the transforming role of cities in shaping road futures in Europe is access rights. There are two competing perspectives over access regulations: a bottom-up approach, that favours city-led initiatives and a top-down approach that promotes an EU-wide rulemaking approach aimed at harmonising access rights. This brief provides lessons learnt from the MORE project and recommendations to bridge the gap between the two competing preferences over access rights while promoting the role of cities as urban space managers.

1. Introduction

"The subsidiarity principle still rules, and the Commission will not tell cities what to do"

Matthew Baldwin (Deputy Director-General of DG MOVE) at the final MORE event in Brussels (17 Feb 2022)

Transport and mobility policies in the European Union are increasingly organised through EU policies and regulatory frameworks (Stevens 2003; Dyrhauge 2021). While the call for decoupling transport growth rates from economic growth is not new at the European Union (EU) level, what has changed is the urgency of EU proposals to prioritise the public transport backbone, better active mobility options (walking and cycling), efficient zero emission urban logistics and last mile deliveries in cities to overhaul urban infrastructure. In this context, renewed attention is given to the role of cities as well as to those advocating for city authorities to be formally involved in EU institutions and policy-making. Drawing on previous work on the institutionalisation of urban mobility at EU level (Halpern 2013), this policy brief contributes to recent debates about the Europeanization of transport policies in the EU multi-level governance system through research findings from the H2020 MORE [1] project and more specifically the work achieved on comparative governance and policies processes (see below).

The MORE - "Multimodal Optimisation of Road Space in Europe" - project has analysed the reallocation of street space [2] in the urban nodes of the TEN-T in five European cities, namely Budapest, Constanta, Lisbon, London and Malmö. It builds on the work achieved in the H2020 CREATE project, also led by P. Jones (UCL), which examined the shift away from car-centric planning, toward the building of a city for people and place, where streets are recognized as multifunctional ecosystems (Jones et al 2018). "Road space allocation" refers to the initiatives that foster the building of "Cities of Places", where street space is conceived as a destination in its own right (Anciaes and Jones, 2020). By contrast, the Movement dimension reflects the idea of streets as instrumental to the mere movement of people. H2020 MORE findings show that street space remains highly contested, both in the physical realm and in the policy space across levels of governance. The report "Streets as Contested Spaces" has documented the battles for the use of urban space in the five MORE cities (Halpern et al. 2022).

1.1. The transforming role of cities in shaping road futures in the EU

Although it may seem that road space reallocation is a local issue, current policy debates about road futures highlight the importance and implications of thinking about the role of cities within the EU governance system. This is most visible when cities are urban nodes on the Trans-European Road Network (TEN-T). EU policies and initiatives include the TEN-T urban feeder routes, which are located at the interface between high-speed European transport networks (often owned and managed by national organisations) and urban networks – whose ownership and management structure varies across EU countries (see Halpern et al., 2022).

There is often a mismatch between urban policies (based on car restraint) and national road policies, which still cater for general traffic growth. In its latest version, the EU mobility framework (European Commission, 2021) recognizes that the TEN-T network relies on urban mobility for 'first and last mile' connections for both passengers and freight. As such, they handle a complex mix of commuters, transit, freight, passengers, residential, business and tourist traffic. They share similar challenges of multisector stakeholder and governance structures, congestion issues and limited road space to accommodate contesting uses and users. Further, network bottlenecks, missing links and poor connections remain major challenges for integrating urban nodes into the TEN-T. This confirms the need for urban nodes to function better in the overall framework and that local authorities need to be involved in the governance of the TEN-T.

1.2. The adoption of harmonised Urban Vehicles Access Regulations at EU level

In this context, one of the debates studied by the H2020 MORE project is related to urban access regulations: the so-called guidance for the development of harmonised Urban Vehicles Access Regulations (UVARs). Indeed, the development of UVARs provides an insight into the EU integration dynamics and the interplay between the EU and Member States with respect to road space reallocation. The emergence of this policy issue as part of the EU urban agenda results from a growing need, at EU level, to reduce the diversity of urban access regulations that are introduced by urban authorities in their attempt to cope with the pressing challenges they face, such as safety, pollution and congestion. Access regulations are particularly important for cities that are urban nodes on the TEN-T, where road space primarily facilitates the movement of passenger and freight traffic.

While acknowledging the acute pressure faced by urban road networks, the UVAR policy proposal reflects the EU Commission's concern to avoid the emergence of a fragmented patchwork of urban areas. The work achieved by EU member states, cities and stakeholders representatives, between 2015-2020 as part of the partnership for urban mobility resulted into the adoption of : 1) a EU guidance document with a limited number of tools, such as congestion charges, low emission zones or other urban traffic restrictions, 2) a dedicated website providing an updated overview of existing schemes, 3) their cross-referencing through any other EU urban mobility policy documents and the EU Urban Mobility Observatory (ELTIS). In this sense, UVARs are well in line with classic forms of urban mobility policy instrumentation at EU level (Halpern, 2013).

The work achieved as part of the H2020 MORE project contributes to the understanding of this hotly debated issue and the controversies opposing user groups, mainly consisting of commercial road transport operators, and those favouring more autonomy for city authorities to draw on UVARs as part of their attempts to re-allocate street space in support of their liveability agenda. In this context, examining the debates about UVARs at the EU level provides precious insights on the competing preferences of national/EU led approaches and city-led ones regarding regulations on road space reallocation.

1.3. This brief

This brief examines the interplay between competing preferences over urban access and rights to illustrate processes of issue framing and institutional competition on the EU urban mobility policy agenda. It draws on extensive empirical work on the five MORE cities and users associations, including primary literature (e.g., public reports), press clippings and interviews (group and individual) in 2019 and 2020 (see Halpern et al. 2022).

It will present the key lesson learnt from the H2020 MORE project, which is that cities need to be empowered to take on the role of urban street space managers. It argues that cities are best placed not only to implement EU level regulations at the local level but also to develop their own context specific policies to tackle several urban challenges. In the case of UVARs, empowering cities could help overcome the differences with user groups. The brief will also discuss examples of several cities of the H2020 MORE project that are already acting as such, taking on a proactive rather than reactive position on road space reallocation. Finally, it will propose recommendations that could help cities to position themselves as urban space managers.

2. The context

To address the European Union's climate and post-COVID ambitions, several policy and legislative initiatives have been introduced at the EU level, including 1) the European Green Deal, 2) the European Sustainable and Smart Mobility Strategy, 3) the European "Fit-for-55" package, 4) the revision of the TEN-T guidelines. In all these initiatives, the environmental aspect is specifically highlighted. The EU has emphasised the fact that over 70% of its citizens live in cities which generate 23% of all transport greenhouse gas emissions (EC 2021c) and has the ambition to achieve a 90% reduction in transport-related greenhouse gas emissions by 2050 (EC 2019).

The current debates taking place at the EU level regarding the regulation of urban road space are increasingly framed in terms of access, mobility and public space. In the latest urban mobility framework communication, the European Commission urges the Council and the Parliament to take more decisive action on urban mobility to shift from the current approach based on traffic flows to an approach based on moving people and goods more sustainably (EC 2021d).

Access and rights to road space are being redefined in order to consider new users and needs, as exemplified by discussions about Urban Vehicle Access Regulations (UVARs) and the future generation of Sustainable Urban Mobility Plans (SUMPs) and Sustainable Urban Logistics Plans (SULPs). For example, if passed, the Efficient and Green Mobility package would require the 424 largest cities in the TEN-T to hash out SUMPs centred on "active mobility" modes by 2025. While previously the SUMPs (developed since 2013) were soft policy tools and recommendations, the current legislation, if passed, makes implementation mandatory. Further, the EU has adopted new rules on road charging on February 18, 2022 (EC, 2022): the new system will improve incentives for more efficient and sustainable road transport. It will phase out time-based vignettes for heavy-duty vehicles on the core Trans-European Network by 2030, in favour of distance-based. It will also introduce EU-wide rules to vary charges for heavy-duty vehicles based on their CO2 emissions.

> *"The main challenge is not optimisation but access to cities- integration of local/incoming traffic, specific treatment of commercial traffic, administrative and business predictability"*
>
> IRU's presentation (MORE WP2 workshop 2nd November 2019).

Commercial Road Transport Operators in particular seek to achieve greater recognition of their needs at EU level, through consultation, information and mutual recognition procedures.

However, so far there are no binding rules at EU level on access regulations. Profound differences still exist between member states in terms of how they choose to address issues of pollution, congestion and safety. While the industry, and its various representatives favour the regulatory approach, city authorities have drawn on experimentation rights to develop a diversity of policy initiatives, including road pricing, ultra-low emission zones, diesel bans and restrictions on commercial vehicles.

This makes even more relevant the debate about the two competing tendencies of user groups preferring EU regulation versus city authorities taking over as urban street space managers. The other questions that arise are: Who owns street space in the EU multi-level governance context? Should policymaking be context specific or is there a way to harmonise road space reallocation through EU wide policies? Are cities and urban actors merely considered as implementers of high-level EU policy and national regulatory frameworks ? Or, drawing on findings from the H2020 MORE project, should they be considered as urban street space managers in their own rights, and as such, holding sufficient autonomy to develop context-specific access rules for the portions of the network they own and challenge national authorities for the rest of the network ? How can the inconsistencies between preferences of user groups versus advocates for city led approaches relating to access rights be reconciled?

3. Cities as "Urban Space Managers"

From a public policy perspective, road space

"Access regulations that limit driving and parking in cities are essential for liveability"

Mr. Pascal Smet, Minister of Mobility and Public Works
(MORE final event in Brussels, 17 Feb 2022).

"Cities are taking back control of their urban space"

Polis network presentation
(MORE WP2 workshop 2nd November 2019).

reallocation stresses the need for going beyond traditional (sectoral) planning approaches and the one-dimensional conceptions of space (see Halpern, 2021). Road space reallocation is, therefore, an influential policy tool that helps to integrate new mobility solutions into existing systems. It is also a way to reconcile the different uses of the streets in order to accommodate the interest of a wider spectrum of users. Our findings suggest that a growing number of urban actors have successfully challenged the existing one-dimensional approach to the use of street space, in a quest for building "Cities of Places", i.e., liveable urban ecosystems where street space is designed for people, rather than for cars (Anciaes and Jones, 2020). These challenges

arose through different tactics and strategies, such as street contestation, venue shopping, media, tactical urbanism and strategic alliances between NGOs and urban authorities.

From this perspective, road space reallocation offers unprecedented opportunities for city authorities to redesign institutional settings and governance arrangements. It is consistent with the urban research literature on the transforming role of cities in the EU multi-level governance context (Le Galès 2011), Europeanizing urban policies (Marshall 2005; Pflieger, 2010) and the role of cities neworks (Acuto, Rayner 2016).

When considering the transforming role of cities in the management of their road space, city authorities increasingly govern its re-allocation : political priorities are being shifted, policy resources and capacities are being accumulated, innovations in governance are being introduced with the support of non-state actors. More importantly, city authorities increasingly seek to shape policy developments at EU level by overseeing and facilitating interactions between stakeholders and services providers.

As urban street space managers, city authorities, and the five MORE cities in particular, develop the following activities :

• *Take local initiatives (a political act) to actively engage in place-making.* Examples include London Mayor's 80/20 mode split; Lisbon investing in a public plaza program and Malmö developing master planned eco-districts.

• *Adopt sustainable urban mobility policies. Examples include Budapest adopting the Heart of Budapest traffic calming strategy*; Constanta investing in pedestrianisation of streets and in new public transport routes; London adopting the Healthy Streets approach.

• *Regulate to innovate.* Examples include Constanta reducing parking supply, charging and enforcement of rules; London applying congestion charging and ultra-low emissions zone; Lisbon taking a "Soft" regulation towards shared mobility operators.

• *Maximise the opportunities and minimise the risks.* Examples include London supporting growth-led integrated land-use and transport planning and Malmö investing in a public programme to support decarbonization.

Indeed, re-allocating road space requires the introduction of innovative solutions in local

"Creating an integrated transport authority is one efficient solution but it is not the only one"

UITP, 2021

governance such as redefining existing organisational portfolios, developing new consultation procedures and strengthening monitoring, enforcement, and financing capabilities. Thus, city authorities need to mobilise resources in order to strengthen their capabilities to develop and

implement road space allocation strategies. The continued accumulation of resources constitutes a distinctive feature of enhanced governance capabilities at city level. Further, while city authorities are constantly looking for a "right mix of measures", there are no one-model-fits-all approaches to the use of space. Evidence from the ground points to the need for more context-specific policymaking where cities and urban actors are acknowledged as the best well-placed implementers of high-level EU policy.

4. Arising controversies

As mentioned above, two framings of urban access regulations compete against one another. Cities usually focus on the initiatives that promote the "Place" dimension of street space including the emphasis on liveability, healthy streets, social justice and accessibility. On the other hand user groups, such as Commercial Road Transport Operators, prioritise the "Movement" dimension of street space since their focus is on delivering goods efficiently and economically. The current absence of an EU directive, according to the industry, creates a not-sustainable degree of differentiation from city to city.

In this context, three strategies have been developed at both EU and city levels in order to bridge the gap between the competing tendencies of user groups versus city led approaches. Those are:

• *Reconciling the regulatory approach with the subsidiarity principle*

Debates among users' associations [3] have shown how competing preferences play out regarding two topical issues on the EU urban mobility agenda: UVARs and SUMPs. As already mentioned, the absence of binding directives on access regulations at the EU level accounts for the profound differences across member states in the way they choose to regulate key negative externalities of urban mobility. Concrete road space allocation measures aimed at tackling congestion, pollution, emissions and safety include road pricing, ultra-low emission zones, and restrictions on commercial vehicles, including diesel bans. These measures have been favoured across cities and within cities.

In this context, by issuing a set of guidelines about the governance of commercial road transport (DG MOVE, 2017), the EU Commission opened a series of consultations aimed at reducing diversity and strengthening an integrated approach to sustainable mobility planning [4]. Two series of documents were commissioned by the EU Commission as part of the research policy initiatives on public transport and urban logistics, and one

action plan was produced under the Partnership for Urban Mobility 2019, and new tools and resources were made available to domestic authorities, such as networking activities (see Research-policy dialogues through CIVITAS initiatives), an online platform, and guidelines supporting the implementation of new regulations focused on the uses of new technologies (see e.g. Regulation 962/2015 on the provision of EU-wide real-time traffic information services). In line with its former policy developments in the urban mobility field (Halpern 2013), this proposal sought to reconcile a sector-led approach (issues of regulation, access rights) together with a governance-led approach (issues of scale, urban authorities). It can be summarised as follows: *"Address fragmentation and patchwork of the schemes while respecting the subsidiarity principle"* (Partnership for Urban Mobility, 2019, p.15).

• *Empowering cities by enabling access regulations*

Safety issues and ecological transitions constitute a critical driver for cities to establish themselves as "urban space managers" in order to effectively govern their street space by using various tools, such as pricing, land use planning, and prioritising mobility modes through road space allocation. This view is shared by several European cities including Budapest and Lisbon, and cities networks such as Polis. Indeed, one way to bridge the gap between competing priorities is that the existing EU urban mobility framework, such as the Urban Agenda, SUMPs and networking initiatives, should be further expanded in order to increase access to information, knowledge and funding, as well as to address pending and new issues related to micro mobility or freight and logistics. UVARs are thus considered instrumental to support sustainable urban transitions insofar as it does not contribute to restraining the autonomy and specificity of urban authorities. Moreover, favouring a city-led approach also aims at fostering increased integration and avoiding ad hoc negotiations that often lead to several exemptions allocated per type of vehicles and users.

• *Harmonisation as a way to overcome a fragmented patchwork of new barriers*

By contrast to those advocating a soft policy approach, users' associations are supporting the adoption of more stringent rules at EU level in order to overcome fragmentation. Findings from across the MORE cities show that such claims are rarely made by cities themselves, but more so by business and commercial organisations, as well as users' federations. In the case of the freight and

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[3] See the position paper about micro mobility (Polis, 2019), as well as the multi-stakeholders guide about UVARs, examining regulations about access and space management, which was published as a contribution to the SUMP guidelines.

[4] This document covers a wide range of issues related to mobility and transport: (1) Information and communication; (2) Vehicle types, exemptions and (cross-border) enforcement (3) Planning, consultation and design; (4) National legal frameworks; (5) Evaluation and assessment; (6) Technology options and interoperability.

logistics industry (e.g. London), advocates of the regulatory approach highlight the need to overcome fragmentation and diversity within cities and member states through 1) a set of measures aimed at decarbonizing existing vehicles through new technologies and digitalization, and 2) a set of rules aimed at fostering harmonisation.

However, this approach would not prevent the adoption of exemptions, which are considered critical in order to distinguish between different types of vehicles (e.g., private cars vs. others) and activities (e.g., tourism, freight, logistics, transport on demand, etc.). In the case of users' federations (cyclists, pedestrians, persons with reduced mobility), harmonisation is also considered instrumental in order to ensure increased accessibility, inclusiveness and effective prioritisation. In this perspective, awareness raising and incentivization mechanisms are considered as a complement to effective changes in EU and national legislations.

5. Lessons for Cities

In addition to highlighting the need to further examine the transforming role of cities in the context of the European Green Deal (Adbullah, 2021), findings from the H2020 MORE project help characterise what the role of urban street space managers entails. It highlights that the EU and Member States along with user groups and industry representatives need to coordinate their efforts with cities to develop an integrated and holistic approach to road space reallocation. Some pragmatic steps as to how this can be achieved is provided below.

• First, cities can play a proactive role rather than a reactive role and are already doing so in several cases (as seen in the MORE cities). Cities should be offered the right to experiment at the local level through tactical urbanism and through specific policy initiatives such as road pricing, ultra-low emission zones, diesel bans etc. Cities could limit access rights in a variety of ways without additional barriers or regulation (such as through urban design, road space allocation, reducing parking etc).

• Second, the EU needs to incentivise cities and empower city authorities. Cities should be encouraged to integrate their freight mobility plans (SULPs) with SUMPs to address harmonisation. For greater integration and holistic development Member States and the EU should take into account the views of cities. City networks should also be included in access rights discussions at EU level for better coordination and integration.

• Third, the industry (commercial road transport operators) should consult with cities to find common ground especially for access regulations. Findings from the five MORE cities shows that stakeholders often recognize that the commercial road transport industry should be better integrated into local strategies. Consultation procedures are often developed at other levels of government, which may account for the industry's overall tendency to favour European- or country-wide policy venues as opposed to city- or district / borough-specific solutions. This gap needs to be overcome not only by developing consulting procedures at city level but also by providing the organisational set-up and consultation space for dialogue between stakeholders to understand needs.

• Fourth, urban actors need to be supported to strengthen their resource accumulation strategies in order to successfully implement EU level initiatives on the ground. Urban contestation also needs to be reframed as a *beneficial governance process* in the quest for a holistic and inclusive approach to sustainable urban transition.

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- a series of webinares on different dimensions of road space re-allocation in TEN-T urban nodes;
- the MORE Handbook (ed. P. Jones, March 2022);
- the MORE project summary (ed. P. Jones, May 2022).

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