



Brussels, 15 November 2018  
(OR. en)

13943/18

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**Interinstitutional File:  
2018/0191(COD)**

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**EDUC 403  
JEUN 140  
SPORT 83  
SOC 678  
RELEX 933  
RECH 472  
CADREFIN 329  
IA 358  
CODEC 1912**

**NOTE**

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From: General Secretariat of the Council  
To: Council

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No. prev. doc.: 13508/18 EDUC 378 JEUN 127 SPORT 78 SOC 644 RELEX 898 RECH 450 CADREFIN 294 IA 332 CODEC 1776  
No. Cion doc.: 9574/18 EDUC 241 JEUN 72 SPORT 36 SOC 355 RELEX 487 RECH 264 CADREFIN 57 IA 156 CODEC 913 + ADD 1

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Subject: Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL establishing 'Erasmus': the Union programme education, training, youth and sport and repealing Regulation (EU) No 1288/2013  
- Partial general approach

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**I. INTRODUCTION**

1. On 30 May 2018 the Commission submitted to the European Parliament and to the Council a proposal for a Regulation of the European Parliament and of the Council establishing 'Erasmus': the Union programme for education, training, youth and sport and repealing Regulation (EU) No 1288/2013<sup>1</sup>.

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<sup>1</sup> 9574/18.

2. The European Parliament has appointed Mr Milan ZVER (EPP, SI) as the Rapporteur. The opinion of the European Parliament is still pending.
3. The European Economic and Social Committee delivered its opinion on 17 October 2018<sup>2</sup>, while that of the Committee of the Regions is expected to be adopted in December 2018.
4. Since the proposed Regulation is one of the package of proposals linked to the Multiannual Financial Framework (MFF), all provisions with budgetary implications or of horizontal nature have been set aside and excluded from the partial general approach aimed for - pending further progress on the MFF. These provisions, which appear between square brackets in the text, concern recital 22 (DiscoverEU), recital 32 (climate target), recital 50 (protection of the Union's financial interest), recital 56 (rule of law), Article 8(c) (DiscoverEU), Art. 14.1 (amount and current prices), Art. 14.2(a) - (e) (amounts), 14.6 (transfers), Art. 16.1(d) (third country participation) and Art. 28 (protection of the Union's financial interest).
5. The Education Committee, in consultation with the Youth and Sport Working Parties, has examined the proposal at several meetings since July. At its meeting on 14 November 2018 the Permanent Representatives Committee noted that there was broad agreement on the text set out in the Annex, subject only to a parliamentary scrutiny reservation from DK. It should be noted that the Commission has a general reservation on the text, pending the position of the European Parliament.

## **II. TASK FOR THE COUNCIL**

In the light of the above, the Council is invited to verify the status of the remaining reservation (in footnote 3) with a view to reaching a partial general approach on the text set out in the Annex.

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<sup>2</sup> SOC/602.

2018/0191 (COD)

Proposal for a

**REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL**

**establishing 'Erasmus+': the Union programme for education, training, youth and sport and  
repealing Regulation (EU) No 1288/2013<sup>3</sup>**

(Text with EEA relevance)

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Articles 165(4) and 166(4) thereof,

Having regard to the proposal from the European Commission,

After transmission of the draft legislative act to the national parliaments,

Having regard to the opinion of the European Economic and Social Committee<sup>4</sup>,

Having regard to the opinion of the Committee of the Regions<sup>5</sup>,

Acting in accordance with the ordinary legislative procedure,

Whereas:

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<sup>3</sup> DK parliamentary scrutiny reservation

<sup>4</sup> OJ C , , p. .

<sup>5</sup> OJ C , , p. .

- (1) In a context of rapid and profound changes induced by technological revolution and globalisation, investing in learning mobility, cooperation and innovative policy development in the fields of education, training, youth and sport is key to building inclusive, cohesive and resilient societies and sustaining the competitiveness of the Union, while contributing to strengthening European identity and to a more democratic Union.
- (2) In its Communication on Strengthening European Identity through Education and Culture of 14 November 2017, the Commission put forward its vision to work towards a European Education Area by 2025, in which learning would not be hampered by borders; a Union, where spending time in another Member State for purposes of studying and learning in any form or setting would become the standard and where, in addition to one's mother tongue, speaking two other languages would become the norm; a Union in which people would have a strong sense of their identity as Europeans, of Europe's cultural heritage and its diversity. In this context, the Commission emphasised the need to boost the tried-and-tested Erasmus+ programme in all categories of learners that it already covers and reaching out to learners with fewer opportunities.
- (3) The importance of education, training and youth for the future of the Union is reflected in the Commission's Communication of 14 February 2018 entitled 'A new, modern Multiannual Financial Framework for a European Union that delivers efficiently on its priorities post-2020'<sup>6</sup>, which stresses the need to deliver on the commitments made by the Member States at the Gothenburg Social Summit, including through the full implementation of the European Pillar of Social Rights<sup>7</sup> and its first principle on education, training and lifelong learning. The Communication stresses the need to step up mobility and exchanges, including through a substantially strengthened, inclusive and extended programme, as had been called for by the European Council in its conclusions of 14 December 2017.

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<sup>6</sup> COM(2018) 98 final.

<sup>7</sup> OJ C 428, 13.12.2017, p. 10.

- (4) The European Pillar of Social Rights, solemnly proclaimed and signed on 17 November 2017 by the European Parliament, the Council and the Commission, lays down, as its first key principle, that everyone has the right to quality and inclusive education, training and lifelong learning in order to maintain and acquire skills that enable them to participate fully in society and manage successfully transitions in the labour market.
- (5) On 16 September 2016 in Bratislava, leaders of twenty-seven Member States stressed their determination to provide better opportunities for youth. In the Rome Declaration signed on 25 March 2017, leaders of twenty-seven Member States and of the European Council, the European Parliament and the European Commission pledged to work towards a Union where young people receive the best education and training and can study and find jobs across the Union; a Union which preserves our cultural heritage and promotes cultural diversity.
- (6) The mid-term evaluation report of the 2014-2020 Erasmus+ programme confirmed that the creation of a single programme on education, training, youth and sport resulted in significant simplification, rationalisation and synergies in the management of the Programme while further improvements are necessary to further consolidate the efficiency gains of the 2014-2020 Programme. In the consultations for the mid-term evaluation and on the future Programme, Member States and stakeholders made a strong call for continuity in the Programme's scope, architecture and delivery mechanisms, while calling for a number of improvements, such as making the Programme more inclusive. They also expressed their full support for keeping the Programme integrated and underpinned by the lifelong learning paradigm. The European Parliament, in its Resolution of 2 February 2017 on the implementation of Erasmus+, welcomed the integrated structure of the programme and called on the Commission to exploit fully the lifelong learning dimension of the programme by fostering and encouraging cross-sectoral cooperation in the future programme. Member States and stakeholders also highlighted the need to keep a strong international dimension in the Programme and to extend it to other sectors of education and training.

- (7) The open public consultation on Union funding in the areas of values and mobility confirmed these key findings and emphasised the need to make the future programme a more inclusive programme and to continue to focus priorities on modernising education and training systems as well as strengthening priorities on fostering European identity, active citizenship and participation in democratic life.
- (8) In its Communication on 'A modern budget for a Union that protects, empowers and defends - the multiannual financial framework for 2021-2027'<sup>8</sup> adopted on 2 May 2018, the Commission called for a stronger “youth” focus in the next financial framework, notably by more than doubling the size of the 2014-2020 Erasmus+ Programme, one of the Union’s most visible success stories. The focus of the new Programme should be on inclusiveness, and to reach more young people with fewer opportunities. This should allow more young people to move to another country to learn or work.
- (9) In this context, it is necessary to establish the successor programme for education, training, youth and sport (the 'Programme') of the 2014-2020 Erasmus + programme established by Regulation (EU) No 1288/2013 of the European Parliament and the Council<sup>9</sup>. The integrated nature of the 2014-2020 programme covering learning in all contexts - formal, non-formal and informal, and at all stages of life - should be maintained to boost flexible learning paths allowing individuals to develop those competences that are necessary to face the challenges of the twenty-first century.

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<sup>8</sup> COM(2018) 321 final.

<sup>9</sup> Regulation (EU) No 1288/2013 of the European Parliament and the Council of 11 December 2013 establishing 'Erasmus+': the Union programme for education, training, youth and sport and repealing Decisions No 1719/2006/EC, No 1720/2006/EC and No 1298/2008/EC (OJ L 347, 20.12.2013, p. 50).

- (10) The Programme should be equipped to become an even greater contributor to the implementation of the Union's policy objectives and priorities in the field of education, training, youth and sport. A coherent lifelong learning approach is central to managing the different transitions that people will face over the course of their life cycle. In taking this approach forward, the next Programme should maintain a close relationship with the overall strategic framework for Union policy cooperation in the field of education, training and youth, including the policy agendas for schools, higher education, vocational education and training and adult learning, while reinforcing and developing new synergies with other related Union programmes and policy areas.
- (11) The Programme is a key component of building a European Education Area. It should be equipped to contribute to the successor of the strategic framework for cooperation in education and training and the Skills Agenda for Europe<sup>10</sup> with a shared commitment to the strategic importance of skills and key competences<sup>11</sup> for sustaining jobs, growth and competitiveness. It should support Member States in reaching the goals of the Paris Declaration on promoting citizenship and the common values of freedom, tolerance and non-discrimination through education<sup>12</sup>.
- (12) The Programme should be coherent with the new European Union youth strategy<sup>13</sup>, the framework for European cooperation in the youth field for 2019-2027, based on the Commission's Communication of 22 May 2018 on 'Engaging, connecting and empowering young people: a new EU Youth Strategy'<sup>14</sup>, including as regards the strategy's aspirations to support quality youth work. This entails attention for mobility, capacity building, innovation and recognition of youth work within the context of the 2012 Council Recommendation on the validation of non-formal and informal learning. This also calls for the promotion of quality tools and systems that should be used in the training of youth workers and that correspond to the changing circumstances of young people's lives. These should be embedded in a broader quality approach to empower youth organisations.

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<sup>10</sup> COM(2016) 381 final.

<sup>11</sup> Council Recommendation of 22 May 2018 on key competences for lifelong learning (OJ C 189, 4.6.2018, p.1).

<sup>12</sup> [Reference].

<sup>13</sup> [Reference - *to be adopted by the Council by the end of 2018*].

<sup>14</sup> COM(2018) 269 final.

- (13) The Programme should take into account the relevant EU Work Plan for Sport which is the cooperation framework at Union level in the field of sport for the years [...] <sup>15</sup>. Coherence and complementarity should be ensured between the relevant EU Work Plan for Sport and actions supported under the Programme in the field of sport. There is a need to focus in particular on grassroots sports, taking into account the important role that sports play in promoting physical activity and healthy lifestyle, social inclusion and equality. The Programme should contribute to promote European common values through sport, good governance and integrity in sport and sustainable development, as well as education, training and skills in and through sport.
- (14) The Programme can be used to support any field of study, and in particular contributes to strengthening the Union's innovation capacity by supporting activities that help people develop knowledge, skills and attitudes needed for the future in forward-looking study fields or disciplines such as science, technology, engineering and mathematics, climate change, the environment, clean energy, artificial intelligence, robotics, data analysis and arts/design. Innovation can be fostered through all mobility and cooperation activities, whether directly or indirectly managed.
- (15) Synergies with Horizon Europe should ensure that combined resources from the Programme and the Horizon Europe Programme <sup>16</sup> are used to support activities dedicated to strengthening and modernising European higher education institutions. Horizon Europe will, where appropriate, complement the Programme's support for the European Universities initiative, in particular its research dimension as part of developing new joint and integrated long term and sustainable strategies on education, research and innovation. Synergies with Horizon Europe will help to foster the integration of education and research in higher education institutions.

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<sup>15</sup> [Reference].

<sup>16</sup> COM(2018) [ ].



- (16) The Programme should be more inclusive by improving its outreach to those with fewer opportunities, including through more flexible learning mobility formats, and by fostering participation of small organisations, in particular newcomers and community-based grassroots organisations that work directly with disadvantaged learners of all ages. In addition to physical learning mobility, virtual formats, such as virtual cooperation, blended and virtual mobility, should be promoted to reach more participants, in particular those with fewer opportunities and those for whom moving physically to a country other than their country of residence would be an obstacle.
- (17) In its Communication on Strengthening European identity through education and culture, the Commission highlighted the pivotal role of education, culture and sport in promoting active citizenship and common values amongst the youngest generations. Strengthening European identity and fostering the active participation of individuals in the democratic processes is crucial for the future of Europe and our democratic societies. Going abroad to study, learn, train and work or to participate in youth and sport activities contributes to strengthening this European identity in all its diversity and the sense of being part of a cultural community as well as to fostering such active citizenship, among people of all ages. Those taking part in mobility activities should get involved in their local communities as well as engage in their host country local communities to share their experience. Activities linked to reinforcing all aspects of creativity in education, training and youth and enhancing individual key competencies should be supported.
- (18) The international dimension of the Programme should be boosted aiming at offering a greater number of opportunities for mobility, cooperation and policy dialogue with third countries not associated to the Programme. Building on the successful implementation of international higher education and youth activities under the predecessor programmes in the fields of education, training and youth, the international mobility activities should be extended to other sectors, such as in vocational education and training and sport.

- (19) The basic architecture of the 2014-2020 programme in three chapters - education and training, youth and sport – structured around three key actions has proved successful and should be maintained. Improvements to streamline and rationalise the actions supported by the Programme should be introduced. Stability and continuity should also be ensured in terms of management and implementing modes. In the overall, at least 75% of the Erasmus+ budget should be under indirect management by the national agencies. This includes flagship actions like mobility in all fields of education, training, youth and sport as well as cooperation partnerships, including small-scale partnerships in the field of education, training and youth.
- (20) The Programme should reinforce existing learning mobility opportunities, notably in those sectors where the Programme could have the biggest efficiency gains, to broaden its reach and meet the high unmet demand. This should be done notably by increasing and facilitating mobility activities for higher education students, school pupils, including school exchanges, and learners in vocational education and training, such as apprentices and trainees. Mobility of low-skilled adult learners should be embedded in partnerships for cooperation. Mobility opportunities for youth participating in non-formal learning activities should also be extended to reach more young people. Mobility of staff in education, training, youth and sport should also be reinforced, considering its leverage effect. In line with the vision of a true European Education Area, the Programme should also boost mobility and exchanges and promote student participation in educational and cultural activities by supporting digitalisation of processes, such as the European Student Card. This initiative can be an important step in making mobility for all a reality first by enabling higher education institutions to send and receive more exchange students while still enhancing quality in student mobility and also by facilitating students' access to various services (library, transport, accommodation) before arriving at the institution abroad.

- (21) The Programme should encourage youth participation in Europe's democratic life, including by supporting participation projects for young people to engage and learn to participate in civic society, raising awareness about European common values including fundamental rights, bringing together young people and decision makers at local, national and Union level, as well as contributing to the European integration process.
- [(22) Building on the evaluation and further development of DiscoverEU launched as a preparatory action in 2018, the Programme should offer young people more opportunities to discover Europe through learning experiences abroad. Eighteen year olds, in particular those with fewer opportunities, should be given the chance to have a first-time, short-term individual or group experience travelling throughout Europe in the frame of an informal educational activity aimed at fostering their sense of belonging to the European Union and discovering its cultural diversity. The Programme should identify bodies in charge of reaching out, offering support and selecting the participants, based on clear and transparent criteria. It should be ensured that DiscoverEU is inclusive, geographically balanced and supports activities with a strong learning dimension.]
- (23) The Programme should also enhance the learning of languages, in particular through widened use of online tools, as e-learning offers additional advantages for language learning in terms of access and flexibility.
- (24) The Programme should support measures that enhance the cooperation between institutions and organisations active in education, training, youth and sport, recognising their fundamental role in equipping individuals with the knowledge, skills and competences needed in a changing world as well as to adequately fulfil the potential for innovation, creativity and entrepreneurship, in particular within the digital economy.

- (25) In its Conclusions of the 14 of December 2017, the European Council called on Member States, the Council and the Commission to take forward a number of initiatives to elevate European cooperation in education and training to a new level, including by encouraging the emergence by 2024 of 'European Universities', consisting in bottom-up networks of universities across the Union. In its conclusions of 28 June 2018, the European Council stated that "cooperation between research, innovation and education should be encouraged, including through the European Universities initiative". The Programme should support these European Universities.
- (26) The 2010 Bruges Communiqué called for support of vocational excellence for smart and sustainable growth. The 2017 Communication on Strengthening Innovation in Europe's Regions points to linking vocational education and training to innovation systems, as part of smart specialisation strategies at regional level. The Programme should provide the means to respond to these calls and support the development of transnational platforms of Centres of vocational excellence closely integrated in local and regional strategies for growth, innovation and competitiveness. These centres of excellence should act as drivers of quality vocational skills in a context of sectorial challenges, while supporting overall structural changes and socio-economic policies in the Union.
- (27) To increase the use of virtual cooperation activities, the Programme should support a more systematic and coherent use of the online platforms such as eTwinning, the School Education Gateway, the Electronic Platform for Adult Learning in Europe, the European Youth Portal and the online platform for higher education and, if necessary, any further online platform that may be set up in the fields of education, training and youth.

- (28) The Programme should contribute to facilitating transparency and recognition of skills and qualifications, as well as the transfer of credits or units of learning outcomes, to foster quality assurance and to support validation of non-formal and informal learning, skills management and guidance. In this regard, the Programme should also provide support to contact points and networks at national and Union level that facilitate cross-European exchanges as well as the development of flexible learning pathways between different fields of education, training and youth and across formal and non-formal settings. Support should also be provided to the Bologna process.
- (29) The Programme should mobilise the potential of former Erasmus+ participants and support activities in particular of Alumni networks, ambassadors and Europeers, by encouraging them to act as multipliers of the Programme.
- (30) As a way to ensure cooperation with other Union instruments and support to other policies of the Union, mobility opportunities should be offered to people in various sectors of activity, such as the public sector, agriculture and enterprise, to have a learning experience abroad allowing them, at any stage of their life, to grow and develop professionally but also personally, in particular by developing an awareness of their European identity and an understanding of European cultural diversity. The Programme should offer an entry point for Union transnational mobility schemes with a strong learning dimension, simplifying the offer of such schemes for beneficiaries and those taking part in these activities. The scaling-up of Erasmus+ projects should be facilitated; specific measures should be put in place to help promoters of Erasmus+ projects to apply for grants or develop synergies through the support of the European Structural and Investment Funds and the programmes relating to migration, security, justice and citizenship, health and culture, as well as with the European Solidarity Corps.

- (31) It is important to stimulate teaching, learning and research in European integration matters, as well as to promote debates on these matters through the support of Jean Monnet actions in the fields of higher education but also in other fields of education and training, in particular through teacher and staff training. Fostering a sense of European identity and commitment is particularly important at times when the common values on which the Union is founded, and which form part of our European identity, are put to the test, and when citizens show low levels of engagement. The Programme should continue to contribute to the development of excellence in European integration studies. The progress of the institutions financed under the Jean Monnet actions in delivering on the programme objectives will be monitored and evaluated regularly. Exchange between these institutions and other institutions at national or transnational level should be encouraged, in full respect of their academic freedom.
- (32) Reflecting the importance of tackling climate change in line with the Union's commitments to implement the Paris Agreement and achieve the United Nations' Sustainable Development Goals, this Programme will contribute to mainstream climate action in the Union's policies and to the achievement of an overall target of [25%] of the Union budget expenditures supporting climate objectives. Relevant actions will be identified during the Programme's preparation and implementation and reassessed in the context of the relevant evaluations and review process.
- (33) This Regulation lays down a financial envelope for the Programme which is to constitute the prime reference amount, within the meaning of [*reference to be updated as appropriate* Point 17 of the Interinstitutional Agreement between the European Parliament, the Council and the Commission on budgetary discipline, on cooperation in budgetary matters and on sound financial management<sup>17</sup>], for the European Parliament and the Council during the annual budgetary procedure.

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<sup>17</sup> OJ L [...], [...], p. [...].

- (34) Within a basic envelope for actions to be managed by the national agencies in the field of education and training, a breakdown of minimum allocation per sector (higher education, school education, vocational education and training and adult education) should be defined in order to guarantee a critical mass of appropriations to reach the intended output and results in each of these sectors.
- (35) Regulation (EU, Euratom) No 2018/1046 (the 'Financial Regulation')<sup>18</sup> applies to this Programme. It lays down rules on the implementation of the Union budget, including the rules on grants, prizes, procurement and indirect implementation.
- (36) The types of financing and the methods of implementation under this Regulation should be chosen on the basis of their ability to achieve the specific objectives of the actions and to deliver results, taking into account, in particular, the costs of controls, the administrative burden, and the expected risk of non-compliance. This should include consideration of the use of lump sums, flat rates and unit costs, as well as financing not linked to costs as referred to in Article [125(1)] of the Financial Regulation. For the actions managed by the national agencies, the budgetary allocations to implement the actions should be accompanied by an adequate support for the operating costs of national agencies, in the form of a management fee, to ensure effective and sustainable implementation of the delegated management tasks. The principles of transparency, equal treatment and non-discrimination as set out in the Financial Regulation should be respected in the implementation of the Programme.

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<sup>18</sup> OJ L 193, 30.7.2018, p. 1.

- (37) Third countries which are members of the European Economic Area (EEA) may participate in the Programme in the framework of the cooperation established under the European Economic Area (EEA) agreement, which provides for the implementation of Union programmes by a decision under that agreement. Third countries may also participate on the basis of other legal instruments. This Regulation should grant the necessary rights for and access to the authorising officer responsible, the European Anti-Fraud Office (OLAF) as well as the European Court of Auditors to comprehensively exert their respective competences. The full participation of third countries in the Programme should be subject to the conditions laid down in specific agreements covering the participation of the third country concerned to the Programme. Full participation entails, moreover, the obligation to set up a national agency and managing some of the actions of the Programme under indirect management. Individuals and entities from third countries that are not associated to the Programme should be able to participate in some of the actions of the Programme, as defined in the work programme and the calls for proposals published by the Commission. When implementing the Programme, specific arrangements could be taken into account with regard to individuals and entities from European microstates.
- (38) In view of Article 349 of the Treaty on the Functioning of the European Union and in line with the Commission's communication on 'A stronger and renewed strategic partnership with the Union's outermost regions'<sup>19</sup>, the Programme should take into account the specific situation of these regions. Measures will be taken to increase the outermost regions' participation in all actions. Mobility exchanges and cooperation between people and organisations from these regions and third countries, in particular their neighbours, should be fostered. Such measures will be monitored and evaluated regularly.

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<sup>19</sup> COM(2017) 623 final.



- (39) Pursuant to [*reference to be updated as appropriate according to a new Decision on OCTs Article 94 of the Council Decision 2013/755/EC*<sup>20</sup>], individuals and entities established in overseas countries or territories are eligible for funding subject to the rules and objectives of the Programme and possible arrangements applicable to the Member State to which the relevant overseas country or territory is linked. The constraints imposed by the remoteness of these countries or territories should be taken into account when implementing the Programme, and their participation in the Programme monitored and regularly evaluated.
- (40) In compliance with the Financial Regulation, the Commission should adopt work programmes and inform the European Parliament and the Council thereof. The work programme should set out the measures needed for their implementation in line with the general and specific objectives of the Programme, the selection and award criteria for grants, as well as all other elements required. Work programmes and any amendments to them should be adopted by implementing acts in accordance with the examination procedure.
- (41) Pursuant to paragraph 22 and 23 of the Inter-institutional agreement for Better Law-Making of 13 April 2016<sup>21</sup>, there is a need to evaluate the Programme on the basis of information collected through specific monitoring requirements, while avoiding overregulation and administrative burdens, in particular on Member States. Such requirements should include specific, measurable and realistic indicators which can be measured over time as a basis for evaluating the effects of the Programme on the ground.
- (42) Appropriate outreach, publicity and dissemination of the opportunities and results of the actions supported by the Programme should be ensured at European, national and local level and may take into account various target groups and sectors. The outreach, publicity and dissemination activities should rely on all the implementing bodies of the Programme, including, when relevant, with the support of other key stakeholders.

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<sup>20</sup> Council Decision 2013/755/EU of 25 November 2013 on the association of the overseas countries and territories with the European Union ('Overseas Association Decision') (OJ L 344, 19.12.2013, p. 1).

<sup>21</sup> Interinstitutional Agreement between the European Parliament, the Council of the European Union and the European Commission on Better Law-Making of 13 April 2016 (OJ L 123, 12.5.2016, p. 1).

- (43) In order to ensure greater efficiency in communication to the public at large and stronger synergies between the communication activities undertaken at the initiative of the Commission, the resources allocated to communication under this Regulation should also contribute to covering the corporate communication of the political priorities of the Union, provided that these are related to the general objective of this Regulation.
- (44) In order to ensure efficient and effective implementation of this Regulation, the Programme should make maximum use of delivery mechanisms already in place. The implementation of the Programme should therefore be entrusted to the Commission, and to national agencies. Where feasible, and in order to maximise efficiency, the national agencies should be the same as the one designated for the management of the predecessor programme. The scope of the ex-ante compliance assessment should be limited to the requirements that are new and specific to the Programme, unless justified, such as in case of serious shortcomings or underperformance on the part of the national agency concerned.
- (45) In order to ensure sound financial management and legal certainty in each participating country, each national authority should designate an independent audit body. Where feasible, and in order to maximise efficiency, the independent audit body should be the same as the one designated for the actions referred to in the previous programme.
- (46) Member States should endeavour to adopt all appropriate measures to remove legal and administrative obstacles to the proper functioning of the Programme. This includes resolving, where possible, and without prejudice to Union law on the entry and residence of third-country nationals issues that create difficulties in obtaining visas and residence permits. In line with Directive (EU) 2016/801 of the European Parliament and of the Council<sup>22</sup>, Member States are encouraged to establish fast-track admission procedures.

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<sup>22</sup> Directive (EU) 2016/801 of the European Parliament and of the Council of 11 May 2016 on the conditions of entry and residence of third-country nationals for the purposes of research, studies, training, voluntary service, pupil exchange schemes or educational projects and au pairing (OJ L 132, 21.5.2016, p. 21).

- (47) The performance reporting system should ensure that data for monitoring programme implementation and evaluation are collected efficiently, effectively and in a timely manner, and at the appropriate level of granularity. Such data should be communicated to the Commission in a way that complies with relevant data protection rules.
- (48) In order to ensure uniform conditions for the implementation of this Regulation, implementing powers should be conferred on the Commission. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council<sup>23</sup>.
- (49) In order to simplify requirements for beneficiaries, simplified grants in the form of lump-sums, unit-costs and flat-rate funding should be used to the maximum possible extent. The simplified grants to support the mobility actions of the Programme, as defined by the Commission, should take into account the living and subsistence costs of the host country. The Commission and national agencies of the sending countries should have the possibility to adjust these simplified grants on the basis of objective criteria, in particular to ensure access to people with fewer opportunities. In accordance with national law, Member States should also be encouraged to exempt those grants from any taxes and social levies. The same exemption should apply to public or private entities awarding such financial support to the individuals concerned.

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<sup>23</sup> Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011. Laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers (OJ L 55 28.2.2011 p.13).

(50) [In accordance with the Financial Regulation, Regulation (EU, Euratom) No 883/2013 of the European Parliament and the Council<sup>24</sup>, Council Regulation (Euratom, EC) No 2185/96<sup>25</sup> and Council Regulation (EU) 2017/1939<sup>26</sup>, the financial interests of the Union are to be protected through proportionate measures, including the prevention, detection, correction and investigation of irregularities and fraud, the recovery of funds lost, wrongly paid or incorrectly used and, where appropriate, the imposition of administrative sanctions. In particular, in accordance with the Regulation (EU, Euratom) No 883/2013 and Regulation (Euratom, EC) No 2185/96, the European Anti-Fraud Office (OLAF) may carry out investigations, including on-the-spot checks and inspections, with a view to establishing whether there has been fraud, corruption or any other illegal activity affecting the financial interests of the Union. In accordance with Regulation (EU) 2017/1939, the European Public Prosecutor's Office (EPPO) may investigate and prosecute Union fraud and other illegal activities affecting the financial interests of the Union, as provided for in Directive (EU) 2017/1371 of the European Parliament and of the Council<sup>27</sup>. In accordance with the Financial Regulation, any person or entity receiving Union funds is to fully cooperate in the protection of the Union's financial interests and grant the necessary rights and access to the Commission, the European Anti-Fraud Office, the European Public Prosecutor's Office and the European Court of Auditors, and to ensure that any third parties involved in the implementation of Union funds grant equivalent rights.]

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<sup>24</sup> Regulation (EU, Euratom) No 883/2013 of the European Parliament and the Council of 11 September 2013 concerning investigations conducted by the European Anti-Fraud Office (OLAF), OJ L 248 (18.9.2013, p. 1).

<sup>25</sup> Council Regulation (Euratom, EC) No 2185/96 of 11 November 1996 concerning on-the-spot checks and inspections carried out by the Commission in order to protect the European Communities' financial interests against fraud and other irregularities (OJ L 292, 15.11.1996, p. 2).

<sup>26</sup> Council Regulation (EU) 2017/1939 of 12 October 2017 implementing enhanced cooperation on the establishment of the European Public Prosecutor's Office ('the EPPO') (OJ L 283, 31.10.2017, p. 1).

<sup>27</sup> Directive (EU) 2017/1371 of the European Parliament and of the Council of 5 July 2017 on the fight against fraud to the Union's financial interests by means of criminal law (OJ L198, 28.7.2017, p. 29).

- (51) It is necessary to ensure the complementarity of the actions carried out within the Programme with activities undertaken by the Member States and with other Union activities, in particular those in the fields of education, culture and the media, youth and solidarity, employment and social inclusion, research and innovation, industry and enterprise, agriculture and rural development with a focus on young farmers, cohesion, regional policy and international cooperation and development. In this regard, consistency and complementarity with relevant policies and instruments at national level should be sought when implementing Erasmus+ actions without a transnational or international character.
- (52) While the regulatory framework already allowed Member States and regions to establish synergies in the previous programming period between Erasmus+ and other Union instruments, such as the European structural and investment funds, which also support the qualitative development of education, training and youth systems in the Union, this potential has so far been underexploited, thus limiting the systemic effects of projects and impact on policy. Effective communication and cooperation should take place at national level between the national bodies in charge of managing these various instruments to maximise their respective impact. The programme should allow for active cooperation with these instruments.
- (53) In order to review or complement the performance indicators of the Programme, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union (TFEU) should be delegated to the Commission in respect of the Annex. It is of particular importance that the Commission carries out appropriate consultations during its preparatory work, including at expert level, and that those consultations are conducted in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council should receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.

- (54) It is appropriate to ensure the correct closure of the predecessor programme, in particular as regards to the continuation of multi-annual arrangements for its management, such as the financing of technical and administrative assistance. As from 1 January 2021, the technical and administrative assistance should ensure, if necessary, the management of actions that have not yet been finalised under the predecessor programme by 31 December 2020.
- (55) This Regulation respects the fundamental rights and observes the principles recognised in particular by the Charter of Fundamental Rights of the European Union. In particular, this Regulation seeks to ensure full respect for the right to equality between men and women and the right to non-discrimination based on sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation, and to promote the application of Articles 21 and 23 of the Charter of Fundamental Rights of the European Union.
- (56) Horizontal financial rules adopted by the European Parliament and the Council on the basis of Article 322 TFEU apply to this Regulation. These rules are laid down in the Financial Regulation and determine in particular the procedure for establishing and implementing the budget through grants, procurement, prizes and indirect implementation, and provide for checks on the responsibility of financial actors. [Rules adopted on the basis of Article 322 TFEU also concern the protection of the Union's budget in case of generalised deficiencies as regards the rule of law in the Member States, as the respect for the rule of law is an essential precondition for sound financial management and effective Union funding.]
- (57) Since the objective of this Regulation cannot be sufficiently achieved by the Member States but can rather, by reason of its transnational character, the high volume and wide geographical scope of the mobility and cooperation activities funded, its effects on access to learning mobility and more generally on Union integration, as well as its reinforced international dimension, be better achieved at Union level, the Union may adopt measures, in accordance with the principle of subsidiarity, as set out in Article 5 of the Treaty on European Union. In accordance with the principle of proportionality, as set out in that Article, this Regulation does not go beyond what is necessary in order to achieve that objective.

- (58) Regulation (EU) No 1288/2013 should be repealed with effect from 1 January 2021.
- (59) In order to ensure continuity in the funding support provided under the Programme, this Regulation should apply from 1 January 2021,

HAVE ADOPTED THIS REGULATION:

## *CHAPTER I*

### *GENERAL PROVISIONS*

#### *Article 1*

##### *Subject matter*

This Regulation establishes Erasmus+, the programme for Union action in the field of education, training, youth and sport ('Programme'). The Programme shall be implemented for the period from [...] to [...].

It lays down the objectives of the Programme, the budget for the period 2021-2027, the forms of Union funding and the rules for providing such funding.

## *Article 2*

### *Definitions*

For the purposes of this Regulation, the following definitions apply:

- (1) 'lifelong learning' means learning in all its forms (formal, non-formal and informal learning) taking place at all stages in life and resulting in an improvement in knowledge, skills and attitudes or participation in society in a personal, civic, cultural, social and/or employment-related perspective, including the provision of counselling and guidance services. It includes early childhood education and care, general education, vocational education and training, higher education, adult education and other learning settings outside formal education and training, such as youth work;
- (2) 'learning mobility' means moving physically to a country other than the country of residence, in order to undertake study, training such as traineeships and apprenticeships, or non-formal or informal learning. It may be accompanied by measures such as language support and training and/or be complemented by online learning and virtual cooperation. In some specific cases, it may take the form of learning through the use of information technology and communications tools;
- (3) 'non-formal learning' means learning which takes place through planned activities in terms of learning objectives and learning time, and where some form of learning support is present;
- (4) 'informal learning' means learning resulting from daily activities and experiences which is not organised or structured in terms of objectives, time or learning support. It may be unintentional from the learner's perspective;
- (5) 'young people' means individuals aged between 13 and 30;
- (6) 'grassroots sport' means physical leisure activity, organised and non-organised, practised regularly at non-professional level for health, educational or social purposes;



- (7) 'higher education student' means any person enrolled at a higher education institution, including at short-cycle, bachelor, master or doctoral level or equivalent. It also covers recent graduates;
- (8) 'staff' means any person who, on either a professional or a voluntary basis, is involved in education, training or non-formal learning, and may include professors, teachers, trainers, school leaders, youth workers, sport staff, non-educational staff and other practitioners involved on a regular basis in promoting learning;
- (8a) 'sport staff' means persons involved in the direction, instruction, training and management of a sports team or individual sports people, both on a paid or voluntary basis;
- (9) 'vocational education and training learner' means any person enrolled in an initial or continuous vocational education and training programme at any level from secondary up to post-secondary level. It includes the participation of individuals who have recently graduated or have obtained a qualification from such programmes;
- (10) 'school pupil' means any person enrolled in a learning capacity at an institution providing general education at any level from early childhood education and care to upper secondary education, considered by the national authorities as eligible to participate in the Programme, in their respective territories;
- (11) 'adult education' means any form of non-vocational education for adults after initial education, whether of a formal, non-formal or informal nature;
- (12) 'third country not associated to the Programme' means a third country which does not participate fully in the Programme but whose legal entities may exceptionally benefit from the Programme in duly justified cases in the Union's interest;
- (13) 'third country' means a country that is not a Member State;

- (14) 'partnership' means an agreement between a group of institutions and/or organisations to carry out joint activities and projects;
- (15) 'joint master degree' means an integrated study programme offered by at least two higher education institutions resulting in a single degree certificate or multiple degree certificates issued and signed by all the participating institutions jointly and recognised officially in the countries where the participating institutions are located;
- (16) 'international' means any action involving at least one third country not associated to the Programme;
- (17) 'virtual cooperation' means any form of cooperation using information technology and communications tools facilitating and supporting learning objectives;
- (18) 'higher education institution' means any type of higher education institution which, in accordance with national law or practice, offers recognised degrees or other recognised tertiary level qualifications, whatever such establishment may be called as well as any other type of higher education institution which is considered by the national authorities as eligible to participate in the Programme, in their respective territories;
- (19) 'transnational' means any action involving at least two countries which are either Member States or third countries associated to the Programme;
- (20) 'youth participation activity' means an activity outside formal education and training, carried out by informal groups of young people and/or youth organisations, and characterised by a non-formal learning approach. It includes activities contributing to citizenship education;
- (21) 'youth worker' means a professional or an experienced volunteer involved in non-formal learning who supports young people in their personal socio-educational and professional development and the development of their competences. It includes persons who plan, steer, coordinate and implement activities in the field of youth;

- (22) 'EU Youth dialogue' means the dialogue with young people and youth organisations involving policy and decision makers, as well as experts, researchers and other relevant civil society actors, as appropriate. It serves as a forum for continuous joint reflection and consultation on the priorities, implementation and follow-up of European cooperation in the field of youth;
- (23) 'third country associated to the Programme' means a third country which is party to an agreement with the Union allowing for its participation in the Programme and which fulfils all the obligations laid down in this Regulation in relation to Member States;
- (24) 'legal entity' means any natural or legal person created and recognised as such under national law, Union law or international law, which has legal personality and which may, acting in its own name, exercise rights and be subject to obligations, or an entity without legal personality in accordance with Article [197(2)(c)] of the Financial Regulation;
- (25) 'people with fewer opportunities' means people facing obstacles that prevent them from having effective access to opportunities under the Programme for economic, social, cultural, geographical or health reasons, a migrant background or for reasons such as disability and educational difficulties;
- (26) 'national authority' means one or more authorities in charge, at national level, of monitoring and supervising the management of the Programme in a Member State or in a third country associated to the Programme;
- (27) 'national agency' means one or more bodies in a given Member State or third country associated to the Programme in charge of managing the implementation of the Programme at national level. There may be more than one national agency in a given Member State or third country associated to the Programme;
- (27a) 'newcomer organisation' means any organisation or institution that has not previously received support in a given type of action supported by this Programme or its predecessor programme either as a coordinator or a partner.

### *Article 3*

#### *Programme objectives*

1. The general objective of the Programme is to support the educational, professional and personal development of people in education, training, youth and sport, in Europe and beyond, thereby contributing to sustainable growth, jobs and social cohesion and to strengthening European identity and citizenship. As such, the Programme shall be a key instrument for building a European Education Area, supporting the implementation of the European strategic cooperation in the field of education and training, with its underlying sectoral agendas, advancing youth policy cooperation under the Union Youth Strategy 2019-2027 and developing the European dimension in sport. The programme shall support actions and activities with European added value.
2. The Programme has the following specific objectives:
  - (a) promote learning mobility of individuals and groups, as well as cooperation, quality, inclusion, excellence, creativity, and innovation at the level of organisations and policies in the field of education and training;
  - (b) promote non-formal and informal learning mobility and active participation among young people, as well as cooperation, quality, inclusion, creativity and innovation at the level of organisations and policies in the field of youth, including youth work;
  - (c) promote learning mobility of sport staff, as well as cooperation, quality, inclusion, creativity and innovation at the level of sport organisations and sport policies.

3. The objectives of the Programme shall be pursued through the following three key actions which mainly have either a transnational or an international character:

- (a) learning mobility ('key action 1');
- (b) cooperation among organisations and institutions ('key action 2'); and
- (c) support to policy development and cooperation ('key action 3');

The objectives shall also be pursued through Jean Monnet actions as set out in Article 7.

The description of the actions supported under each key action is set out in Chapter II (education and training), Chapter III (youth) and Chapter IV (sport).

## *CHAPTER II*

### *EDUCATION AND TRAINING*

#### *Article 4*

##### *Key action 1 Learning mobility*

In the field of education and training, the Programme shall support the following actions under key action 1:

- (a) the mobility of higher education students and staff;
- (b) the mobility of vocational education and training learners and staff;
- (c) the mobility of school pupils and staff;
- (d) the mobility of adult education staff;
- (e) language learning opportunities.

## *Article 5*

### *Key action 2 Cooperation among organisations and institutions*

In the field of education and training, the Programme shall support the following actions under key action 2:

- (a) partnerships for cooperation and exchanges of practices which might develop innovative approaches, including small-scale partnerships to foster a wider and more inclusive access to the Programme;
- (b) partnerships for excellence, such as European universities, platforms of Centres of vocational excellence and Erasmus Mundus joint master degrees;
- (c) partnerships for innovation to strengthen Europe's innovation capacity;
- (d) online platforms and tools for virtual cooperation including the support services for eTwinning and for the electronic platform for adult learning in Europe.

## *Article 6*

### *Key Action 3 Support to policy development and cooperation*

In the field of education and training, the Programme shall support the following actions under key action 3:

- (a) the preparation and implementation of the Union general and sectoral policy agendas in education and training, including with the support of the Eurydice network or activities of other relevant organisations or the support to the Bologna Process;

- (b) the support to Union tools and measures that foster the quality, transparency and recognition of competences, skills and qualifications<sup>28</sup>;
- (c) policy dialogue and cooperation with key stakeholders, including Union-wide networks, European non-governmental organisations and international organisations in the field of education and training;
- (d) measures that contribute to the qualitative and inclusive implementation of the Programme;
- (e) cooperation with other Union instruments and support to other Union policies;
- (f) dissemination and awareness-raising activities about European policy outcomes and priorities as well as on the Programme.

#### *Article 7*

##### *Jean Monnet actions*

The Programme shall support teaching, learning, research and debates on European integration matters through the following actions:

- (a) Jean Monnet action in the field of higher education;
- (b) Jean Monnet action in other fields of education and training;

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<sup>28</sup> In particular the common framework for the provision of better services for skills and qualifications (Europass); the European Qualifications Framework; the European Quality Assurance Reference Framework for Vocational Education and Training; the European Credit System for Vocational Education and Training; the European Credit Transfer and Accumulation System; the European Quality Assurance Register for Higher Education; the European Association for Quality Assurance in Higher Education; the European Network of Information Centres in the European Region and National Academic Recognition Information Centres in the European Union; and the Euroguidance networks.

- (c) support to the following institutions pursuing an aim of European interest: the European University Institute, Florence, including its School of Transnational Governance; the College of Europe (Bruges and Natolin campuses); the European Institute of Public Administration, Maastricht; the Academy of European Law, Trier; the European Agency for Special Needs and Inclusive Education, Odense and the International Centre for European Training, Nice.

### *CHAPTER III*

#### *YOUTH*

##### *Article 8*

##### *Key action 1 Learning mobility*

In the field of youth, the Programme shall support the following actions under key action 1:

- (a) the mobility of young people;
- (b) youth participation activities;
- (c) [DiscoverEU activities;]
- (d) the mobility of youth workers;
- (e) language learning opportunities



## *Article 9*

### *Key action 2 Cooperation among organisations and institutions*

In the field of youth, the Programme shall support the following actions under key action 2:

- (a) partnerships for cooperation and exchanges of practices, including small-scale partnerships to foster a wider and more inclusive access to the Programme;
- (b) partnerships for innovation to strengthen Europe's innovation capacity;
- (c) online platforms and tools for virtual cooperation.

## *Article 10*

### *Key action 3 Support to policy development and cooperation*

In the field of youth, the Programme shall support the following actions under key action 3:

- (a) the preparation and implementation of the Union policy agenda on youth, inter alia with the support of the Youth Wiki network;
- (b) Union tools and measures that foster the quality, transparency and recognition of competences and skills, in particular through Youthpass;
- (c) policy dialogue and cooperation with relevant key stakeholders, including Union-wide networks, European non-governmental organisations, and international organisations in the field of youth, the EU Youth dialogue as well as support to the European Youth Forum;

- (d) measures that contribute to the qualitative and inclusive implementation of the Programme;
- (e) cooperation with other Union instruments and support to other Union policies;
- (f) dissemination and awareness-raising activities about European policy outcomes and priorities as well as on the Programme.

## *CHAPTER IV*

### *SPORT*

#### *Article 11*

##### *Key action 1 Learning mobility*

In the field of sport, the Programme shall support, under key action 1, the mobility of sport staff, in particular in the framework of organised sport.

## *Article 12*

### *Key action 2 Cooperation among organisations and institutions*

In the field of sport, the Programme shall support the following actions under key action 2:

- (a) partnerships for cooperation and exchanges of practices, including small-scale partnerships to foster a wider and more inclusive access to the Programme;
- (b) not for profit sport events aiming at further developing the European dimension of sport.

## *Article 13*

### *Key action 3 Support to policy development and cooperation*

In the field of sport, the Programme shall support the following actions under key action 3:

- (a) the preparation and implementation of the Union policy agenda on sport and physical activity;
- (b) policy dialogue and cooperation with relevant key stakeholders, including European non-governmental organisations and international organisations in the field of sport;
- (c) dissemination and awareness-raising activities about European policy outcomes and priorities and about the Programme.

## CHAPTER V

### FINANCIAL PROVISIONS

#### Article 14

##### Budget

1. The financial envelope for the implementation of the Programme for the period 2021-2027 shall be EUR [30 000 000 000] in [current prices].
2. The Programme shall be implemented according to the following indicative distribution:
  - (a) EUR [24 940 000 000, representing 83,1% of the amount in paragraph 1] for actions in the field of education and training, from which:
    - (1) at least EUR [8 640 000 000, representing 34,6% of the total amount in this paragraph] should be allocated to higher education actions referred to in point (a) of Article 4 and point (a) of Article 5;
    - (2) at least EUR [5 230 000 000, representing 21% of the total amount in this paragraph] to actions in vocational education and training referred to in point (b) of Article 4 and point (a) of Article 5;
    - (3) at least EUR [3 790 000 000, representing 15,2% of the total amount this paragraph] to school education actions referred to in point (c) of Article 4 and point (a) of Article 5;
    - (4) at least EUR [1 190 000 000, representing 4,8% of the total amount in this paragraph] to adult education actions referred to in point (d) of Article 4 and point (a) of Article 5;
    - (5) EUR [450 000 000, representing 1,8% of the total amount in this paragraph] for Jean Monnet actions referred to in Article 7;

- (6) an indicative amount of EUR [4 000 000 000, representing 16 % of the total amount in this paragraph] to actions that are primarily directly managed and for horizontal activities in point (e) of Article 4, points (b) to (d) of Article 5 and points (a) to (f) of Article 6.
- (7) an indicative amount of EUR [1 640 000 000, representing 6,6% of the total amount in this paragraph] for a margin of flexibility that can be used to support any actions in Chapter II.
- (b) EUR [3 100 000 000 representing 10,3% of the amount in paragraph 1] for actions in the field of youth referred to in Articles 8 to 10;
- (c) EUR [550 000 000 representing 1,8% of the amount in paragraph 1] for actions in the field of sport referred to in Articles 11 to 13; and
- (d) at least EUR [960 000 000 representing 3,2% of the amount in paragraph 1] as a contribution to the operational costs of the national agencies.
- (e) an indicative amount of EUR [450 000 000, representing 1,5% of the amount in paragraph 1] for programme support.
3. In addition to the financial envelope as indicated in paragraph 1, and in order to promote the international dimension of the Programme, an additional financial contribution shall be made available from Regulation .../... [Neighbourhood Development and International Cooperation Instrument]<sup>29</sup> and from Regulation .../... [IPA III]<sup>30</sup>, to support actions implemented and managed in accordance with this Regulation. This contribution shall be financed in accordance with the Regulations establishing those instruments.

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<sup>29</sup> [Reference].

<sup>30</sup> [Reference].

- 3a. The funds that are to be managed by national agencies shall be allocated on the basis of population and cost of living in the Member State, distance between capitals of Member States and performance. These criteria and their underlying formulae shall be further specified by the Commission in the work programme, as referred to in Article 19 of this Regulation. Those formulae shall, as far as possible, and, from the first year of the implementation of the programme, avoid substantial reductions in the annual budget allocated to Member States from one year to the next and shall minimise excessive imbalances in the level of funds allocated. Allocation of funds based on performance shall apply in order to promote an efficient and effective use of resources. The criteria used to measure performance shall be based on the most recent data available.
4. 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.
5. 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.
- [6. 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.]

## *Article 15*

### *Forms of EU funding and methods of implementation*

1. The Programme shall be implemented, in a consistent manner, in direct management in accordance with the Financial Regulation or in indirect management with bodies referred to in Article 62(1)(c) of the Financial Regulation.
2. The Programme may provide funding in any of the forms laid down in the Financial Regulation, in particular grants, prizes and procurement.
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 X [*successor of the Regulation on the Guarantee Fund*] shall apply.

## *CHAPTER VI*

### *PARTICIPATION IN THE PROGRAMME*

## *Article 16*

### *Third countries associated to the Programme*

1. The Programme shall be open to the participation of the following third countries:
  - (a) members of the European Free Trade Association, which are members of the European Economic Area (EEA), in accordance with the conditions laid down in the European Economic Area agreement;

- (b) acceding countries, candidate countries and potential candidates, 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;
- (c) 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;
- (d) [other 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 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.]

2. The countries referred to in paragraph 1 shall fully take part in the Programme only insofar as they fulfil all the obligations which this Regulation imposes on Member States.



## *Article 17*

### *Third countries not associated to the Programme*

As regards the actions referred to in Articles 4 to 6, points (a) and (b) of Article 7, and Articles 8 to 13, the Programme may be open to the participation of the following third countries:

- (a) third countries referred to in Article 16 which do not fulfil the condition set out in paragraph 2 of that Article;
- (b) any other third country.

## *Article 18*

### *Rules applicable to direct and indirect management*

1. The Programme shall be open to public and private legal entities active in the fields of education, training, youth and sport.
2. When implementing the Programme, inter alia in the selection of participants and the award of grants, the Commission and the Member States shall ensure that efforts are made to promote social inclusion and improve outreach to people with fewer opportunities.
3. For selections under both direct and indirect management, the evaluation committee referred to in Article [145(3), third indent] of the Financial Regulation may be composed of external experts.
4. Public entities, as well as institutions and organisations in the fields of education, training, youth and sport that have received over fifty percent of their annual revenue from public sources over the last two years shall be considered as having the necessary financial, professional and administrative capacity to carry out activities under the Programme. They shall not be required to present further documentation to demonstrate that capacity.

5. To improve access to people with fewer opportunities and ensure the smooth implementation of the Programme, the Commission may adjust or may authorise the national agencies referred to in Article 24 to adjust, on the basis of objective criteria, the grants to support mobility actions of the Programme.
6. The Commission may launch joint calls with third countries not associated to the Programme or their organisations and agencies to finance projects on the basis of matching funds. Projects may be evaluated and selected through joint evaluation and selection procedures to be agreed upon by the funding organisations or agencies involved, in compliance with the principles set out in the Financial Regulation.

## *CHAPTER VII*

### *PROGRAMMING, MONITORING AND EVALUATION*

#### *Article 19*

##### *Work programme*

The Programme shall be implemented by work programmes referred to in Article [108] of the Financial Regulation. In addition, the work programme shall give an indication of the amount allocated to each action and of the distribution of funds between the Member States and third countries associated to the Programme for the actions to be managed through the national agency. The work programme 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 31.

## *Article 20*

### *Monitoring and reporting*

1. Indicators to report on the progress of the Programme towards the achievement of the general and specific objectives laid down in Article 3 are set out in the Annex.
2. To ensure effective assessment of the Programme towards the achievement of its objectives, the Commission shall be empowered to adopt delegated acts in accordance with Article 30 to amend where necessary the Annex to review or complement the indicators in line with the objectives of the Programme and to supplement this Regulation with provisions on the establishment of a monitoring and evaluation framework.
  - 2a. The delegated acts referred to in paragraph 2 shall not lead to significant additional burden for Member States in the implementation of the Programme.
3. The performance reporting system shall ensure that data for monitoring Programme implementation and evaluation are collected efficiently, effectively, in a timely manner and at the appropriate level of detail by beneficiaries of Union funds within the meaning of Article [2(5)] of the Financial Regulation. To that end, proportionate reporting requirements shall be imposed on beneficiaries of Union funds and Member States.

## *Article 21*

### *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 programme implementation [by 31 December 2024]. It shall also be accompanied by a final evaluation of the predecessor programme.
3. Without prejudice to the requirements set out in Chapter IX and the obligations of national agencies as referred to in Article 24, Member States shall submit to the Commission, by 31 May 2024, a report on the implementation and the impact of the Programme in their respective territories.
4. At the end of the implementation period, but no later than four years after the end of the period specified in Article 1, a final evaluation on the results and impact of the Programme shall be carried out by the Commission.
5. The Commission shall communicate the results 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.

## CHAPTER VIII

### INFORMATION, COMMUNICATION AND DISSEMINATION

#### Article 22

##### *Information, communication and dissemination*

1. National agencies referred to in Article 24 shall develop a consistent strategy with regard to the effective outreach as well as dissemination and exploitation of results of activities supported under the actions they manage within the Programme, shall assist the Commission in its general task of disseminating information concerning the Programme, including information in respect of actions and activities managed at national and Union level, and its results, and shall inform relevant target groups about the actions and activities undertaken in their country.
2. The recipients of Union funds 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.
3. The legal entities within the sectors covered by the Programme shall use the brand name 'Erasmus+' for the purpose of communication and dissemination of information relating to the Programme.
4. 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.

## CHAPTER IX

### MANAGEMENT AND AUDIT SYSTEM

#### Article 23

##### *National authority*

1. By [...], the Member States shall notify the Commission, by way of a formal notification transmitted by their Permanent Representation, of the person(s) legally authorised to act on their behalf as the national authority for the purposes of this Regulation. In the event of replacement of the national authority during the course of the Programme's lifetime, the Member State concerned shall notify the Commission thereof immediately, in accordance with the same procedure.
2. The Member States shall take all necessary and appropriate measures to remove any legal and administrative obstacles to the proper functioning of the Programme, including, where possible, measures aimed at resolving issues that give rise to difficulties in obtaining visas.
3. By [...], the national authority shall designate a national agency or national agencies. In cases where there is more than one national agency, Member States shall establish an appropriate mechanism to coordinate the management of the implementation of the Programme at national level, particularly with a view to ensuring coherent and cost-efficient implementation of the Programme and effective contact with the Commission in this respect, and to facilitating the possible transfer of funds between agencies, thereby allowing for flexibility and better use of funds allocated to Member States. Each Member State shall determine how it organises the relationship between its national authority and the national agency, including tasks such as the establishment of the national agency's work programme. The national authority shall provide the Commission with an appropriate ex-ante compliance assessment that the national agency complies with points (c)(v) and (vi) of Article [58(1)] and Article [60(1), (2) and (3)] of the Financial Regulation, and with the Union requirements for internal control standards for national agencies and rules for the management of programme funds for grant support.

4. The national authority shall designate an independent audit body as referred to in Article 26.
5. The national authority shall base its ex-ante compliance assessment on its own controls and audits, and/or on controls and audits undertaken by the independent audit body referred to in Article 26. Where the national agency designated for the Programme is the same as the national agency designated for the predecessor Programme, the scope of the ex-ante compliance assessment shall be limited to the requirements that are new and specific to the Programme.
6. In the event that the Commission rejects the designation of the national agency based on its evaluation of the ex-ante compliance assessment, or if the national agency does not comply with the minimum requirements set by the Commission, the national authority shall ensure that the necessary remedial steps are taken to ensure that the national agency complies with the minimum requirements, or shall designate another body as national agency.
7. The national authority shall monitor and supervise the management of the Programme at national level. It shall inform and consult the Commission in due time prior to taking any decision that may have a significant impact on the management of the Programme, in particular regarding its national agency.
8. The national authority shall provide adequate co-financing for the operations of its national agency to ensure that the Programme is managed in compliance with the applicable Union rules.
9. Based on the national agency's yearly management declaration, the independent audit opinion thereon and the Commission's analysis of the national agency's compliance and performance, the national authority shall, each year, provide the Commission, with information concerning its monitoring and supervision activities in relation to the Programme.

10. The national authority shall take responsibility for the proper management of the Union funds transferred by the Commission to the national agency in the framework of the Programme.
11. In the event of any irregularity, negligence or fraud attributable to the national agency, or any serious shortcomings or underperformance on the part of the national agency, where this gives rise to claims by the Commission against the national agency, the national authority shall be liable to reimburse to the Commission the funds not recovered.
12. In the circumstances referred to in paragraph 11, the national authority may, on its own initiative or upon request from the Commission, revoke the mandate of the national agency. Where the national authority wishes to revoke that mandate for any other justified reason, it shall notify the Commission of the revocation at least six months before the envisaged date of termination of the mandate of the national agency. In such cases, the national authority and the Commission shall formally agree on specific and timed transition measures.
13. In the event of revocation, the national authority shall carry out the necessary controls regarding the Union funds entrusted to the national agency whose mandate has been revoked, and shall ensure an unimpeded transfer to the new national agency of those funds and of all documents and management tools required for the management of the Programme. The national authority shall provide the national agency whose mandate has been revoked with the necessary financial support to continue to meet its contractual obligations vis-à-vis the beneficiaries of the Programme and the Commission pending the transfer of those obligations to a new national agency.
14. If so requested by the Commission, the national authority shall designate the institutions or organisations, or the types of such institutions and organisations, to be considered eligible to participate in specific Programme actions in their respective territories.



## *Article 24*

### *National agency*

1. The national agency shall:
  - (a) have legal personality or be part of an entity having legal personality, and be governed by the law of the Member State concerned; a ministry may not be designated as a national agency;
  - (b) have the adequate management capacity, staff and infrastructure to fulfil its tasks satisfactorily, ensuring efficient and effective management of the Programme and sound financial management of Union funds;
  - (c) have the operational and legal means to apply the administrative, contractual and financial management rules laid down at Union level;
  - (d) offer adequate financial guarantees, issued preferably by a public authority, corresponding to the level of Union funds it shall be called upon to manage;
  - (e) be designated for the duration of the Programme.
2. The national agency shall be responsible for managing all stages of the project lifecycle of the actions that shall be described in the work programme referred to in Article [19], in conformity with [points (c)(v) and (vi) of Article 58(1)] of the Financial Regulation.
3. The national agency shall issue grant support to beneficiaries within the meaning of Article [2(5)] of the Financial Regulation by way of a grant agreement as specified by the Commission for the Programme action concerned.
4. The national agency shall report each year to its national authority and the Commission in accordance with Article [60(5)] of the Financial Regulation. The national agency shall be in charge of implementing the observations issued by the Commission following its analysis of the yearly management declaration and of the independent audit opinion thereon.

5. The national agency may not without prior written authorisation from the national authority and the Commission delegate to a third party any task of Programme or budget implementation conferred on it. The national agency shall retain sole responsibility for any tasks delegated to a third party.
6. Where the mandate of a national agency is revoked, that national agency shall remain legally responsible for meeting its contractual obligations vis-à-vis the beneficiaries of the Programme and the Commission pending the transfer of those obligations to a new national agency.
7. The national agency shall be in charge of managing and winding up the financial agreements relating to the predecessor programme that are still open at the beginning of the Programme.

#### *Article 25*

##### *European Commission*

1. On the basis of the compliance requirements for national agencies referred to in Article 23(3), the Commission shall review the national management and control systems, in particular on the basis of the ex-ante compliance assessment provided to it by the national authority, the national agency's yearly management declaration and the opinion of the independent audit body thereon, taking due account of the yearly information provided by the national authority on its monitoring and supervision activities with regard to the Programme.
2. Within two months of receipt from the national authority of the ex-ante compliance assessment referred to in Article 23(3), the Commission shall accept, conditionally accept or reject the designation of the national agency. The Commission shall not enter into a contractual relationship with the national agency until it has accepted the ex-ante compliance assessment. In the event of conditional acceptance, the Commission may apply proportionate precautionary measures to its contractual relationship with the national agency.

3. The Commission shall each year make the following Programme funds available to the national agency:
  - (a) funds for grant support in the Member State concerned for the actions of the Programme the management of which is entrusted to the national agency;
  - (b) a financial contribution in support of the Programme management tasks of the national agency which shall be established on the basis of the amount of Union funds for grant support entrusted to the national agency;
  - (c) if relevant, additional funds for measures under point (d) of Article 6 and point (d) of Article 10.
4. The Commission shall set the requirements for the national agency work programme. The Commission shall not make Programme funds available to the national agency until the Commission has formally approved the national agency's work programme.
5. After assessing the yearly management declaration and the opinion of the independent audit body thereon, the Commission shall address its opinion and observations thereon to the national agency and the national authority.
6. In the event that the Commission cannot accept the yearly management declaration or the independent audit opinion thereon, or in the event of unsatisfactory implementation by the national agency of the Commission's observations, the Commission may implement any precautionary and corrective measures necessary to safeguard the Union's financial interests in accordance with Article [60(4)] of the Financial Regulation.
7. Regular meetings shall be organised with the network of national agencies in order to ensure coherent implementation of the Programme across all Member States and all third countries referred to in Article 17.

## *Article 26*

### *Independent audit body*

1. The independent audit body shall issue an audit opinion on the yearly management declaration as referred to in Article [60(5)] of the Financial Regulation. It shall form the basis of the overall assurance pursuant to Article [123] of the Financial Regulation.
2. The independent audit body shall:
  - (a) have the necessary professional competence to carry out public sector audits;
  - (b) ensure that its audits take account of internationally accepted audit standards;
  - (c) not be in a position of conflict of interest with regard to the legal entity of which the national agency forms part. In particular, it shall be independent, in terms of its functions, of the legal entity of which the national agency forms part.
3. The independent audit body shall give the Commission and its representatives, as well as the Court of Auditors, full access to all documents and reports in support of the audit opinion that it issues on the national agency's yearly management declaration.

## *CHAPTER X*

### *CONTROL SYSTEM*

## *Article 27*

### *Principles of the control system*

1. The Commission shall take appropriate measures ensuring that, when actions financed under this Regulation are implemented, the financial interests of the Union are protected by the application of measures to prevent fraud, corruption and any other illegal activities, by effective controls and, if irregularities are detected, by the recovery of the amounts wrongly paid and, where appropriate, by effective, proportionate and dissuasive penalties.

2. The Commission shall be responsible for the supervisory controls with regard to the Programme actions and activities managed by the national agencies. It shall set the minimum requirements for the controls by the national agency and the independent audit body.
3. The national agency shall be responsible for the primary controls of grant beneficiaries for the Programme actions referred to in Article 24(2). Those controls shall give reasonable assurance that the grants awarded are used as intended and in compliance with the applicable Union rules.
4. With regard to the Programme funds transferred to the national agencies, the Commission shall ensure proper coordination of its controls with the national authorities and the national agencies, on the basis of the single audit principle and following a risk-based analysis. This provision shall not apply to investigations carried out by the European Anti-Fraud Office (OLAF).

#### *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 the European Anti-Fraud Office, 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.]

## CHAPTER XI

### COMPLEMENTARITY

#### Article 29

##### *Complementarity with other Union policies, programmes and funds*

1. The Programme shall be implemented so as to ensure its overall consistency and complementarity with other relevant Union policies, programmes and funds, in particular those relating to education and training, culture and the media, youth and solidarity, employment and social inclusion, research and innovation, industry and enterprise, digital policy, agriculture and rural development, environment and climate, cohesion, regional policy, migration, security and international cooperation and development.
2. An action that has received a contribution from the Programme may also receive a contribution from any other Union programme, provided that the contributions do not cover the same costs.
3. Where the Programme and the European Structural and Investment (ESI) Funds referred to in Article 1 of Regulation (EU)XX [CPR] provide jointly financial support to a single action, that action shall be implemented in accordance with the rules set out in this Regulation, including rules on recovery of amounts unduly paid.

4. Actions eligible under the Programme which have been assessed in a call for proposals under the Programme and which comply with the minimum quality requirements of that call for proposals, but which are not financed due to budgetary constraints, may be selected for funding by the European Structural and Investment (ESI) funds. In this case the co-financing rates and the eligibility rules based on this Regulation shall apply. These actions shall be implemented by the managing authority referred to in Article [65] of Regulation (EU)XX [CPR] in accordance with the rules set out in that Regulation and fund specific regulations, including rules on financial corrections.

## *CHAPTER XII*

### *TRANSITIONAL AND FINAL PROVISIONS*

#### *Article 30*

##### *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 20 shall be conferred on the Commission for the duration of the programme.
3. The delegation of power referred to in Article 20 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 the 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 20 shall enter into force only if no objection has been expressed either by the European Parliament or 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 31*

#### *Committee procedure*

1. The Commission shall be assisted by a committee within the meaning of Regulation (EU) No 182/2011.
2. The committee may meet in specific configurations to deal with sectoral issues. Where appropriate, in accordance with its rules of procedure and on an ad hoc basis, external experts, including representatives of the social partners, may be invited to participate in its meetings as observers.
3. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.

### *Article 32*

#### *Repeal*

Regulation (EU) No 1288/2013 is repealed with effect from 1 January 2021.



## *Article 33*

### *Transitional provisions*

1. This Regulation shall not affect the continuation or modification of the actions initiated under Regulation (EU) No 1288/2013, 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 1288/2013.
3. By way of derogation from Article [130(2)] of the Financial Regulation, and in duly justified cases, the Commission may consider the costs directly linked to the implementation of the supported activities and incurred during the first six months of 2021 as eligible for financing from 1 January 2021, even if they were incurred by the beneficiary before the grant application was submitted.
4. If necessary, appropriations may be entered in the budget beyond 2027 to cover the expenses provided for in Article 14(5), to enable the management of actions and activities not completed by [31 December 2027].
5. Member States shall ensure at national level the unimpeded transition between the actions carried out in the context of the Erasmus+ programme (2014-2020) and those to be implemented under this Programme.

*Article 34*

*Entry into force*

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*

Indicators

- (1) High quality learning mobility for people from diverse backgrounds
- (2) Organisations and institutions with a reinforced European and international dimension

What to measure?

- (3) Number of people taking part in mobility activities under the Programme
  - (4) Number of people with fewer opportunities taking part in learning mobility activities under the Programme
  - (5) Share of participants that consider having benefitted from their participation in learning mobility activities under the Programme
  - (6) Number of institutions and organisations supported by the Programme under key action 1 (learning mobility) and key action 2 (cooperation)
  - (7) Number of newcomer organisations supported by the Programme under the key action 1 (learning mobility) and key action 2 (cooperation)
  - (8) Share of institutions and organisations supported by the Programme who have developed high quality practices as a result of their participation in the Programme
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