



Council of the
European Union

Brussels, 9 April 2021
(OR. en)

Interinstitutional File:
2018/0230(COD)

14153/20
ADD 1

JEUN 137
EDUC 452
EMPL 572
SOC 820
SPORT 52
COHAFA 78
PROCIV 102
COMPET 643
ECOFIN 1165
CADREFIN 463
CODEC 1373

DRAFT STATEMENT OF THE COUNCIL'S REASONS

Subject: Position of the Council at first reading in a view to the adoption of a
REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE
COUNCIL establishing the European Solidarity Corps Programme and
repealing Regulations (EU) 2018/1475 and (EU) No 375/2014
– Draft Statement of the Council's reasons

I. INTRODUCTION

1. On 11 June 2018, the Commission adopted a proposal for the Regulation of the European Parliament and of the Council establishing the European Solidarity Corps programme and repealing [European Solidarity Corps Regulation] and Regulation (EU) No 375/2014¹.
2. The European Parliament adopted its first reading position on 12 March 2019².
3. The European Economic and Social Committee adopted its opinion on 17 October 2018³. The European Committee of the Regions adopted its opinion at its 5-6 December 2018 session⁴.
4. At its meeting on 26 November 2018, the Council agreed on a Partial General Approach⁵ on the Commission proposal, providing the Presidency with the mandate to pursue negotiations with the European Parliament. In the course of the negotiation process, four trilogues and many meetings at technical level were held, and a provisional overall agreement was finally reached at the last trilogue on 11 December 2020.
5. On 18 December 2020 the Permanent Representatives Committee endorsed the final compromise text resulting from those trilogues⁶. The text was subsequently transmitted to the European Parliament.

¹ Doc. 9993/1/18 REV 1 + ADD 1-5.

² OJ C 23, 21.1.2021, p. 218–251

³ EESC-2018-04028-AC

⁴ Doc. 5321/19

⁵ Doc. 14787/18.

⁶ Doc. 13847/20

6. On 11 January 2021, the CULT Committee of the European Parliament gave its unanimous endorsement to the final compromise text⁷.

II. OBJECTIVE

7. The general objective of the European Solidarity Corps (ESC) Programme 2021-2027 is to enhance the engagement of young people and organisations in accessible and high-quality solidarity activities, primarily volunteering, as a means to strengthen cohesion, solidarity, democracy, European identity and active citizenship in the Union and abroad, and to address societal and humanitarian challenges on the ground, with a particular focus on the promotion of sustainable development, social inclusion and equal opportunities.
8. The Programme sets up two strands of actions for the participation of young people, namely one in solidarity activities and one in humanitarian aid activities (the European Voluntary Humanitarian Aid Corps). The actions supported by the Programme for both strands are volunteering, solidarity projects, networking activities and quality and support measures.
9. The Programme shall support the solidarity activities which present a clear European added value, for example through their transnational character; their ability to complement with other programmes and policies at all levels; their European dimension regarding the topics, aims, approaches, expected outcomes and other aspects; their approach to involving young people from different backgrounds; or their contribution to the effective use of Union transparency and recognition tools.

⁷<https://www.europarl.europa.eu/cmsdata/217229/CULT%20Voting%20session%2011%20January%202021%20Results.pdf>

III. ANALYSIS OF THE COUNCIL'S POSITION AT FIRST READING

10. The Council's position at first reading incorporates almost all changes to the Commission proposal agreed by the Council in its Partial General Approach of 26 November 2018, and in particular the following:
- the requisite for participants to be legally residing in a participating country;
 - the definition of the ESC Portal;
 - the possibility of using a maximum of 20% of the budget for in-country volunteering activities;
 - the mid-term review to be submitted by the Commission by 31 December 2024;
 - the addition of a clause on precautionary and corrective measures to safeguard the Union's interests, in accordance with the Financial Regulation; and
 - a number of amendments to the recitals
11. The Council's position at first reading also contains the following key elements, on which an agreement between co-legislators has been found in the trilogues:

Main issues

12. The European Parliament had raised concerns regarding the governance of the programme and Parliament's restricted role in decision-making, in case new initiatives would be introduced during the programming period. The co-legislators agreed to add a new recital that makes it clear that actions or initiatives that are not supported under this Regulation cannot be included in the work programme.
13. The financial envelope agreed between the co-legislators is the figure decided by the European Council in the context of the Multiannual Financial Framework (MFF) 2021-2027, namely 1009 million €. This figure roughly implies a 20% budget cut as compared to the original Commission proposal of 1260 million €.
14. As regards the scope and budget breakdown of the Programme, it was agreed to delete the traineeships and jobs strand from the Programme, and to add the corresponding budget (8%) to the solidarity strand, which will then receive 94% of the budget. The remaining 6% of the budget will be allocated to the humanitarian aid strand.
15. Although the ESC is fundamentally an inclusion programme, a new article on *Inclusion of young people with fewer opportunities*, as well a number of other provisions enhancing the inclusiveness of the Programme, have been added to emphasise this aspect.

16. Insurance, coverage and clearance requirements were also an important issue during the negotiations between the co-legislators. As a result of negotiations, and partly in light of the lessons learnt from the COVID-19 pandemic and its impact on ESC volunteers, a number of provisions enhancing the insurance and coverage of participants, as well as the security checks to protect vulnerable people such as children, have been introduced in different parts of the text.
17. Regarding the age limit for humanitarian aid (HA) volunteers, the text maintains the general rule of age limits of 18-30 years for all volunteers, but adds a specific derogation for HA volunteers (upper age limit up to 35 years old). The provisions related to experienced coaches, mentors and experts have been enhanced..
18. While the European Parliament had proposed extensive amendments and additional text proposals for the HA strand of the Programme, the co-legislators agreed to accept some of them, bearing in mind that notwithstanding its specific features, the HA aid strand only represents 6% of the Programme. The final compromise on the HA provisions in the Programme is balanced in this regard, and on top of the extended age limit, the co-legislators agreed to include the main HA principles, and enhanced safeguard measures applicable to volunteering in support of HA operations .

Other issues

19. While the Commission had initially proposed a limited set of indicators, the Council and the European Parliament agreed to complete the Annex with more detailed indicators.
20. The co-legislators agreed to enhance the provisions related to participating organisations, in particular as regards the ESC Quality Label.
21. The co-legislators also agreed to enhance the provisions related to the interim evaluation of the Programme and the Seal of Excellence certification.
22. Several provisions have been changed following Council's horizontal approach to all MFF-related files. These concern in particular adding the duration of the programme in Article 1, to be in line with the time frame of the MFF 2021-2027, the provisions regarding third country participation, the provisions for cumulative and alternative financing and the provisions for retroactivity (the ESC Programme 2021-2027 shall apply as from 1 January 2021).

IV. CONCLUSION

23. The Council's position at first reading fully reflects the overall compromise agreement reached in the negotiations between the Council and the European Parliament, facilitated by the Commission.
24. This compromise agreement is confirmed by the letter sent by the Chair of the European Parliament's CULT Committee on 15 January 2021 to the Chair of the Permanent Representatives Committee. In this letter, the Chair of the CULT Committee indicates that, should the Council transmit formally to the Parliament its position as agreed, she would recommend to the Plenary that the Council's position be accepted without amendment, subject to legal-linguistic verification, at Parliament's second reading.
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