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#### **LEGISLATIVE ACTS AND OTHER INSTRUMENTS**

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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 Erasmus+: the Union Programme for education and  
training, youth and sport and repealing Regulation (EU) No 1288/2013  
- Adopted by the Council on 13 April 2021

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**REGULATION (EU) .../...**  
**OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL**

of ...

**establishing Erasmus+: the Union Programme for education and training,  
youth and sport and repealing Regulation (EU) No 1288/2013**

**(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>1</sup>,

Having regard to the opinion of the Committee of the Regions<sup>2</sup>,

Acting in accordance with the ordinary legislative procedure<sup>3</sup>,

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<sup>1</sup> OJ C 62, 15.2.2019, p. 194.

<sup>2</sup> OJ C 168, 16.5.2019, p. 49.

<sup>3</sup> Position of the European Parliament of 28 March 2019 (not yet published in the Official Journal) and position of the Council at first reading of 13 April 2021 (not yet published in the Official Journal). Position of the European Parliament of ... (not yet published in the Official Journal).

Whereas:

- (1) Investing in learning mobility for all, regardless of background and means, and in cooperation and innovative policy development in the fields of education and training, youth and sport is key to building inclusive, cohesive and resilient societies and sustaining the competitiveness of the Union, and is all the more important in the context of rapid and profound change driven by technological revolution and globalisation. Furthermore, such an investment also contributes to strengthening European identity and values and to a more democratic Union.
- (2) In its communication of 14 November 2017 entitled ‘Strengthening European Identity through Education and Culture’, the Commission put forward its vision to work towards the establishment, by 2025, of a European Education Area in which learning would not be hampered by borders. That communication set out a vision for a Union in which spending time in another Member State for the purposes of studying and learning in any form or setting would become the standard, where, in addition to one’s mother tongue, speaking two other languages would become the norm and where people would have a strong sense of their identity as Europeans, of Europe’s cultural heritage and its diversity. In that context, the Commission emphasised the need to boost the tried-and-tested Erasmus+ Programme in all categories of learners that it already covers with the aim of 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 communication of the Commission of 14 February 2018 entitled ‘A new, modern Multiannual Financial Framework for a European Union that delivers efficiently on its priorities post-2020’. That communication stressed the need to deliver on the commitments made by the Member States at the Social Summit for Fair Jobs and Growth held in Gothenburg on 17 November 2017, including through the full implementation of the European Pillar of Social Rights solemnly proclaimed and signed on 17 November 2017 by the European Parliament, the Council and the Commission<sup>1</sup> and Principle 1 thereof, which relates to education, training and lifelong learning. That communication stressed the need to step up mobility and exchanges, including through a substantially strengthened, inclusive and extended Erasmus+ Programme, as had been called for by the European Council in its conclusions of 14 December 2017.

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<sup>1</sup> OJ C 428, 13.12.2017, p. 10.

- (4) Principle 1 of the European Pillar of Social Rights provides 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. The European Pillar of Social Rights also makes clear the importance of good quality early childhood education and care and of ensuring equal opportunities for all.
- (5) In the Bratislava Declaration, signed on 16 September 2016, leaders of 27 Member States stressed their determination to provide better opportunities for youth. In the Rome Declaration signed on 25 March 2017, leaders of 27 Member States and of the European Council, European Parliament and Commission pledged to work towards a Union in which young people receive the best education and training and can study and find jobs across the continent and which preserves our cultural heritage and promotes cultural diversity.

- (6) The report of the Commission of 31 January 2018 on the mid-term evaluation of the Erasmus+ programme (2014-2020) established by Regulation (EU) No 1288/2013 of the European Parliament and of the Council<sup>1</sup> (the ‘2014-2020 Programme’) confirmed that the creation of a single programme for education and training, youth and sport had resulted in significant simplification, rationalisation and synergies in the management of that Programme but concluded that further improvements were necessary to further consolidate the efficiency gains of the 2014-2020 Programme. In the consultations for that mid-term evaluation and on the future programme, Member States and stakeholders made a strong call for continuity in the Erasmus+ Programme’s scope, architecture and delivery mechanisms, while calling for a number of improvements, such as making the Erasmus+ Programme more inclusive, simpler and more manageable for beneficiaries. Member States and stakeholders also expressed their full support for keeping the Erasmus+ Programme integrated and underpinned by the lifelong learning paradigm. In its resolution of 2 February 2017 on the implementation of Erasmus+<sup>2</sup>, the European Parliament welcomed the integrated structure of the 2014-2020 Programme and called on the Commission to exploit fully the lifelong learning dimension of that Programme by fostering and encouraging cross-sectoral cooperation in the Erasmus+ Programme. Member States and stakeholders also highlighted the need to strengthen further the international dimension of the Erasmus+ Programme.

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<sup>1</sup> Regulation (EU) No 1288/2013 of the European Parliament and of 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).

<sup>2</sup> OJ C 252, 18.7.2018, p. 31.

- (7) The 2018 open public consultation on Union funding in the areas of values and mobility confirmed the key findings of the report on the mid-term evaluation of the 2014-2020 Programme and emphasised the need to make the future programme more inclusive, to continue to focus priorities on modernising education and training systems and to strengthen priorities on fostering European identity, active citizenship and participation in democratic life.
- (8) In its communication of 2 May 2018 entitled ‘A Modern Budget for a Union that Protects, Empowers and Defends - the Multiannual Financial Framework for 2021-2027’, the Commission called for greater investment in people and a stronger ‘youth’ focus in the next financial framework. In that communication, the Commission recognised that the Erasmus+ Programme has been one of the Union’s most visible success stories. In its communication of 27 May 2020 entitled ‘The EU budget powering the recovery plan for Europe’, the Commission recognised the role of the Erasmus+ Programme in making the Union more resilient and addressing socio-economic challenges. It also confirmed its commitment to a significantly strengthened Erasmus+ Programme. This would allow more people to move to another country to learn or work and would allow the Programme to focus on inclusiveness and on reaching more people with fewer opportunities.

- (9) In this context, it is necessary to establish Erasmus+, the Union Programme for education and training, youth and sport (the ‘Programme’), as the successor to the 2014-2020 Programme. The integrated nature of the 2014-2020 Programme covering learning in all contexts, whether formal, non-formal or informal, and at all stages of life should be reinforced to boost flexible learning paths, thereby allowing people to acquire and improve the knowledge, skills and competences that are necessary to develop as individuals and to face the challenges and make the most of the opportunities of the 21st century.
- (10) The Programme should be established for a period of seven years to align its duration with that of the multiannual financial framework for the years 2021 to 2027 laid down in Council Regulation (EU, Euratom) 2020/2093<sup>1</sup> (the ‘2021-2027 MFF’).
- (11) The Programme should be equipped to become an even greater contributor to the implementation of the Union’s policy objectives and priorities in the fields of education and 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 lives. Such an approach should be encouraged through effective cross-sectoral cooperation. In taking such an approach forward, the Programme should maintain a close relationship with the overall strategic framework for Union policy cooperation in the fields of education and 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.

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<sup>1</sup> Council Regulation (EU, Euratom) 2020/2093 of 17 December 2020 laying down the multiannual financial framework for the years 2021 to 2027 (OJ L 433 I, 22.12.2020, p. 11).

(12) The Programme is a key component of building a European Education Area. Following on from its communication of 14 November 2017 entitled ‘Strengthening European Identity through Education and Culture’, the Commission recalled, in its communication of 30 September 2020 on achieving the European Education Area by 2025, that the Erasmus+ Programme remains instrumental in achieving the objectives of quality and inclusive education, training and lifelong learning, and in preparing the Union to face the digital and green transitions. The Programme should be equipped to contribute to the successor of the strategic framework for European cooperation in education and training and the updated European Skills Agenda for sustainable competitiveness, social fairness and resilience established in the communication of the Commission of 1 July 2020 with a shared commitment to the strategic importance of skills, key competences and knowledge for sustaining jobs and supporting growth, competitiveness, innovation and social cohesion, in line with the Council Recommendation of 22 May 2018<sup>1</sup>. The Programme should contribute to delivering on the Digital Education Action Plan established in the communication of the Commission of 30 September 2020 entitled ‘Digital Education Action Plan 2021-2027 – Resetting education and training for the digital age’. The Programme should respond to the necessary digital transformation of education and training, youth and sport. The Programme should also support Member States in reaching the goals of the Paris Declaration of 17 March 2015 on promoting citizenship and the common values of freedom, tolerance and non-discrimination through education.

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

- (13) In line with the European Union Youth Strategy 2019-2027<sup>1</sup>, the framework for European cooperation in the youth field for 2019-2027, based on the communication of the Commission of 22 May 2018 entitled ‘Engaging, connecting and empowering young people: a new EU Youth Strategy’, the Programme should support high-quality youth work, tools and systems for the training of youth workers, the validation of non-formal and informal learning and quality approaches to empower youth organisations. The Programme should support an inclusive and broad EU Youth Dialogue, the priorities of which are driven by young people’s needs.
- (14) The Programme should take into account the relevant European Union Work Plan for Sport, which is the cooperation framework at Union level in the field of sport. Consistency and complementarity should be ensured between the relevant European Union 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 sport, taking into account the important role that sports play in promoting physical activity and a healthy lifestyle, interpersonal relations, social inclusion and equality. The Programme should support the learning mobility of sport staff, primarily in grassroots sport. Staff in non-grassroots sport, including those engaged in dual sport and non-sport careers, can also enhance the learning impact and knowledge transfer for grassroots sport staff and organisations. The Programme should therefore be able to support learning mobility opportunities for staff in non-grassroots sport where the participation of such staff can benefit grassroots sport. The Programme should contribute to promoting common European values through sport, good governance and integrity in sport, sustainable development, and education, training and skills in and through sport. Not-for-profit sport events supported by the Programme should achieve a European dimension and impact.

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<sup>1</sup> OJ C 456, 18.12.2018, p. 1.

- (15) The Programme should be able to support any field of study, and in particular should contribute to strengthening the Union’s innovation capacity by supporting activities that help people develop the knowledge, skills, competences and attitudes they need in forward-looking study fields or disciplines such as science, technology, engineering, arts and mathematics (STEAM), climate change, environmental protection, sustainable development, clean energy, artificial intelligence, robotics, data analysis, design and architecture, and digital and media literacy. Innovation can be fostered through all learning mobility and cooperation actions, whether directly or indirectly managed.
- (16) Synergies with the Horizon Europe Programme established by Regulation (EU) 2021/... of the European Parliament and of the Council<sup>1+</sup> (‘Horizon Europe’) should ensure that combined resources from the Programme and Horizon Europe 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 as part of the development of 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 particular in higher education institutions.

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<sup>1</sup> Regulation (EU) 2021/... of the European Parliament and of the Council of ... establishing Horizon Europe – the Framework Programme for Research and Innovation, laying down its rules for participation and dissemination, and repealing Regulations (EU) No 1290/2013 and (EU) No 1291/2013 (OJ L ..., ..., p. ...).

<sup>+</sup> OJ: Please insert in the text the number of the Regulation contained in document ST 7064/2020 (2018/0224(COD)), and insert the number, date, title and OJ reference of that Regulation in the footnote.

- (17) New and emerging technologies offer significant opportunities for learning and exchange and have proved of particular importance during the COVID-19 pandemic. In addition to physical learning mobility, which remains the core action of the Programme, virtual formats, such as virtual learning, should be promoted in order to complement or support physical learning mobility, to offer meaningful learning opportunities to those who are unable to move physically to a country other than their country of residence or to foster exchanges through innovative learning formats. Where relevant, virtual cooperation should be promoted under the Programme. The Commission should ensure that, where possible and appropriate, virtual learning tools developed under the Programme are made available to the wider public.
- (18) In fulfilling its objectives, the Programme should be more inclusive by improving participation among people with fewer opportunities. A range of measures could help to increase the participation in the Programme of people with fewer opportunities, including better and more targeted outreach, communication, advice and assistance, simplified procedures, more flexible learning mobility formats, and increased engagement with small organisations, in particular newcomer organisations and community-based grassroots organisations that work directly with disadvantaged learners of all ages. It is important to recognise that low levels of participation among people with fewer opportunities stem from different causes and depend on different contexts. Therefore, within a Union-wide framework of such measures aimed at increasing participation among people with fewer opportunities, inclusion action plans should be developed and tailored to the target groups and specific circumstances in each Member State.

- (19) In some cases, people with fewer opportunities are less likely to participate in the Programme for financial reasons, whether because of their economic situation or because of the higher participation costs that their specific situation generates, as is often the case for people with disabilities. In such cases, their participation could be facilitated with targeted financial support. The Commission should therefore ensure that such financial support measures are put in place, including through possible grant adjustments at national level. Additional costs associated with measures to facilitate inclusion should not constitute a ground for the rejection of an application.
- (20) In order to make the Programme more accessible for newcomer organisations and for organisations with smaller administrative capacity and to make the Programme more manageable for beneficiaries, a range of measures should be taken to simplify Programme procedures at implementation level. In that regard, the Programme information technology systems should be user-friendly and provide simple access to the opportunities offered by the Programme. Similarly, the procedures put in place to implement the Programme should be consistent and simple, and be accompanied by high-quality support measures and information. To that end, regular meetings of the network of national agencies should be organised.

- (21) In its communication of 14 November 2017 entitled ‘Strengthening European identity through education and culture’, the Commission highlighted the pivotal role that education, culture and sport play in promoting active citizenship and common values amongst the youngest generations. Strengthening European identity and fostering the active participation of individuals and civil society in the democratic processes is crucial for the future of Europe and democratic societies. Going abroad to study, learn, train and work or to participate in youth and sport activities contributes to strengthening that European identity in all its diversity. It reinforces the sense of being part of a cultural community and fosters intercultural learning, critical thinking and active citizenship among people of all ages. Those taking part in learning mobility activities should get involved in their local communities and engage with their host country local communities in order to share their experiences. The Programme should support activities linked to reinforcing all aspects of creativity in education, training and youth and enhancing individual key competences.
- (22) The Programme should only support actions and activities which present a potential European added value. The notion of European added value is to be understood broadly and can be demonstrated in different ways, such as where actions or activities have a transnational character, particularly with regard to learning mobility and cooperation aimed at achieving a sustainable systemic impact, complement or foster synergies with other programmes and policies at national, Union and international level, or contribute to the effective use of Union transparency and recognition tools.

- (23) The international dimension of the Programme should be boosted and aim to offer more opportunities for learning 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 and training and youth, international learning mobility activities should be extended to other sectors, such as vocational education and training and sport. To increase the impact of those activities, it is important to enhance synergies between the Programme and the Union instruments for external action, such as the Neighbourhood, Development and International Cooperation Instrument, established by a Regulation of the European Parliament and of the Council establishing the Neighbourhood, Development and International Cooperation Instrument - Global Europe - and amending and repealing Decision No 466/2014/EU of the European Parliament and of the Council and repealing Regulation (EU) 2017/1601 of the European Parliament and of the Council and Council Regulation (EC, Euratom) No 480/2009, and the Instrument for Pre-accession Assistance (IPA III), established by a Regulation of the European Parliament and of the Council establishing the Instrument for Pre-accession Assistance (IPA III). The Union instruments for external action should aim to increase opportunities in particular for individuals and organisations from third countries not associated to the Programme, supporting in particular capacity-building in those countries, skills development and people-to-people exchanges, while offering more opportunities for cooperation, learning mobility and policy dialogue.

- (24) The basic architecture of the 2014-2020 Programme, which was divided into three chapters, namely education and training, youth and sport, and was structured around three key actions, has proved successful and should be maintained. Improvements in order 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 implementation modes. Overall, at least 75 % of the Programme budget should be implemented under indirect management by the national agencies. This includes actions such as learning mobility in all fields of education and training, youth and sport and cooperation partnerships, including small-scale partnerships in the fields of education and training and youth. Where appropriate, specific arrangements regarding direct management should be put in place for actions involving Union-wide networks and European organisations under key actions 2 and 3, excluding small-scale partnerships.
- (25) The Programme should implement a set of actions in order to support learning mobility, cooperation among organisations and institutions, policy development and cooperation, and Jean Monnet actions. This Regulation should set out those actions and the descriptions thereof, including the activities that could be implemented under those actions in the course of the programming period.

- (26) The Programme should reinforce existing learning mobility opportunities, in particular in those sectors where the Programme could have the biggest efficiency gains, in order to broaden the reach of such opportunities and meet the high unmet demand. In particular, this should be done by increasing and facilitating learning mobility for higher education students, school pupils, adult education learners and vocational education and training learners, such as apprentices and trainees, including for purposes of upskilling and reskilling. Recent graduates and people who have recently obtained a vocational education and training qualification should be able to participate in learning mobility. The participation of recent graduates in learning mobility should be based on objective criteria and equal treatment should be ensured. Learning mobility opportunities for young people participating in non-formal learning activities should also be extended to reach more young people. Learning mobility of staff in the fields of education and training, youth and sport should also be reinforced, considering its leverage effect. Learning mobility opportunities should be able to take various forms, including traineeships, apprenticeships, youth exchanges, school exchanges, teaching or participation in a professional development activity, and should be based on the specific needs of the different sectors. The Programme should support quality in learning mobility, including quality based on the principles set out in the Recommendation of the European Parliament and of the Council of 18 December 2006<sup>1</sup> and the Council Recommendations of 28 June 2011<sup>2</sup>, 20 December 2012<sup>3</sup>, 15 March 2018<sup>4</sup>, 26 November 2018<sup>5</sup> and 24 November 2020<sup>6</sup>.

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<sup>1</sup> Recommendation of the European Parliament and of the Council of 18 December 2006 on transnational mobility within the Community for education and training purposes: European Quality Charter for Mobility (OJ L 394, 30.12.2006, p. 5).

<sup>2</sup> Council Recommendation of 28 June 2011 — ‘Youth on the move’ — promoting the learning mobility of young people (OJ C 199, 7.7.2011, p. 1).

<sup>3</sup> Council Recommendation of 20 December 2012 on the validation of non-formal and informal learning (OJ C 398, 22.12.2012, p. 1).

<sup>4</sup> Council Recommendation of 15 March 2018 on a European Framework for Quality and Effective Apprenticeships (OJ C 153, 2.5.2018, p. 1).

<sup>5</sup> Council Recommendation of 26 November 2018 on promoting automatic mutual recognition of higher education and upper secondary education and training qualifications and the outcomes of learning periods abroad (OJ C 444, 10.12.2018, p. 1).

<sup>6</sup> Council Recommendation of 24 November 2020 on vocational education and training (VET) for sustainable competitiveness, social fairness and resilience (OJ C 417, 2.12.2020, p. 1).

- (27) In line with the vision of a true European Education Area, the Programme should also boost learning mobility and exchanges and promote the participation of higher education students in educational and cultural and sports activities by supporting the digitalisation of processes through, for example, the European Student Card initiative. In this context, the Commission should develop the European Student Card initiative, in particular for higher education students participating in the Programme. The European Student Card initiative could be an important step in making learning mobility for all a reality, enabling higher education institutions to send and receive more higher education students for the purpose of exchanges while still enhancing quality in the learning mobility of higher education students, and also facilitating their access to various services, such as libraries, transport and accommodation, before their physical arrival at the institution abroad.
- (28) The Programme should encourage the participation of young people in Europe's democratic life, including by supporting activities that contribute to citizenship education and participation projects for young people to engage and learn to participate in civic society, thereby raising awareness of European common values, including fundamental rights, as well as European history and culture, bringing together young people and decision-makers at local, national and Union levels and contributing to the process of European integration.

- (29) Building on the evaluation and further development of the DiscoverEU initiative, which was launched as a preparatory action in 2018, the Programme should offer young people more opportunities to discover all destinations in Europe through learning experiences abroad. Young people, 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 as part of an informal and non-formal educational activity that aims to foster their sense of belonging to the Union and enable them to discover its cultural and linguistic diversity. Participants should be selected based on clear and transparent criteria. Implementing bodies should promote measures to ensure that the DiscoverEU initiative is inclusive and geographically balanced with regard to both the travel passes allocated and the Member States visited, and to support activities with a strong learning dimension. In this regard, through targeted measures, such as outreach activities, pre-departure information sessions and events for young people, the Programme should promote the choice also of less visited Member States and peripheral regions. Other means of transport should be considered where rail transport is not available or is highly impractical, taking into account, in particular, the specific situation of the destination. The DiscoverEU initiative should seek to build links with relevant local, regional, national and European initiatives, such as the Union action entitled ‘European Capitals of Culture’, the European Youth Capitals, the European Volunteering Capitals and the European Green Capitals.

- (30) The learning of languages contributes to mutual understanding and mobility within and outside the Union, and language competences are essential life and job skills. Therefore, the Programme should enhance the learning of languages, including, where relevant, national sign languages, including through the broader use of online tools because e-learning can offer additional advantages for language learning in terms of access and flexibility. At the same time, in order to ensure broad and inclusive access to the Programme, it is important that multilingualism be a key principle in the implementation of the Programme.
- (31) The Programme should support measures that enhance cooperation between institutions and organisations that are active in the fields of education and training, youth and sport, thereby recognising the fundamental role of the institutions and organisations in equipping individuals with the knowledge, skills and competences needed in a changing world and helping the institutions and organisations to adequately fulfil their potential for innovation, creativity and entrepreneurship, in particular within the digital economy.
- (32) In its conclusions of 14 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 the field of education and training to a new level, including by encouraging the emergence by 2024 of 'European Universities', consisting of 'bottom-up' networks of universities across the Union. In its conclusions of 28 June 2018, the European Council called for cooperation between research, innovation and education to be encouraged, including through the European Universities initiative. The Programme should support those European Universities in developing joint long-term strategies for high-quality education, research and innovation and for service to society.

- (33) The Bruges Communiqué of 7 December 2010 on enhanced European Cooperation in Vocational Education and Training for the period 2011-2020 called for support of vocational excellence for smart and sustainable growth. In its communication of 18 July 2017 entitled ‘Strengthening Innovation in Europe’s Regions: Strategies for resilient, inclusive and sustainable growth’, the Commission called on Member States to link 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 those calls and support the development of transnational platforms of centres of vocational excellence embedded in local and regional strategies for sustainable growth, innovation and competitiveness. Those centres of excellence should act as drivers of quality vocational skills in a context of sectoral challenges, while supporting overall structural changes and socio-economic policies in the Union.
- (34) User-friendly online platforms and tools for virtual cooperation can play an important role in supporting the delivery of education and training and youth policy in the Union. To increase the use of virtual cooperation activities, the Programme should support more systematic and coherent use of online platforms such as eTwinning, the School Education Gateway, the Electronic Platform for Adult Learning in Europe, the European Youth Portal and online platforms for higher education and, where necessary, any further online platform that might be set up in the fields of education and training and youth.

- (35) In line with relevant Union frameworks and tools, the Programme should contribute to facilitating transparency and the recognition of competences, skills and qualifications, and the transfer of credits or units of learning outcomes in order to foster quality assurance and to support the validation of non-formal and informal learning, skills management and guidance. In that regard, the Programme should also provide support to contact points and networks at national and Union level that facilitate cross-European exchanges and the development of flexible learning pathways between different fields of education and training and youth and across formal and non-formal settings. The Programme should also provide support to the Bologna Process.
- (36) The Programme should mobilise the potential of former participants in the Erasmus+ Programme and support related activities, in particular of Erasmus+ alumni networks, ambassadors and EuroPeers, by encouraging them to promote the Programme with a view to increasing participation.

(37) As a way to ensure cooperation with other Union instruments and support to other Union policies, learning mobility opportunities should be offered to people in various sectors of activity, such as the public and private sector, agriculture and enterprise, enabling them to have a learning experience abroad that allows them, at any stage of their life, to grow and develop both personally, in particular by developing an awareness of their European identity and an understanding of European cultural diversity, and professionally, including by acquiring skills relevant to the labour market. 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 those activities. The scaling-up of Programme projects should be facilitated. Specific measures should be put in place to help promoters of Programme projects to apply for grants or develop synergies with support from the Cohesion Policy Funds and from the programmes relating to migration, security, justice and citizenship, health, media and culture, and volunteering. It should be possible to award quality project proposals that cannot be financed under the Programme due to budgetary constraints with a Seal of Excellence label, based on a limited set of criteria. The Seal of Excellence label recognises the quality of the proposal and simplifies the search for alternative financing under the European Regional Development Fund established by a Regulation of the European Parliament and of the Council on the European Regional Development Fund and on the Cohesion Fund (the ‘European Regional Development Fund’) or the European Social Fund Plus established by a Regulation of the European Parliament and of the Council on the European Social Fund Plus (ESF+) (the ‘European Social Fund Plus’).

- (38) It is important to stimulate teaching, learning and research in European integration matters, including the Union's future challenges and opportunities, and to promote debate on those matters with support from Jean Monnet actions in the field of higher education and in other fields of education and training, in particular by means of teacher and staff training. Fostering a European sense of belonging and commitment is particularly important given the challenges to the common values on which the Union is founded and which form part of a common European identity, and considering the fact that citizens show low levels of engagement. The Programme should continue to contribute to the development of excellence in European integration studies. It is appropriate that the progress of the institutions financed under the Jean Monnet actions towards delivering on the Programme objectives be monitored and evaluated regularly. Exchanges between those institutions and other institutions at national or transnational level should be encouraged, in full respect of their academic freedom.

(39) Reflecting the importance of tackling climate change in line with the Union's commitments to implement the Paris Agreement adopted under the United Nations Framework Convention on Climate Change<sup>1</sup> and to achieve the United Nations' Sustainable Development Goals, the Programme is intended to contribute to mainstreaming climate actions and to the achievement of an overall target of 30 % of Union budget expenditure supporting climate objectives. In line with the European Green Deal as a blueprint for sustainable growth, the actions under this Regulation should respect the 'do no harm' principle without changing the fundamental character of the Programme. During the implementation of the Programme, relevant actions should be identified and put in place and reassessed in the context of the relevant evaluations and review process. It is also appropriate to measure relevant actions that contribute to climate objectives, including those intended to reduce the environmental impact of the Programme.

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<sup>1</sup> OJ L 282, 19.10.2016, p. 4.

- (40) This Regulation lays down a financial envelope for the Programme which is to constitute the prime reference amount, within the meaning of point 18 of the Interinstitutional Agreement of 16 December 2020 between the European Parliament, the Council of the European Union and the European Commission on budgetary discipline, on cooperation in budgetary matters and on sound financial management, as well as on new own resources, including a roadmap towards the introduction of new own resources<sup>1</sup>, for the European Parliament and the Council during the annual budgetary procedure. That financial envelope comprises an amount of EUR 0,5 billion in constant 2018 prices in line with the joint declaration by the European Parliament, Council and Commission of 16 December 2020 on the reinforcement of specific programmes and adaptation of basic acts<sup>2</sup>.
- (41) Within a basic envelope for actions to be managed by the national agencies in the field of education and training, a breakdown of the minimum allocation per sector should be set out for the following sectors in order to guarantee that a critical mass of appropriations reaches the intended output and results in each of those sectors: higher education, vocational education and training, school education and adult education.

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<sup>1</sup> OJ L 433 I, 22.12.2020, p. 28.

<sup>2</sup> OJ C 444 I, 22.12.2020, p. 1.

- (42) Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council<sup>1</sup> (the ‘Financial Regulation’) applies to the Programme. The Financial Regulation lays down rules on the implementation of the Union budget, including the rules on grants, prizes, procurement, indirect management, financial instruments, budgetary guarantees, financial assistance and the reimbursement of external experts.
- (43) 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. When making that choice, the use of lump sums, unit costs and flat rates, as well as financing not linked to costs as referred to in Article 125(1) of the Financial Regulation, should be considered. The budgetary allocations to implement the actions managed by the national agencies should be accompanied by 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 set out in the Financial Regulation should be respected in the implementation of the Programme.

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<sup>1</sup> Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council of 18 July 2018 on the financial rules applicable to the general budget of the Union, amending Regulations (EU) No 1296/2013, (EU) No 1301/2013, (EU) No 1303/2013, (EU) No 1304/2013, (EU) No 1309/2013, (EU) No 1316/2013, (EU) No 223/2014, (EU) No 283/2014, and Decision No 541/2014/EU and repealing Regulation (EU, Euratom) No 966/2012 (OJ L 193, 30.7.2018, p. 1).

(44) Third countries which are members of the European Economic Area may participate in Union programmes in the framework of the cooperation established under the Agreement on the European Economic Area<sup>1</sup>, which provides for the implementation of the programmes on the basis of a decision adopted under that Agreement. Third countries may also participate on the basis of other legal instruments. A specific provision should be introduced in this Regulation requiring third countries to grant the necessary rights and access required for the authorising officer responsible, the European Anti-Fraud Office (OLAF) and the Court of Auditors to comprehensively exercise 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 in the Programme. Full participation entails, moreover, the obligation to set up a national agency and the management of some of the Programme actions under indirect management. Legal 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 programmes and the calls for proposals published by the Commission. When implementing the Programme, specific arrangements could be taken into account with regard to the participation of legal entities from European microstates.

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<sup>1</sup> OJ L 1, 3.1.1994, p. 3.

- (45) In view of Article 349 of the Treaty on the Functioning of the European Union (TFEU) and in line with the communication of the Commission of 24 October 2017 entitled ‘A stronger and renewed strategic partnership with the EU’s outermost regions’, the Programme should take into account the specific situation of the outermost regions referred to in that Article. Measures should be taken to increase the participation of the outermost regions in all actions, including by means of financial support, where relevant, for learning mobility. Mobility exchanges and cooperation between people and organisations from those regions and third countries, in particular their neighbours, should be fostered. Such measures should be monitored and evaluated regularly.
- (46) Pursuant to Council Decision 2013/755/EU<sup>1</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 those countries or territories should be taken into account when implementing the Programme. The participation of those countries and territories in the Programme should be monitored and regularly evaluated.

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<sup>1</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).

- (47) In accordance with the Financial Regulation, the Commission should adopt work programmes and inform the European Parliament and the Council thereof. Work programmes 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 and all other elements required. Work programmes and any amendments thereto should be adopted by means of implementing acts in accordance with the examination procedure.
- (48) In order to assess progress in, and make possible improvements to, the implementation of the Programme, the Commission should conduct an interim evaluation of the Programme. That interim evaluation should be accompanied by a final evaluation of the 2014-2020 Programme and relevant lessons from that evaluation should also feed into the interim evaluation. In addition to assessing the overall effectiveness and performance of the Programme, it is of particular importance that the interim evaluation thoroughly assess the implementation of new initiatives and of the inclusion and simplification measures put in place. Where appropriate, and on the basis of the interim evaluation, the Commission should put forward a legislative proposal to amend this Regulation. The Commission should transmit any evaluations to the European Parliament, to the Council, to the European Economic and Social Committee and to the Committee of the Regions.

- (49) Pursuant to paragraphs 22 and 23 of the Interinstitutional Agreement of 13 April 2016 on Better Law-Making<sup>1</sup>, the Programme should be evaluated on the basis of information collected in accordance with specific monitoring requirements, while avoiding an administrative burden, in particular on Member States, and overregulation. Therefore, provisions adopted through related delegated acts should not lead to a significant additional burden for Member States. Monitoring 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.
- (50) Appropriate outreach, publicity and dissemination of the opportunities and results of the actions supported by the Programme should be ensured at local, national and European level and should take into account the main target groups in the fields of education and training, youth and sport and, where relevant, a wide variety of other target groups, such as career guidance and employment services, cultural organisations, enterprises and foundations. Outreach, publicity and dissemination activities should rely on all the implementing bodies of the Programme and should, where relevant, have the support of other relevant stakeholders. Furthermore, the Commission should engage with a broad range of stakeholders, including organisations that participate in the Programme, on a regular basis across the life cycle of the Programme, in order to facilitate the sharing of good practices and project results and gather feedback on the Programme. The national agencies should be invited to participate in that process.

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<sup>1</sup> OJ L 123, 12.5.2016, p. 1.

- (51) 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, financial resources allocated to communication under this Regulation should also contribute to the corporate communication of the political priorities of the Union, insofar as those priorities are related to the objectives of the Programme.
- (52) In order to ensure that this Regulation is efficiently and effectively implemented, 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 those designated for the management of the 2014-2020 Programme. The scope of the ex-ante compliance assessment should be limited to the requirements that are new and specific to the Programme, unless otherwise justified, such as in case of serious shortcomings or underperformance on the part of the national agency concerned.

- (53) In order to ensure sound financial management and legal certainty in each Member State or third country associated to the Programme, each national authority should designate an independent audit body. Where feasible, and in order to maximise efficiency, the independent audit bodies should be the same as those designated under the 2014-2020 Programme.
- (54) Member States should endeavour to adopt all appropriate measures to remove legal and administrative obstacles that could prevent access to, or impede the proper functioning of, the Programme. That 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.
- (55) The performance reporting system should ensure that data for monitoring Programme implementation and for evaluation are collected efficiently, effectively, in a timely manner and at the appropriate level of detail. Such data should be communicated to the Commission in a way that complies with relevant data protection rules.

- (56) 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>1</sup>.
- (57) In order to simplify requirements for beneficiaries, simplified grants in the form of lump sums, unit costs and flat rates should be used to the maximum possible extent. Simplified grants to support learning mobility under the Programme, as defined by the Commission, should take into account the living and subsistence costs in the host country. The Commission and the national agencies of sending countries should have the possibility to adjust those grants on the basis of objective criteria, in particular to ensure access for 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; grants awarded to individuals by public or private legal entities should be treated in the same manner.

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<sup>1</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).

(58) In accordance with the Financial Regulation, Regulation (EU, Euratom) No 883/2013 of the European Parliament and of the Council<sup>1</sup> and Council Regulations (EC, Euratom) No 2988/95<sup>2</sup>, (Euratom, EC) No 2185/96<sup>3</sup> and (EU) 2017/1939<sup>4</sup>, the financial interests of the Union are to be protected by means of proportionate measures, including measures relating to the prevention, detection, correction and investigation of irregularities, including fraud, to the recovery of funds lost, wrongly paid or incorrectly used, and, where appropriate, to the imposition of administrative penalties. In particular, in accordance with Regulations (Euratom, EC) No 2185/96 and (EU, Euratom) No 883/2013, OLAF has the power to carry out administrative 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. The European Public Prosecutor's Office (EPPO) is empowered, in accordance with Regulation (EU) 2017/1939, to investigate and prosecute criminal offences affecting the financial interests of the Union as provided for in Directive (EU) 2017/1371 of the European Parliament and of the Council<sup>5</sup>. In accordance with the Financial Regulation, any person or entity receiving Union funds is to fully cooperate in the protection of the financial interests of the Union, grant the necessary rights and access to the Commission, OLAF, the Court of Auditors and, in respect of those Member States participating in enhanced cooperation pursuant to Regulation (EU) 2017/1939, the EPPO, and ensure that any third parties involved in the implementation of Union funds grant equivalent rights.

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<sup>1</sup> Regulation (EU, Euratom) No 883/2013 of the European Parliament and of the Council of 11 September 2013 concerning investigations conducted by the European Anti-Fraud Office (OLAF) and repealing Regulation (EC) No 1073/1999 of the European Parliament and of the Council and Council Regulation (Euratom) No 1074/1999 (OJ L 248, 18.9.2013, p. 1).

<sup>2</sup> Council Regulation (EC, Euratom) No 2988/95 of 18 December 1995 on the protection of the European Communities financial interests (OJ L 312, 23.12.1995, p. 1).

<sup>3</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>4</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>5</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 L 198, 28.7.2017, p. 29).

- (59) It is necessary to ensure the complementarity and consistency of the Programme actions, including those without a transnational or international character, with activities undertaken by the Member States and with other Union activities, 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 that have a focus on young farmers, environment and climate, cohesion, regional policy, migration, security and international cooperation and development.
- (60) While the regulatory framework under the 2014-2020 Programme allowed Member States and regions to establish synergies in the 2014-2020 programming period between that Programme 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, that potential has so far been underexploited, thus limiting the systemic effects of projects and the impact on policy. Effective communication and cooperation should take place at national level between the national bodies in charge of managing those various instruments to maximise their respective impact. The Programme should allow for active cooperation with those instruments, in particular to ensure that, where relevant, adequate financial support measures are put in place to support people with fewer opportunities.

- (61) In order to optimise the added value from investments funded wholly or in part through the budget of the Union, synergies should be sought in particular between the Programme and other Union programmes, including Funds implemented under shared management. To maximise those synergies, key enabling mechanisms should be ensured, including cumulative financing in an action from the Programme and another Union programme, as long as such cumulative financing does not exceed the total eligible costs of the action. For that purpose, this Regulation should set out appropriate rules, in particular on the possibility to declare the same cost or expenditure on a pro-rata basis to the Programme and another Union programme.

- (62) In order to adapt, where necessary, to developments in the relevant fields, and in order to ensure the effective assessment of the Programme's progress towards the achievement of its objectives, the power to adopt acts in accordance with Article 290 TFEU should be delegated to the Commission to amend Annex I to this Regulation by adding to the description of the Programme actions and to amend Annex II to this Regulation with regard to the Programme's performance indicators, and to supplement this Regulation with provisions on the establishment of a monitoring and evaluation framework. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council 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.
- (63) It is appropriate to ensure that the 2014-2020 Programme is closed correctly, in particular as regards the continuation of multiannual 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, where necessary, the management of actions that have not been finalised under the 2014-2020 Programme by 31 December 2020.

- (64) This Regulation respects the fundamental rights and observes the principles recognised in particular by the Charter of Fundamental Rights of the European Union (the ‘Charter’). In particular, this Regulation seeks to ensure full respect for the right to equality between women and men 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. In line with Article 13 of the Charter, it should also be ensured that academic freedom is respected by the countries receiving funds under the Programme.
- (65) Horizontal financial rules adopted by the European Parliament and by the Council on the basis of Article 322 TFEU apply to this Regulation. Those 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. Where the Union contribution takes the form of lump sums, unit costs or flat rates, the levels of financial support should be regularly reviewed and, where necessary, adjusted in accordance with the Financial Regulation, taking into account, where appropriate, the living and subsistence costs in the host country and travel costs. Rules adopted on the basis of Article 322 TFEU also include a general regime of conditionality for the protection of the Union budget.

(66) In accordance with Article 193(2) of the Financial Regulation, it is possible to award a grant for an action which has already begun, provided that the applicant can demonstrate the need for starting the action prior to signature of the grant agreement. However, the costs incurred prior to the date of submission of the grant application are not eligible for Union financing except in duly justified exceptional cases. In accordance with Article 193(4) of that Regulation, the costs incurred prior to the date of submission of the grant application are also not eligible for Union financing in the case of operating grants and, in such a case, the grant agreement is to be signed within four months of the start of the beneficiary's financial year. In order to avoid any disruption in Union support which could be prejudicial to the Union's interests, it should be possible to provide in the financing decision, for a limited period of time at the beginning of the 2021-2027 MFF, and only in duly justified cases, for eligibility of activities and costs from 1 January 2021, even if those activities were implemented and those costs incurred before the grant application was submitted.

- (67) Since the objectives of this Regulation cannot be sufficiently achieved by the Member States but can rather, by reason of the transnational character of the Programme, the high volume and wide geographical scope of the learning mobility and cooperation activities funded, its effects on access to learning mobility and more generally on Union integration, and the reinforced international dimension of the Programme, 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 those objectives.
- (68) Regulation (EU) No 1288/2013 should therefore be repealed with effect from 1 January 2021.
- (69) In order to ensure continuity in providing support in the relevant policy area and to allow implementation to start from the beginning of the 2021-2027 MFF, this Regulation should enter into force as a matter of urgency and should apply, with retroactive effect, 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 fields of education and training, youth and sport (the ‘Programme’) for the period of the 2021-2027 MFF.

It lays down the objectives of the Programme, the budget for the period from 2021 to 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, whether formal, non-formal or informal, taking place at all stages in life and resulting in an improvement or update in knowledge, skills, competences and attitudes or participation in society from a personal, civic, cultural, social 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, youth work and other learning settings outside formal education and training and it typically promotes cross-sectoral cooperation and flexible learning pathways;

- (2) 'learning mobility' means moving physically to a country other than the country of residence, in order to undertake study, training or non-formal or informal learning;
- (3) 'virtual learning' means the acquisition of knowledge, skills and competences through the use of information and communication technology tools that allow participants to have a meaningful transnational or international learning experience;
- (4) 'non-formal learning' means learning which takes place outside formal education and training through planned activities in terms of learning objectives and learning time and where some form of learning support is present;
- (5) '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;
- (6) 'young people' means individuals aged between 13 and 30;
- (7) 'grassroots sport' means physical leisure activities practised regularly at non-professional level by people of all ages for health, educational or social purposes;
- (8) 'higher education student' means a person enrolled at a higher education institution, including at short-cycle, bachelor's, master's or doctoral level or equivalent, or a person who has recently graduated from such an institution;

- (9) ‘staff’ means a person who, on either a professional or a voluntary basis, is involved in education, training or non-formal learning at all levels, and includes professors, teachers including pre-school teachers, trainers, school leaders, youth workers, sport staff, early childhood education and care staff, non-educational staff and other practitioners involved on a regular basis in promoting learning;
- (10) ‘sport staff’ means a person involved in the instruction, training and management of a sports team or individual sports people, either on a paid basis or on a voluntary basis;
- (11) ‘vocational education and training learner’ means a person enrolled in an initial or continuous vocational education and training programme at any level from secondary to post-secondary level or a person who has recently graduated or obtained a qualification from such a programme;
- (12) ‘school pupil’ means a 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 or a person schooled outside an institutional setting considered by the competent authorities as eligible to participate in the Programme in their respective territories;
- (13) ‘adult education’ means any form of non-vocational education for adults after initial education, whether of a formal, non-formal or informal nature;
- (14) ‘third country’ means a country that is not a Member State;
- (15) ‘partnership’ means an agreement between a group of institutions or organisations to carry out joint activities and projects;

- (16) ‘Erasmus Mundus Joint Master’s 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;
- (17) ‘international’ relates to any action involving at least one third country not associated to the Programme;
- (18) ‘virtual cooperation’ means any form of cooperation using information and communication technology tools to facilitate and support any relevant Programme actions;
- (19) ‘higher education institution’ means an institution which, in accordance with national law or practice, offers recognised degrees or other recognised tertiary level qualifications, regardless of what such an establishment is called, or a comparable institution at tertiary level which is considered by the national authorities as eligible to participate in the Programme in their respective territories;
- (20) ‘transnational’ relates to any action involving at least two countries which are either Member States or third countries associated to the Programme;
- (21) ‘youth participation activity’ means an activity outside formal education and training carried out by informal groups of young people or youth organisations, and characterised by a non-formal or informal learning approach;

- (22) ‘youth worker’ means a person who, on either a professional or a voluntary basis, is involved in non-formal learning and 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;
- (23) ‘EU Youth Dialogue’ means the dialogue between young people and youth organisations and policy and decision-makers, as well as experts, researchers and other civil society actors, as appropriate; it serves as a forum for continuous joint reflection and consultation on the priorities of, and all fields of relevance to, young people;
- (24) ‘legal entity’ means a natural person or a 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 which does not have legal personality as referred to in point (c) of Article 197(2) of the Financial Regulation;
- (25) ‘people with fewer opportunities’ means people who, for economic, social, cultural, geographical or health reasons, due to their migrant background, or for reasons such as disability or educational difficulties or for any other reason, including a reason that could give rise to discrimination under Article 21 of the Charter of Fundamental Rights of the European Union, face obstacles that prevent them from having effective access to opportunities under the Programme;

- (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 charge of managing the implementation of the Programme at national level in a Member State or in a third country associated to the Programme;
- (28) ‘newcomer organisation’ means an organisation or institution that has not previously received support in a given type of action supported by the Programme or by the 2014-2020 Programme either as a coordinator or a partner.

### *Article 3*

#### *Programme objectives*

1. The general objective of the Programme is to support, through lifelong learning, the educational, professional and personal development of people in the fields of education and training, youth and sport, in Europe and beyond, thereby contributing to sustainable growth, quality jobs and social cohesion, to driving innovation and to strengthening European identity and active citizenship. The Programme shall be a key instrument for building a European Education Area, supporting the implementation of European strategic cooperation in the field of education and training, including its underlying sectoral agendas, advancing youth policy cooperation under the 2019-2027 European Union Youth Strategy and developing the European dimension in sport.

2. The Programme has the specific objectives to promote:
  - (a) the learning mobility of individuals and groups, and cooperation, quality, inclusion and equity, excellence, creativity and innovation at the level of organisations and policies in the field of education and training;
  - (b) non-formal and informal learning mobility and active participation among young people, and cooperation, quality, inclusion, creativity and innovation at the level of organisations and policies in the field of youth;
  - (c) the learning mobility of sport staff, and cooperation, quality, inclusion, creativity and innovation at the level of sport organisations and sport policies.
  
3. The Programme objectives 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 Programme objectives shall also be pursued through Jean Monnet actions as set out in Article 8.

The actions supported under the Programme are set out in Chapters II (education and training), III (youth) and IV (sport). The description of those actions is set out in Annex I. The Commission is empowered to adopt delegated acts in accordance with Article 33 to amend that Annex by adding to the description of the actions, where necessary, in order to adapt to developments in the relevant fields.

#### *Article 4*

##### *European added value*

1. The Programme shall support only those actions and activities which present a potential European added value and which contribute to the achievement of the Programme objectives laid down in Article 3.
2. The European added value of the actions and activities of the Programme shall be ensured, for example, through their:
  - (a) transnational character, particularly with regard to learning mobility and cooperation aimed at achieving a sustainable systemic impact;
  - (b) complementarity and synergies with other programmes and policies at national, Union and international level;
  - (c) contribution to the effective use of Union transparency and recognition tools.

## CHAPTER II

### EDUCATION AND TRAINING

#### *Article 5*

#### *Key action 1*

#### *Learning mobility*

1. In the field of education and training, the Programme shall support the following actions under key action 1:
  - (a) the learning mobility of higher education students and staff;
  - (b) the learning mobility of vocational education and training learners and staff;
  - (c) the learning mobility of school pupils and staff;
  - (d) the learning mobility of adult education learners and staff.
  
2. Learning mobility under this Article may be accompanied by virtual learning and measures such as language support, preparatory visits, training and virtual cooperation. Learning mobility may be replaced by virtual learning for those persons who are unable to participate in learning mobility.

*Article 6*

*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 exchange of practices, including small-scale partnerships to foster wider and more inclusive access to the Programme;
- (b) partnerships for excellence, in particular European Universities, platforms of centres of vocational excellence and Erasmus Mundus Joint Master's Degrees;
- (c) partnerships for innovation to strengthen Europe's innovation capacity;
- (d) user-friendly online platforms and tools for virtual cooperation, including support services for eTwinning and for the Electronic Platform for Adult Learning in Europe, and tools to facilitate learning mobility, including the European Student Card initiative.

*Article 7*

*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 the field of education and training, including with the support of the Eurydice network or activities of other relevant organisations, and the support to the Bologna Process;
- (b) Union tools and measures that foster the quality, transparency and recognition of competences, skills and qualifications<sup>1</sup>;
- (c) policy dialogue and cooperation with relevant stakeholders, including Union-wide networks, European organisations and international organisations in the field of education and training;
- (d) measures that contribute to the high-quality and inclusive implementation of the Programme;

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<sup>1</sup> In particular: the common framework for the provision of better services for skills and qualifications (Europass); the European Qualifications Framework (EQF); the European Quality Assurance Reference Framework for Vocational Education and Training (EQAVET); the European Credit System for Vocational Education and Training (ECVET); the European Credit Transfer and Accumulation System (ECTS); the European Quality Assurance Register for Higher Education (EQAR); the European Association for Quality Assurance in Higher Education (ENQA); the European Network of Information Centres in the European Region and National Academic Recognition Information Centres in the European Union, and the Euroguidance network.

- (e) cooperation with other Union instruments and support to other Union policies;
- (f) dissemination and awareness-raising activities about European policy outcomes and priorities and about the Programme.

*Article 8*

*Jean Monnet actions*

The Programme shall support teaching, learning, research and debates on European integration matters, including on the Union's future challenges and opportunities, through the following actions:

- (a) the Jean Monnet action in the field of higher education;
- (b) the Jean Monnet action in other fields of education and training;
- (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 9*

#### *Key action 1*

#### *Learning mobility*

1. In the field of youth, the Programme shall support the following actions under key action 1:
  - (a) the learning mobility of young people;
  - (b) youth participation activities;
  - (c) DiscoverEU activities;
  - (d) the learning mobility of youth workers.
2. The actions under paragraph 1 may be accompanied by virtual learning and measures such as language support, preparatory visits, training and virtual cooperation. Learning mobility may be replaced by virtual learning for those persons who are unable to participate in learning mobility.

*Article 10*

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

*Article 11*

*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, with the support, as relevant, 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 stakeholders, including Union-wide networks, European organisations and international organisations in the field of youth, the EU Youth Dialogue, and support to the European Youth Forum;
- (d) measures that contribute to the high-quality and inclusive implementation of the Programme, including support for the Eurodesk Network;
- (e) cooperation with other Union instruments and support to other Union policies;
- (f) dissemination and awareness-raising activities about European policy outcomes and priorities and about the Programme.

## **CHAPTER IV**

### **SPORT**

#### *Article 12*

#### *Key action 1*

#### *Learning mobility*

1. In the field of sport, the Programme shall support the learning mobility of sport staff under key action 1.
2. Learning mobility under this Article may be accompanied by virtual learning and measures such as language support, preparatory visits, training and virtual cooperation. Learning mobility may be replaced by virtual learning for those persons who are unable to participate in learning mobility.

*Article 13*

*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 exchange of practices, including small-scale partnerships to foster wider and more inclusive access to the Programme;
- (b) not-for-profit sport events aimed at further developing the European dimension of sport and promoting issues of relevance to grassroots sport.

*Article 14*

*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 stakeholders, including European organisations and international organisations in the field of sport;

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

## **CHAPTER V**

### **INCLUSION**

#### *Article 15*

#### *Inclusion strategy*

The Commission shall, by... [OJ: six months after the date of entry into force of this Regulation], develop a framework of inclusion measures to increase participation rates among people with fewer opportunities, as well as guidance for the implementation of such measures. That guidance shall be updated as necessary over the duration of the Programme. Based on the framework of inclusion measures, and with particular attention to the specific Programme access challenges within the national contexts, inclusion action plans shall be developed and shall form an integral part of the national agencies' work programmes. The Commission shall monitor the implementation of those inclusion action plans on a regular basis.

*Article 16*

*Financial support measures for inclusion*

1. The Commission shall, where relevant, ensure that financial support measures, including pre-financing, are put in place to facilitate the participation of people with fewer opportunities, in particular of those whose participation is impeded for financial reasons. The level of support shall be based on objective criteria.
2. In order to improve access for people with fewer opportunities and ensure the smooth implementation of the Programme, the Commission shall, where necessary, adjust or authorise the national agencies to adjust the grants to support learning mobility under the Programme.
3. The costs of measures to facilitate or support inclusion shall not justify the rejection of an application under the Programme.

## **CHAPTER VI**

### **FINANCIAL PROVISIONS**

*Article 17*

*Budget*

1. The financial envelope for the implementation of the Programme for the period from 2021 to 2027 shall be EUR 24 574 000 000 in current prices.

2. As a result of the Programme-specific adjustment provided for in Article 5 of Regulation (EU, Euratom) 2020/2093, the amount set out in paragraph 1 of this Article shall be increased by an additional allocation of EUR 1 700 000 000 in constant 2018 prices as specified in Annex II to that Regulation.
3. The indicative distribution of the amount set out in paragraph 1 shall be:
  - (a) EUR 20 396 420 000, representing 83 % of the amount set out in paragraph 1 of this Article, to actions in the field of education and training as referred to in Articles 5 to 8, allocated as follows:
    - (i) at least EUR 7 057 161 320, representing 34,6 % of the total amount set out in point (a) of this paragraph, to actions as referred to in point (a) of Article 5(1) and to actions as referred to in point (a) of Article 6 carried out in the field of higher education;
    - (ii) at least EUR 4 385 230 300, representing 21,5 % of the total amount set out in point (a) of this paragraph, to actions as referred to in point (b) of Article 5(1) and to actions as referred to in point (a) of Article 6 carried out in the field of vocational education and training;
    - (iii) at least EUR 3 100 255 840, representing 15,2 % of the total amount set out in point (a) of this paragraph, to actions as referred to in point (c) of Article 5(1) and to actions as referred to in point (a) of Article 6 carried out in the field of school education;

- (iv) at least EUR 1 182 992 360, representing 5,8 % of the total amount set out in point (a) of this paragraph, to actions as referred to in point (d) of Article 5(1) and to actions as referred to in point (a) of Article 6 carried out in the field of adult education;
  - (v) at least EUR 367 135 560, representing 1,8 % of the total amount set out in point (a) of this paragraph, to Jean Monnet actions as referred to in Article 8;
  - (vi) at least EUR 3 467 391 400, representing 17 % of the total amount set out in point (a) of this paragraph, to actions that are primarily directly managed and to horizontal activities as referred to in Article 5(2), points (b), (c) and (d) of Article 6 and in Article 7;
  - (vii) EUR 836 253 220, representing 4,1 % of the total amount set out in point (a) of this paragraph, for a margin of flexibility that can be used to support any of the actions referred to in Chapter II;
- (b) EUR 2 531 122 000, representing 10,3 % of the amount set out in paragraph 1 of this Article, to actions in the field of youth as referred to in Articles 9, 10 and 11;
  - (c) EUR 466 906 000, representing 1,9 % of the amount set out in paragraph 1 of this Article, to actions in the field of sport as referred to in Articles 12, 13 and 14; and
  - (d) at least EUR 810 942 000, representing 3,3 % of the amount set out in paragraph 1 of this Article, as a contribution to the operational costs of the national agencies;

- (e) EUR 368 610 000, representing 1,5 % of the amount set out in paragraph 1 of this Article, for Programme support.
4. The additional allocation in paragraph 2 shall be implemented in accordance with the indicative distribution set out in paragraph 3, on a pro-rata basis.
5. In addition to the amounts set out in paragraphs 1 and 2 of this Article, and in order to promote the international dimension of the Programme, an additional financial contribution shall be made available from a Regulation of the European Parliament and of the Council establishing the Neighbourhood, Development and International Cooperation Instrument - Global Europe - and amending and repealing Decision No 466/2014/EU of the European Parliament and of the Council and repealing Regulation (EU) 2017/1601 of the European Parliament and of the Council and Council Regulation (EC, Euratom) No 480/2009 and from a Regulation of the European Parliament and of the Council establishing the Instrument for Pre-accession Assistance (IPA III) to support actions implemented and managed in accordance with this Regulation. That contribution shall be financed in accordance with the Regulations establishing those instruments.

6. The funds that are to be managed by national agencies shall be allocated on the basis of the population and cost of living in the Member State concerned, the distance between capitals of Member States and performance. The Commission shall further specify those criteria and their underlying formulae in the work programmes referred to in Article 22. Those formulae shall, as far as possible, 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. Funds shall be allocated based on performance 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.
  
7. The amounts set out in paragraphs 1 and 2 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.

8. Resources allocated to Member States under shared management may, at the request of the Member State concerned, be transferred to the Programme subject to the conditions set out in Article 26 of a Regulation of the European Parliament and of the Council laying down common provisions on the European Regional Development Fund, the European Social Fund Plus, the Cohesion Fund, the Just Transition Fund and the European Maritime, Fisheries and Aquaculture Fund and financial rules for those and for the Asylum, Migration and Integration Fund, the Internal Security Fund and the instrument for financial support for border management and visa (the ‘Common Provisions Regulation for 2021-2027’). The Commission shall implement those resources directly in accordance with point (a) of the first subparagraph of Article 62(1) of the Financial Regulation or indirectly in accordance with point (c) of that subparagraph. Those resources shall be used for the benefit of the Member State concerned.

#### *Article 18*

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

1. The Programme shall be implemented, in a consistent manner, under direct management in accordance with point (a) of the first subparagraph of Article 62(1) of the Financial Regulation or under indirect management with bodies as referred to in point (c) of the first subparagraph of Article 62(1) of that 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. Article 37(7) of Regulation (EU) 2021/...<sup>+</sup> shall apply.

## **CHAPTER VII**

### **PARTICIPATION IN THE PROGRAMME**

#### *Article 19*

##### *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, in accordance with the conditions laid down in the Agreement on the European Economic Area;
  - (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 in similar agreements, and in accordance with the specific conditions laid down in agreements between the Union and those countries;

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<sup>+</sup> OJ: Please insert in the text the number of the Regulation contained in document ST 7064/2020 (2018/0224(COD)).

- (c) European Neighbourhood Policy countries, 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 in 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 in any Union programme, provided that the agreement:
  - (i) ensures a fair balance as regards the contributions and benefits of the third country participating in the Union programmes;
  - (ii) lays down the conditions of participation in the programmes, including the calculation of financial contributions to individual programmes, and their administrative costs;
  - (iii) does not confer on the third country any decision-making power in respect of the Union programme;
  - (iv) guarantees the rights of the Union to ensure sound financial management and to protect its financial interests.

The contributions referred to in point (d)(ii) of the first subparagraph shall constitute assigned revenues in accordance with Article 21(5) of the Financial Regulation.

2. Countries listed in paragraph 1 may only participate in the Programme in its entirety and provided that they fulfil all the obligations which this Regulation imposes on Member States.

*Article 20*

*Third countries not associated to the Programme*

In duly justified cases in the Union's interest, the Programme actions referred to in Articles 5 to 7, points (a) and (b) of Article 8 and Articles 9 to 14 may also be open to the participation of legal entities from third countries not associated to the Programme.

*Article 21*

*Rules applicable to direct and indirect management*

1. The Programme shall be open to the participation of public and private legal entities active in the fields of education and training, youth and sport.
2. For selections under both direct and indirect management, members of the evaluation committee may be external experts, as provided for in the third subparagraph of Article 150(3) of the Financial Regulation.
3. Public legal entities, and institutions and organisations in the fields of education and training, youth and sport that have received over 50 % 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.

4. The Commission may launch joint calls with third countries not associated to the Programme or with 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 VIII**

### **PROGRAMMING, MONITORING AND EVALUATION**

#### *Article 22*

#### *Work programme*

The Programme shall be implemented by means of work programmes as referred to in Article 110 of the Financial Regulation. Work programmes 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 by the national agency. The Commission shall adopt work programmes by means of implementing acts. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 34.

### *Article 23*

#### *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 Annex II.
2. To ensure the effective assessment of the Programme's progress towards the achievement of its objectives, the Commission is empowered to adopt delegated acts in accordance with Article 33 to amend, where necessary, Annex II with regard to the indicators in line with the objectives of the Programme as well as to supplement this Regulation with provisions on the establishment of a monitoring and evaluation framework.
3. The performance reporting system shall ensure that data for monitoring Programme implementation and for evaluation are collected efficiently, effectively, in a timely manner and at the appropriate level of detail.

To that end, proportionate reporting requirements shall be imposed on beneficiaries of Union funds and, where appropriate, on Member States.

### *Article 24*

#### *Evaluation*

1. Evaluations shall be carried out in a timely manner to feed into the decision-making process.

2. Once sufficient information about the implementation of the Programme is available, but no later than 31 December 2024, the Commission shall perform an interim evaluation of the Programme. That interim evaluation shall be accompanied by a final evaluation of the 2014-2020 Programme, which shall feed into the interim evaluation. The interim evaluation of the Programme shall assess the overall effectiveness and performance of the Programme, including as regards new initiatives and the delivery of inclusion and simplification measures.
3. Without prejudice to the requirements set out in Chapter X and the obligations of national agencies set out in Article 27, 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. Where appropriate, and on the basis of the interim evaluation, the Commission shall put forward a legislative proposal to amend this Regulation.
5. At the end of the implementation period, but no later than 31 December 2031, the Commission shall carry out a final evaluation of the results and impact of the Programme.
6. The Commission shall transmit any evaluations carried out under this Article, including the interim evaluation, accompanied by its observations, to the European Parliament, to the Council, to the European Economic and Social Committee and to the Committee of the Regions.

# CHAPTER IX

## INFORMATION, COMMUNICATION AND DISSEMINATION

### *Article 25*

#### *Information, communication and dissemination*

1. In cooperation with the Commission, the national agencies shall develop a consistent strategy with regard to effective outreach and to the dissemination and exploitation of the results of activities supported under the actions they manage within the Programme. The national agencies 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. National agencies shall inform relevant target groups about the actions and activities undertaken in their respective countries.
2. The recipients of Union funding shall acknowledge the origin of those funds 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 purposes of communicating and disseminating information relating to the Programme.

4. The Commission shall implement information and communication actions relating to the Programme, to actions taken pursuant to the Programme and to the results obtained. The Commission shall ensure that, where relevant, Programme results are made publicly available and are widely disseminated, in order to promote exchange of best practices among stakeholders and Programme beneficiaries.
5. Financial resources allocated to the Programme shall also contribute to the corporate communication of the political priorities of the Union, insofar as those priorities are related to the objectives laid down in Article 3.

## **CHAPTER X**

### **MANAGEMENT AND AUDIT SYSTEM**

#### *Article 26*

#### *National authority*

1. By... [OJ: one month after the date of entry into force of this Regulation], the Member States shall notify the Commission, by way of a formal notification transmitted by their Permanent Representation, of the person or persons legally authorised to act on their behalf as the national authority for the purposes of this Regulation. Where a national authority is replaced over the course of the Programme, 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 or residence permits.
3. By... [OJ: three months after the date of entry into force of this Regulation], the national authority shall designate a national agency for the duration of the Programme. A national authority shall not designate a ministry as a national agency. National authorities may designate more than one national agency. 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 that respect, and to facilitating the possible transfer of funds between national 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 point (c)(v) or (vi) of the first subparagraph of Article 62(1) and with Article 154(1) to (5) 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 29.
5. The national authority shall base its ex-ante compliance assessment on its own controls and audits or on controls and audits undertaken by the independent audit body referred to in Article 29. Where the national agency designated for the Programme is the same as the national agency designated for the 2014-2020 Programme, the scope of the ex-ante compliance assessment shall be limited to the requirements that are new and specific to the Programme, unless otherwise justified.
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 reimburse the Commission for 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 as referred to in paragraph 12, 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 that those funds and all documents and management tools required for the management of the Programme are transferred to the new national agency in an unimpeded manner. 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. Upon request from 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 27*

*National agency*

1. The national agency shall:
  - (a) have legal personality or be part of a legal entity which has legal personality, and be governed by the law of the Member State concerned;
  - (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 is called upon to manage.
2. The national agency shall be responsible for managing all stages of the project lifecycle of the actions it manages as set out in work programmes as referred to in Article 22 of this Regulation, in accordance with point (c) of the first subparagraph of Article 62(1) of the Financial Regulation.
  3. The national agency shall have the requisite expertise to cover all sectors of the Programme. Where a Member State or third country associated to the Programme has more than one national agency, those national agencies shall collectively have the requisite expertise to cover all sectors of the Programme.
  4. The national agency shall issue grant support to beneficiaries within the meaning of point (5) of Article 2 of the Financial Regulation by way of a grant agreement as specified by the Commission for the Programme action concerned.
  5. The national agency shall report each year to its national authority and the Commission in accordance with Article 155 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.

6. The national agency shall not, without prior written authorisation from the national authority and the Commission, delegate to a third party any task related to the Programme or budget implementation conferred on it. The national agency shall retain sole responsibility for any tasks delegated to a third party.
7. 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.
8. The national agency shall be in charge of managing and winding up the financial agreements relating to the 2014-2020 Programme that are still open at the beginning of the Programme.

*Article 28*

*European Commission*

1. On the basis of the compliance requirements for national agencies referred to in Article 26(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 26(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. Each year, the Commission shall make the following Programme funds available to the national agency:
  - (a) funds for grant support in the Member State concerned for the Programme actions the management of which is entrusted to the national agency;
  - (b) a financial contribution in support of the national agency's Programme management tasks 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 7, point (d) of Article 11 and point (c) of Article 14.
4. The Commission shall set the requirements for the national agency's 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 131 of the Financial Regulation.
7. The Commission, in cooperation with the national agencies, shall ensure that procedures put in place to implement the Programme are consistent and simple and that information is of high quality. In that regard, regular meetings shall be organised with the network of national agencies in order to ensure consistent implementation of the Programme across all Member States and all third countries associated to the Programme.
8. The Commission shall ensure that the information technology systems necessary to implement the Programme objectives laid down in Article 3, in particular under indirect management, are developed in an appropriate and timely manner and in such a way as to provide easy access and to be user-friendly. The Programme shall support the development, operation and maintenance of such information technology systems.

*Article 29*

*Independent audit body*

1. The independent audit body shall issue an audit opinion on the yearly management declaration as referred to in Article 155(1) of the Financial Regulation. It shall form the basis of the overall assurance pursuant to Article 127 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, the independent audit body 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 and 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.

*Article 30*

*Principles of the control system*

1. The Commission shall take appropriate measures to ensure that, when actions financed under this Regulation are implemented, the financial interests of the Union are protected by the application of preventive measures against 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 administrative and financial 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 actions it manages as set out in work programmes as referred to in Article 22. 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 paragraph shall not apply to investigations carried out by OLAF.

*Article 31*

*Protection of the financial interests of the Union*

Where a third country participates in the Programme by means of a decision adopted pursuant to an international agreement or on the basis of any other legal instrument, the third country shall grant the necessary rights and access required for the authorising officer responsible, OLAF and the Court of Auditors to comprehensively exercise their respective competences. In the case of OLAF, such rights shall include the right to carry out investigations, including on-the-spot checks and inspections, as provided for in Regulation (EU, Euratom) No 883/2013.

## **CHAPTER XI**

### **COMPLEMENTARITY**

*Article 32*

*Cumulative and alternative financing*

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 under the Programme may also receive a contribution from another Union programme, provided that the contributions do not cover the same costs. The rules of the relevant Union programme shall apply to the corresponding contribution to the action. The cumulative financing shall not exceed the total eligible costs of the action. The support from the different Union programmes may be calculated on a pro-rata basis in accordance with the documents setting out the conditions for support.
3. Project proposals may receive support from the European Regional Development Fund or the European Social Fund Plus, in accordance with Article 73(4) of the Common Provisions Regulation for 2021-2027, where they have been awarded a Seal of Excellence label under this Programme by virtue of complying with the following cumulative conditions:
  - (a) they have been assessed in a call for proposals under the Programme;
  - (b) they comply with the minimum quality requirements of that call for proposals; and
  - (c) they cannot be financed under that call for proposals due to budgetary constraints.

## CHAPTER XII

### TRANSITIONAL AND FINAL PROVISIONS

#### *Article 33*

#### *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 Articles 3 and 23 shall be conferred on the Commission for the duration of the Programme.
3. The delegation of power referred to in Articles 3 and 23 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 of 13 April 2016 on Better Law-Making.
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 Articles 3 and 23 shall enter into force only if no objection has been expressed either by the European Parliament or by the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.

#### *Article 34*

##### *Committee procedure*

1. The Commission shall be assisted by a committee. That committee shall be 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 35*

##### *Repeal*

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

*Article 36*

*Transitional provisions*

1. This Regulation shall not affect the continuation of or modification of actions initiated pursuant to Regulation (EU) No 1288/2013, which shall continue to apply to those actions until their closure.
2. The financial envelope for the Programme may also cover the technical and administrative assistance expenses necessary to ensure the transition between the Programme and the measures adopted pursuant to Regulation (EU) No 1288/2013.
3. In accordance with point (a) of the second subparagraph of Article 193(2) of the Financial Regulation, and by way of derogation from Article 193(4) of that Regulation, in duly justified cases specified in the financing decision, activities supported under this Regulation and the underlying costs incurred in 2021 may be considered eligible as of 1 January 2021, even if those activities were implemented and those costs incurred before the grant application was submitted. The grant agreements for the operating grants of the 2021 financial year may exceptionally be signed within six months of the start of the beneficiary's financial year.
4. If necessary, appropriations may be entered in the Union budget beyond 2027 to cover the expenses provided for in Article 17(7) in order 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 implemented under the 2014-2020 Programme and those to be implemented under the Programme.

*Article 37*

*Entry into force*

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

It shall apply from 1 January 2021.

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

Done at ...,

*For the European Parliament*  
*The President*

*For the Council*  
*The President*

## ANNEX I

### DESCRIPTION OF ACTIONS SET OUT IN CHAPTERS II, III AND IV

#### 1. KEY ACTION 1 – LEARNING MOBILITY

- 1.1. Learning mobility: short-term, long-term, group or individual mobility on diverse thematic areas and study subjects, including forward-looking fields such as the digital field, climate change, clean energy and artificial intelligence;
- 1.2. Youth participation activities: activities with the aim of helping young people to engage and learn to participate in civic society, to raise awareness of European common values and to foster dialogue between young people and decision-makers at local, regional, national and European level;
- 1.3. DiscoverEU: an informal and non-formal educational activity with a strong learning component and an inclusive dimension, consisting of learning experience and travel throughout Europe to foster a sense of belonging to the Union and to enable participants to discover Europe's cultural and linguistic diversity.

## 2. KEY ACTION 2 – COOPERATION AMONG ORGANISATIONS AND INSTITUTIONS

2.1. Partnerships for cooperation: diverse cooperation activities carried out jointly by organisations and institutions from different countries, in particular with the aim of exchanging and developing new ideas and practices, sharing and confronting practices and methods and developing and reinforcing network partners. This action includes small-scale partnerships specifically designed to foster wider and more inclusive access to the Programme through activities with lower grant amounts, shorter duration and simpler administrative requirements;

2.2. Partnerships for excellence: diverse partnership projects and networks of education and training institutions and providers which aim to foster excellence and a reinforced international dimension and to develop long-term strategies to improve quality at a systemic level in all fields of education and training, in particular through jointly developed innovative practices and pedagogies, high levels of embedded mobility and a strong focus on interdisciplinarity, namely:

2.2.1. alliances of higher education institutions (European Universities) that develop joint long-term strategies for high-quality education, research and innovation and for service to society, based on a common vision and shared values, high levels of mobility, and a strong focus on interdisciplinarity and open study programmes combining modules in different countries;

2.2.2. partnerships of vocational education and training providers (platforms of centres of vocational excellence) embedded in local and regional strategies for sustainable growth, innovation and competitiveness that jointly work on high-quality transnational vocational programmes focused on meeting current and emerging sectoral skills needs;

2.2.3. integrated study programmes (Erasmus Mundus Joint Master's Degrees) offered by higher education institutions established in Europe and other countries of the world that foster higher education excellence and world-wide internationalisation;

The action referred to in point 2.2. may also support partnership projects and alliances to promote excellence in the fields of school education and adult education.

2.3. Partnerships for innovation: partnerships in the fields of education and training and youth with the aim of developing innovative practices, namely:

2.3.1. alliances: strategic cooperation between key players in the field of education and training and in business and research that foster innovation and modernisation of education and training systems;

2.3.2. projects that foster innovation, creativity, e-participation, and social entrepreneurship in the fields of education and training and youth;

- 2.4. Not-for-profit sport events: events held either in one country or simultaneously in several countries to raise awareness of the role of sport in diverse areas such as social inclusion, equal opportunities and health-enhancing physical activities;
- 2.5. Online platforms and tools for virtual cooperation in the fields of education and training and youth.

### 3. KEY ACTION 3 – SUPPORT TO POLICY DEVELOPMENT AND COOPERATION

- 3.1. Preparation and implementation of the Union’s general and sectoral policy agendas, which consist of a diverse range of activities seeking to inspire and support policies and strategies in the fields of education and training, youth and sport, including European policy agendas and strategies in the various education sectors, youth and sports, including activities supporting policy cooperation at European level. This action also includes support for policy experimentation at European level, support for activities aimed at addressing emerging challenges in various thematic areas, and support for knowledge-gathering, including surveys and studies;
- 3.2. Support to Union tools and measures that foster the quality, transparency and recognition of competences, skills and qualifications, including activities with the aim of facilitating the transfer of credits, fostering quality assurance, promoting the validation of non-formal and informal learning, including skills management and guidance, and supporting relevant bodies, networks and tools that facilitate exchanges in the field of transparency and recognition;

- 3.3. Policy dialogue in the fields of education and training, youth and sport and cooperation with relevant stakeholders, including a diverse range of activities such as conferences and other types of events, support for cooperation with international organisations and support to the functioning of the EU Youth Dialogue, Union-wide networks and European organisations which pursue the general Union interest;
- 3.4. Measures that contribute to the high-quality and inclusive implementation of the Programme, including support for activities and bodies, such as resource centres, info-networks and training and cooperation activities that improve implementation of the Programme, build national agencies' capacity and enhance strategic implementation, and harness the potential of former participants of the Erasmus+ Programme and other multipliers as positive role models;
- 3.5. Cooperation with other Union instruments and support to other Union policies, including support for activities to foster synergies and complementarities with other Union and national instruments and to promote cooperation with the structures implementing such instruments;
- 3.6. Dissemination and awareness-raising activities that aim to inform citizens and organisations about the Programme and Union policies in the fields of education and training, youth and sport.

#### 4. JEAN MONNET ACTIONS

- 4.1. The Jean Monnet action in the field of higher education: support to higher education institutions within and beyond the Union through Jean Monnet modules, chairs and centres of excellence and through Jean Monnet projects and networking activities;
  - 4.2. The Jean Monnet action in other fields of education and training: activities aimed at promoting knowledge about Union matters in education and training institutions, such as schools and vocational education and training institutes;
  - 4.3. Support to designated institutions referred to in point (c) of Article 8.
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## **ANNEX II**

### INDICATORS

The measurements of quantitative indicators shall be disaggregated, where appropriate, according to country, gender and type of action and activity.

1. Areas to be monitored

- Participation in learning mobility;
- Organisations and institutions with a reinforced European and international dimension;

2. Elements to be measured

2.1. Key action 1 - Learning mobility:

2.1.1. The number of participants in learning mobility activities under key action 1;

2.1.2. The number of organisations and institutions taking part in the Programme under key action 1;

2.1.3. The number of participants in virtual learning activities under key action 1;

2.1.4. The share of participants that consider they have benefited from their participation in learning mobility activities under key action 1;

- 2.1.5. The share of participants that consider they have an increased European sense of belonging after participating in activities under key action 1;
- 2.2. Key action 2 - Cooperation among organisations and institutions:
  - 2.2.1. The number of organisations and institutions taking part in the Programme under key action 2;
  - 2.2.2. The share of organisations and institutions that consider they have developed high-quality practices as a result of their participation in key action 2;
  - 2.2.3. The number of users of virtual cooperation platforms supported under key action 2;
- 2.3. Key action 3 - Support to policy development and cooperation:
  - 2.3.1. The number of organisations and institutions taking part in grant actions under key action 3;
- 2.4. Inclusion:
  - 2.4.1. The number of people with fewer opportunities taking part in activities under key action 1;
  - 2.4.2. The number of newcomer organisations and institutions taking part in the Programme under key actions 1 and 2;

2.5. Simplification:

2.5.1. The number of small-scale partnerships supported under key action 2;

2.5.2. The share of organisations and institutions that consider that the procedures for taking part in the Programme are proportionate and simple;

2.6. Climate contribution:

2.6.1. The share of activities addressing climate objectives under key action 1;

2.6.2. The share of projects addressing climate objectives under key action 2.

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