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#### NOTE

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From: General Secretariat of the Council  
To: Permanent Representatives Committee

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Subject: Proposal for a Regulation of the European Parliament and of the Council  
establishing the Rights and Values programme for the period 2021-2027

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#### I. INTRODUCTION

1. On 30 May 2018 the Commission adopted the Proposal for a Regulation of the European Parliament and of the Council establishing the Rights and Values programme for the period 2021-2027<sup>1</sup>. It is one of the proposals related to the Multiannual Financial Framework (hereinafter: MFF), part of the Justice, Rights and Values Fund.

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<sup>1</sup> 9605/1/18 REV 1

2. The Rights and Values programme aims at protecting and promoting rights and values enshrined in the EU Treaties in order to sustain open, democratic and inclusive societies. In the Commission proposal, it had three specific objectives: (i) to promote equality and rights (gender equality, anti-discrimination, rights of children), (ii) to promote citizens engagement and participation in the democratic life of the Union (Citizens' engagement and participation strand) and (iii) to fight violence, notably against children and women (Daphne strand). A fourth objective was added, following negotiations with the EP with the objective of protecting and promoting Union values (Union values strand).
3. In the European Parliament, Civil Liberties, Justice and Home Affairs (LIBE) is the lead committee. Ms Bodil VALERO, Group of the Greens/European Free Alliance was the rapporteur for the legislature 2014-2019. During the current legislature, Ms Alice KUHNKE, Group of the Greens/European Free Alliance has been appointed rapporteur for the file. The EP position was adopted on 17 January 2019.
4. The European Economic and Social Committee adopted its opinion on 18 October 2018.

## II. WORK WITHIN THE COUNCIL

5. The Commission presented the proposal and its impact assessment to the Ad Hoc Working Party on JHA Financial instruments in September 2018.
6. The examination of the proposal started in October 2018 and was completed in December. On 19 December 2018, COREPER granted a partial mandate for negotiations<sup>2</sup>. Since the proposed Regulation is one of the package of proposals linked to the MFF, all provisions with budgetary implications or of a horizontal nature were set aside, pending further progress on the MFF.

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<sup>2</sup> 15347/18

7. On 20 February 2019, COREPER granted an extension of the partial mandate, which allowed to negotiate the provisions, recitals and activities linked with the new strand on Union values proposed by the EP, under the following conditions:
- this should be without prejudice to the negotiation and agreement on the overall financial envelope of the programme at a later stage;
  - It should be ensured that the compromise texts and actions to be negotiated with the European Parliament will be consistent with the existing legal basis of the proposal;
  - overlaps with other sectorial programmes should be avoided.

### **III. NEGOTIATIONS WITH THE EP**

8. Negotiations started immediately after the adoption by the EP of its position. Four trilogues were organised, on 22 January, 5 February, 20 February and 6 March 2019, which were preceded by several technical meetings and drafting sessions. Within the Council, three meetings of the Ad Hoc Working Party on JHAFinancial Instruments were organised to inform Member States on the progress of the negotiations and receive their feedback, which took place on 1, 15 and 28 February 2019.
9. These negotiations allowed to reach a common understanding with the EP on the non-bracketed parts of the proposal, for which the Presidency has been granted a mandate. The outcome of those negotiations is set out in document 7249/1/19. On 13 March 2019, Coreper confirmed the common understanding reached with the European Parliament.
10. The European Parliament confirmed the common understanding on 17 April 2019, through the adoption of a legislative resolution (first reading).

11. On 16 November 2020, Coreper examined the provisional political agreement reached by negotiators on the Multiannual Financial Framework 2021-2027. This allowed Coreper to adopt the full mandate for negotiations on the Rights and Values programme, on 2 December 2020.
12. Two further trilogues were held on 10 and 17 December 2020. A provisional political agreement with the European Parliament was reached on 17 December 2020.
13. Meanwhile, on 17 December 2020, the various elements of the MFF package were formally adopted by Council.
14. The compromise found with the European Parliament constitutes a balanced outcome, which secures the elements essential to the Council, while departing to a limited extent from the mandate given by Coreper on 2 December 2020.
15. In particular, in Article 6, the allocation of funds among the four strands of the programme devotes a very substantial sum of € 689.5 million (in current prices) to the new Union Values strand and sets out the basic conditions for it to receive funding already in 2021 - a joint declaration by the European Parliament and the Council calls upon the Commission to take all appropriate actions to reach that objective<sup>3</sup>. At the same time, a 'flexibility amount' of € 91.2 million (in current prices) is left unattributed, so as to be able to tackle any emerging needs and future challenges.
16. To respond to a very firm demand by the European Parliament, a limited earmarking was introduced within each strand - this highlights major policy priorities. However, the flexibility margin for the Commission to deviate annually from that earmarking was increased from five to ten percent and - more importantly - implementing acts were secured for the adoption of the annual work programme.

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<sup>3</sup> See Annex B to this note.

17. Retroactivity clauses were introduced (recitals 22a and 32; Articles 6(4) and 22), to ensure that the funding will be available as of 1st January 2021, even though the Regulation will enter into force at a later date.
18. Minor changes were introduced to further spell out the priorities of the Daphne strand (recitals 9 and 10); recital 28 and Article 1 were fine tuned to reflect horizontally agreed language, respectively on biodiversity and the "do no harm" principle, the duration of the programme.
19. The Presidency presented the text in the Annex at an informal VTC of the members of the Ad Hoc Working Party on JHA Financial Instruments, on 21 January 2020. Delegations expressed broad support for the text.

#### **IV. CONCLUSION**

20. In light of the above, at its meeting on 3 February 2020, Coreper is invited to analyse the final compromise text, as set out in the Annex to this note, and express its support for it, with a view to an agreement.

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## ANNEX A

Proposal for a

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

**establishing the Citizens, Equality, Rights and Values programme**

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 Article 16(2), Article 19(2), Article 21(2), Article 24, Article 167, and Article 168 thereof,

Having regard to the proposal from the European Commission,

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

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

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

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Acting in accordance with the ordinary legislative procedure,

Whereas:

- (1) In accordance with Article 2 of the Treaty on European Union, ‘the Union is founded on the values of respect for human dignity, freedom democracy, equality, the rule of law and the respect for human rights, including the rights of the persons belonging to minorities. These values are common to the Member States in a society where pluralism, non-discrimination, tolerance, justice, solidarity and equality between women and men prevail’. Article 3 further specifies that the ‘Union’s aim is to promote peace, its values and the well-being of its people’ and, among others, ‘it shall respect its rich cultural and linguistic diversity, and shall ensure that Europe’s cultural heritage is safeguarded and enhanced’. These values are further reaffirmed and articulated in the rights, freedoms and principles enshrined in the Charter of Fundamental Rights of the European Union (“the Charter”).
- (2) Those rights and values must continue to be actively cultivated, protected, promoted, enforced and shared among the citizens and peoples and be at the heart of the EU project, given that deterioration in the protection of those rights and values in any Member State can have detrimental effects on the Union as a whole. Therefore, a new Justice, Rights and Values Fund, comprising the Citizens, Equality, Rights and Values and the Justice programmes shall be created in the EU budget. At a time where European societies are confronted with extremism, radicalism and divisions and a shrinking space for independent civil society, it is more important than ever to promote, strengthen and defend justice, rights and EU values: human rights, respect for human dignity, freedom, democracy, equality, the rule of law. This will have profound and direct implications for political, social, cultural and economic life in the EU.

As part of the new Fund, the Justice Programme will continue to support the further development of Union area of justice based on the rule of law, independence and impartiality of the judiciary, on mutual recognition and mutual trust, access to justice and cross-border cooperation. The Citizens, Equality, Rights and Values Programme will bring together the 2014-2020 Programme Rights, Equality and Citizenship established by Regulation (EU) No 1381/2013 of the European Parliament and of the Council<sup>6</sup> and the Europe for Citizens programme established by Council Regulation (EU) No 390/2014<sup>7</sup>, (hereafter 'the predecessor Programmes').

- (2a) The Citizens, Equality, Rights and Values Programme should be established for a period of seven years to align its duration with that of the multiannual financial framework laid down in Council Regulation (EU, Euratom) No [reference to the MFF Regulation to be inserted].**
- (3) The Justice, Rights and Values Fund and its two underlying funding programmes will focus on persons and entities, which contribute to make our common values, rights and equality and rich diversity alive and vibrant. The ultimate objective is to nurture and sustain a rights-based, equal, open, pluralist, inclusive and democratic society. That includes a vibrant and empowered civil society, encouraging people's democratic, civic and social participation and cultivating the rich diversity of European society, based on our common values, history and memory. Article 11 of the Treaty of the European Union requires that the institutions of the Union maintain an open, transparent and regular dialogue with civil society and, by appropriate means, give citizens and representative associations the opportunity to make known and publicly exchange their views in all areas of Union action.

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<sup>6</sup> Regulation (EU) No 1381/2013 of the European Parliament and of the Council of 17 December 2013 establishing a Rights, Equality and Citizenship Programme for the period 2014 to 2020 (OJ L 354, 28.12.2013, p. 62).

<sup>7</sup> Council Regulation (EU) No 390/2014 of 14 April 2014 establishing the 'Europe for Citizens' programme for the period 2014-2020 (OJ L 115, 17.4.2014, p.3).



- (3a) A regular, open and transparent dialogue with the beneficiaries of the Programme and other relevant stakeholders should be established by setting up a Civil Dialogue Group. The Civil Dialogue Group should be an open and informal forum for discussion and should contribute to the exchange of experiences and good practices and to the discussion of policy developments within the fields and objectives covered by the Programme and related fields. The Civil Dialogue Group should not have any responsibility regarding programme management.
- (4) The Programme should allow developing synergies to tackle the challenges that are common to the promotion and protection of Union values and to reach a critical dimension to have concrete results in the field. That should be achieved by building on and further developing the positive experience of the predecessor Programmes. This will enable to fully exploit the potential of synergies, to more effectively support the policy areas covered and to increase their potential to reach persons and civil society, aiming at a balanced geographical distribution. To be effective, the Programme should take into account the specific nature of the different policies, their different target groups and their particular needs through tailor-made and targeted approaches.
- (4a) Full respect and promotion of the rule of law and democracy is fundamental to building citizens' trust in the Union and in ensuring mutual trust among Member States. By promoting rights and values, the Programme will contribute to the construction and of a more democratic Union, respect for the rule of law and democratic dialogue, transparency and good governance, including in cases of shrinking space for civil society.

- (5) In order to bring the European Union closer to its citizens and to foster democratic participation a variety of actions and coordinated efforts, are necessary.

European Citizenship and European identity should be developed and advanced by encouraging citizens' understanding of the policymaking process and by promoting civic engagement in the actions of the Union.

Also, bringing together citizens in town-twinning projects or networks of towns and supporting civil society organisations at the local, regional, national and transnational level in the areas covered by the programme will contribute to increase citizens' engagement in society and ultimately their active involvement in the democratic life of the Union. At the same time supporting activities promoting mutual understanding, intercultural dialogue, cultural, and linguistic diversity, social inclusion and respect for others, foster a sense of belonging to the Union and a common citizenship under a European identity, based on a shared understanding of our common European values, culture, history and heritage. The promotion of a greater sense of belonging to the Union and of Union values is particularly important amongst citizens of the EU outermost regions due to their remoteness and distance from continental Europe.

- (6) Remembrance activities and critical reflection on Europe's historical memory are necessary to make citizens, in particular young persons, aware of their common history and values, as the foundation for a common future. Remembrance activities should reflect on the causes of totalitarian regimes in Europe's modern history – in particular Nazism, which led to the Holocaust; Fascism, Stalinism and totalitarian communist regimes – and commemorate the victims of their crimes. They should as well encompass activities concerning other defining moments and reference points in recent European history. The relevance of historical, social, cultural and intercultural aspects, should also be taken into account in order to create a European identity based on common values and a sense of belonging together.

- (7) Citizens should also be more aware of their rights deriving from citizenship of the Union and should feel at ease about living, travelling, studying, working and volunteering in another Member State, and should feel able to enjoy and exercise all their citizenship rights, place their trust in equal access, full enforceability and protection of their rights without any discrimination, no matter where in the Union they happen to be. Civil society needs to be supported for the promotion, safeguarding and raising awareness of Union values under Article 2 TEU and in contributing to the effective enjoyment of rights under Union law.
- (8) Gender equality is a fundamental value and an objective of the European Union. Yet overall progress on gender equality has been stagnating. Discrimination against and unequal treatment of women and girls as well as various forms of violence against women and girls violates their fundamental rights and prevents their full political, social and economic participation in society. In addition, the existence of political, structural and cultural barriers hinders the achievement of real gender equality. The promotion of gender equality and gender mainstreaming, in all activities of the Union is therefore a core task for the Union and a driver for economic growth and social development, and should be supported by the programme. Actively tackling stereotypes and addressing silent and intersectional discrimination are of particular importance. Equal access to work, equal participation in labour market and the elimination of barriers to career progression in all sectors, for example the judiciary, STEM (Science, Technology, Engineering and Mathematics) related sectors, are pillars of gender equality. Focus should also be put on work-life balance and on equal sharing of unpaid household and care work for children, the elderly and other dependents, between men and women which remain pillars to the equal economic independence and participation and are intrinsically related to the achievement of equality between women and men.

- (9) Gender-based violence and violence against groups at risk (children, young persons and other groups at risks such as LGBTQI and persons with disabilities) constitutes a serious violation of fundamental rights and persists throughout the Union, in all social and economic contexts, with serious repercussions on victims' physical, mental and psychological health and on society as a whole.

Women are the most significantly affected persons by gender-based violence and harassment in both the domestic and public sphere; therefore combating this violence is a key action in promoting gender equality.

The Council of Europe Convention on preventing and combating violence against women and domestic violence (the Istanbul Convention) defines violence against women as 'all acts of gender-based violence that result in, or are likely to result in, physical, sexual, psychological or economic harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life'.

Combating gender-based violence requires a multi-dimensional approach, including addressing its legal, economic, educational, and health aspects. There is also a need to actively tackle gender stereotypes from an early age, as well as all forms of hate speech and online violence. In this context it remains essential to support women's rights organisations and other actors working in this field.

Children, young persons and other groups at risks such as LGBTQI and persons with disabilities also present an increased risk of being subject to violence, particularly in family and intimate relationships.

Action should be taken to promote the rights of the persons at risk - in particular, the rights of children (including children orphans, children orphaned of domestic crimes and other particularly vulnerable groups of children) – and to contribute to their protection and ensure their rights to development and dignity.

Combating all forms of violence, in particular gender-based violence, promoting its prevention and protecting and supporting victims are priorities of the Union which help fulfil individuals' fundamental rights and contribute to gender equality. Those priorities should be supported by the Programme.

**The importance of granting funding under this Regulation to civil society organisations promoting gender equality, combatting the fight against gender-based violence and promoting women's rights', including sexual and reproductive health and rights and LGBTIQ rights in all Member States is emphasised. All those activities seek to promote key values of the European Union and should therefore be supported throughout the Union, without exception.**

- (10) Strong political will and coordinated action based on the methods and results of the previous Daphne Programmes, the Rights, Equality and Citizenship Programme and the Justice Programme are necessary in order to prevent and combat all forms of violence and to protect victims. In particular, since its launch in 1997, the Daphne funding to support victims of violence and combat the violence against women, children and young persons has been a genuine success, both in terms of its popularity with stakeholders (public authorities, academic institutions and non-governmental organisations) and in terms of the effectiveness of the funded projects. It has funded projects to raise awareness, to provide support services to victims, to support the activities of civil society organisations working on the ground. It has addressed all forms of violence, such as for instance domestic violence, sexual violence, trafficking in human beings, stalking and traditional harmful practices such as female genital mutilation, as well as new emerging forms of violence such as cyber-bullying and online harassment. **Considering the still alarming number of victims of gender-based violence,** it is ~~therefore~~ important to continue all these actions {with an independent budget allocation for **the activities implementing the specific objective to prevent and combat all forms of gender-based violence under** Daphne} and that those results and lessons learned are taken into due consideration in the implementation of the Programme.

- (11) Non-discrimination is a fundamental principle of the Union. Article 19 of the Treaty on the Functioning of the European Union provides for action to combat discrimination based on sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation. Non-discrimination is also enshrined in Article 21 of the Charter. The specific features of the diverse forms of discrimination, including direct, indirect and structural discrimination, should be taken into account and appropriate action should be developed in parallel to prevent and combat discrimination on one or more grounds. The Programme should support actions to prevent and combat all forms of discrimination, racism, xenophobia, afrophobia, anti-semitism, anti-gypsism, anti-muslim hatred, and other forms of intolerance, including homophobia, biphobia, transphobia and interphobia and other forms of intolerance based on gender identity, both on-line and off-line, against persons belonging to minorities, taking into account the multiple discrimination.

In that context, particular attention should also be devoted to preventing and combating all forms of violence, hatred, segregation and stigmatisation, as well as combating bullying, harassment and intolerant treatment. The Programme should be implemented in a mutually reinforcing manner with other Union activities that have the same objectives, in particular with those referred to in the Commission Communication of 5 April 2011 entitled ‘An EU Framework for National Roma Integration Strategies up to 2020<sup>8</sup> and in the Council Recommendation of 09 December 2013 on effective Roma integration measures in the Member States<sup>9</sup>.

- (12) Social and environmental barriers as well as lack of accessibility hinder the full and effective participation of persons with disabilities in society, on an equal basis with others. Persons with disabilities face barriers to, among other things, access the labour market, benefit from an inclusive and quality education, avoid poverty and social exclusion, enjoy access to cultural initiatives and media, or use their political rights.

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<sup>8</sup> COM (2011) 173.

<sup>9</sup> OJ C 378, 24.12.2013, p. 1.

As a party to the United Nations Convention on the Rights of Persons with Disabilities (the UNCRPD), the Union and all its Member States have committed to promote, protect and ensure the full and equal enjoyment of all human rights and fundamental freedoms by all persons with disabilities. The provisions of the UNCRPD have become an integral part of the Union legal order.

- (13) The right to respect for his or her private and family life, home and communications (right to privacy) is a fundamental right enshrined in Article 7 of the Charter of Fundamental Rights. The protection of personal data is a fundamental right enshrined in Article 8 of the Charter of Fundamental Rights and Article 16 of the Treaty on the Functioning of the European Union. Compliance with the rules for the protection of personal data is subject to the control by independent supervisory authorities. The Union's legal framework, in particular Regulation (EU) 2016/679 of the European Parliament and of the Council<sup>10</sup> and Directive (EU) 2016/680 of the European Parliament and of the Council<sup>11</sup> lay down provisions to ensure that the right to protection of personal data is effectively protected. These legal instruments entrust the national data protection supervisory authorities with the task of promoting public awareness and understanding of the risks, rules, safeguards and rights in relation to the processing of personal data. The Union should be able to conduct awareness-raising activities, including through support for civil society organisations advocating for the protection of personal data in line with Union standards, and carry out studies and other relevant activities given the importance of the right to the protection of personal data in times of rapid technological developments.

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<sup>10</sup> OJ L 119, 4.5.2016, p. 1-88.

<sup>11</sup> OJ L 119, 4.5.2016, p. 89-131.

- (14) Article 24 TFEU obliges the European Parliament and the Council to adopt provisions for the procedures and conditions required for a citizen's initiative within the meaning of Article 11 of the Treaty on European Union. This has been done by adopting Regulation [(EU) No 211/2011 of the European Parliament and of the Council<sup>12</sup>]. The Programme should support the financing of technical and organisational support to implement Regulation [(EU) No 211/2011], thereby underpinning the exercise by citizens of the right to launch and support European citizens' initiatives.
- (15) Pursuant to Articles 8 and 10 TFEU, the Programme in all its activities should support gender mainstreaming and the mainstreaming of non-discrimination objectives. The interim and the final evaluation of the programme should evaluate gender impacts to assess the extent to which the Programme is contributing to gender equality and to assess that the Programme is not having unintended negative impacts on gender equality. In this context and while taking into account the different nature and size of the activities of the different strands of the programme, it will be important that individual data collected by the project promoters are broken down by sex whenever possible. It is also important to provide information to applicants on how to take gender equality into account, including on the use of gender mainstreaming tools such as gender budgeting and gender impact assessments where necessary. Gender balance should be considered when consulting experts and stakeholders.
- (16) Article 3(3) TEU requires the Union to promote the protection of the rights of the child, in line with Article 24 of the Charter and the United Nations Convention on the Rights of the Child.

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<sup>12</sup> Regulation (EU) No 211/2011 of the European Parliament and of the Council of 16 February 2011 on the citizens' initiative (OJ L 65, 11.3.2011, p. 1).



(17) In accordance with Union acts on equal treatment, Member States set up independent bodies for the promotion of equal treatment, commonly known as "equality bodies", in order to combat discrimination based on race and ethnic origin as well as gender. However, many Member States have gone beyond these requirements and ensured that equality bodies can also deal with discrimination based on other grounds such as language, age, sex characteristics, gender identity and gender diversity, sexual orientation, religion and belief, disability. Equality bodies play a key role in promoting equality and ensuring effective application of equal treatment legislation by providing in particular an independent assistance to victims of discrimination, conducting independent surveys concerning discrimination, publishing independent reports and making recommendations on any issue relating to discrimination in their country. It is essential that the work of equality bodies is coordinated at Union level in this respect. EQUINET was created in 2007.

Its members are the national bodies for the promotion of equal treatment as established by Council Directives 2000/43/EC10 and 2004/113/EC11, and by Directives 2006/54/EC12 and 2010/41/EU13 of the European Parliament and of the Council. On 22 June 2018 the Commission adopted its recommendation on standards for equality bodies, covering the mandate, independence, effectiveness and coordination and cooperation of equality bodies EQUINET is in an exceptional situation, being the only entity which ensures coordination of activities between equality bodies. This coordination activity by EQUINET is key for the good implementation of Union anti-discrimination law in Member States and should be supported by the Programme.

- (17a) In order to increase user-friendly accessibility and provide impartial guidance and practical information in relation to all aspects of the Programme, contact points may be set up in Member States to provide assistance to both beneficiaries and applicants. Programme contact points should be able to carry out their functions independently, without interference in their decision making from public authorities. Member States should be able to choose the most appropriate management of programme contact points, including, among others, through public authorities, civil society organisations or consortia thereof. Programme contact points are not to have any responsibility regarding programme management.
- (18) Independent human rights bodies, civil society organisations play an essential role in promoting, safeguarding and raising awareness of the Union's common values under Article 2 TEU, and in contributing to the effective enjoyment of rights under Union law, including the Charter of Fundamental Rights of the EU. As reflected in the European Parliament Resolution of 19 April 2018, an increase in funding and adequate financial support are key to the development of a conducive and sustainable environment for civil society organisations to strengthen their role and perform their functions independently and effectively.

Complementing efforts at national level, EU funding should therefore contribute to support, empower and build the capacity of independent civil society organisations active in the promotion of values and rights, whose activities help the strategic enforcement of rights under EU law and the Charter of Fundamental Rights of the EU, including through advocacy such as strategic litigation, campaigning, communication and other watchdog activities, as well as to promote, safeguard and raise awareness of the Union's values at local, regional, national and transnational level. The programme should be implemented in a user friendly way, for example user-friendly application and reporting procedure. Particular attention should be paid to its accessibility to civil society organisations at transnational, national, regional and local level, including local grass root civil society organisations as well as to the capacity of beneficiaries. This should include consideration of the use of financial support to third parties, where appropriate.

- (19) The Commission should ensure overall consistency, complementarity and synergies with the work of Union bodies, offices and agencies, in particular the European Institute for Gender Equality and the European Union Agency for Fundamental Rights, and should take stock of the work of other national and international actors in the areas covered by the Programme.
- (20) The Programme should be open, subject to certain conditions, to the participation of European Free Trade Association (EFTA) members which are members of the European Economic Area (EEA) and EFTA members which are not members of the EEA and other European countries. Acceding countries, candidate countries and potential candidate countries benefiting from a pre-accession strategy should also be able to participate in the Programme.
- (21) In order to ensure efficient allocation of funds from the general budget of the Union, it is necessary to ensure the European added value of all actions carried out, their complementarity to Member States' actions, while consistency, complementarity and synergies should be sought with funding programmes supporting policy areas with close links to each other, in particular within the Justice, Rights and Values Fund — and thus with the Justice Programme — as well as with Creative Europe programme, and Erasmus+ to realise the potential of cultural crossovers in the fields of culture, media, arts, education and creativity.

It is necessary to create synergies with other European funding programmes, in particular in the fields of employment and fight against social exclusion, especially the European Social Fund Plus internal market, enterprise, youth, health, citizenship, justice, migration, security, research, innovation, technology, industry, cohesion, tourism, external relations, trade and sustainable development.

(22) This Regulation lays down a financial envelope for the Citizens, Equality, Rights and Values programme which is to constitute the prime reference amount, within the meaning of [reference to be updated as appropriate according to the new inter-institutional agreement: point 17 of the Interinstitutional Agreement of 2 December 2013 between the European Parliament, the Council and the Commission on budgetary discipline, on cooperation in budgetary matters and on sound financial management<sup>14</sup>], for the European Parliament and the Council during the annual budgetary procedure.

**(22a) In accordance with Article 193(2) of Regulation (EU, Euratom) No 2018/1046, a grant may be awarded 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, except in duly justified exceptional cases. In order to avoid any disruption in Union support which could be prejudicial to Union's interests, it should be possible to provide in the financing decision, during a limited period of time at the beginning of the multi-annual financial framework 2021-2027, and only in duly justified cases, for eligibility of activities and costs from the beginning of the 2021 financial year, even if they were implemented and incurred before the grant application was submitted.**

(23) Regulation (EU, Euratom) No [the new FR] (the 'Financial Regulation') applies to this Programme. It lays down rules on the implementation of the Union budget, including the rules on grants, prizes, procurement, indirect implementation, financial assistance, financial instruments and budgetary guarantees.

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<sup>13</sup> Reference to be updated: OJ C 373, 20.12.2013, p. 1. The agreement is available at: [http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=uriserver:OJ.C\\_2013.373.01.0001.01.ENG&toc=OJ:C:2013:373:TOC](http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=uriserver:OJ.C_2013.373.01.0001.01.ENG&toc=OJ:C:2013:373:TOC)

(24) 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, the capacity of relevant stakeholders and targeted beneficiaries, and the expected risk of non-compliance. This should include consideration of the use of lump sums, flat rates and unit costs, as well as financing not linked to costs as referred to in Article 125(1) of the Financial Regulation.

(24a) ~~In accordance with Regulation (EU, Euratom) No 2018/1046 of the European Parliament and of the Council<sup>14</sup> (the "Financial Regulation"), Regulation (EU, Euratom) No 883/2013 of the European Parliament and of the Council<sup>15</sup> and Council Regulations (Euratom, EC, Euratom) No 2988/95<sup>16</sup>, Council Regulation (Euratom, EC) No 2185/96<sup>17</sup> and Council Regulation (EU) 2017/1939<sup>18</sup>, the financial interests of the Union are to be protected through by means of proportionate measures, including **measures related 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 sanctions.~~

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<sup>14</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).

<sup>15</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>16</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>17</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>18</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).

In particular, in accordance with Regulations (**Euratom, EC**) No 2185/96 and (EU, Euratom) No 883/2013 and ~~Regulation (Euratom, EC) No 2185/96~~, the European Anti-Fraud Office (OLAF) may 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. ~~In accordance with Regulation (EU) 2017/1939~~, ~~the European Public Prosecutor's Office ("the EPPO")~~ **is empowered in accordance with Regulation (EU) 2017/1939, to** may investigate and prosecute **criminal** offences ~~against the Union's~~ **affecting the financial interests of the Union**, as provided for in Directive (EU) 2017/1371 of the European Parliament and of the Council<sup>19</sup>. In accordance with the Financial Regulation, any person or entity receiving Union funds is to fully cooperate in the protection of the ~~Union's~~ **financial interests of the Union**, ~~to~~ grant the necessary rights and access to the Commission, OLAF, the **Court of Auditors EPPO and**, in respect of those Member States participating in enhanced cooperation pursuant to Regulation (EU) 2017/1939, **the EPPO and the European Court of Auditors (ECA)**, and ~~to~~ ensure that any third parties involved in the implementation of Union funds grant equivalent rights.}]

- (25) {Third countries which are members of the **European Economic Area (EEA)** may participate in Union programmes in the framework of the cooperation established under the ~~EEA Agreement on the European Economic Area~~<sup>20</sup>, which provides for the implementation of the programmes **on the basis of** ~~by~~ 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 ~~for~~ and access **required for** the authorising officer responsible, OLAF, ~~as well as~~ **and** the ~~European~~ Court of Auditors to comprehensively **exercise** ~~exert~~ their respective competences."}]

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<sup>19</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).

<sup>20</sup> OJ L 1, 3.1.1994, p. 3.

- (26) ~~{Horizontal financial rules adopted by the European Parliament and the Council on the basis of Article 322 of the Treaty on the Functioning of the European Union apply to this Regulation. These rules are laid down in the Financial Regulation and determine in particular the procedure for establishing and implementing the budget through grants, procurement, prizes, indirect implementation, and provide for checks on the responsibility of financial actors. Rules adopted on the basis of Article 322 TFEU also concern the protection of the Union's budget in case of generalised deficiencies as regards the rule of law in the Member States, as the respect for the rule of law is an essential precondition for sound financial management and effective EU funding.}~~ **include a general regime of conditionality for the protection of the Union budget.**<sup>21</sup>
- (27) Pursuant to [reference to be updated as appropriate according to a new decision on OCTs: Article 94 of Council Decision 2013/755/EU<sup>22</sup>], persons and entities established in overseas countries and territories (OCTs) 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.
- (28) {Reflecting the importance of tackling climate change in line with the Union's commitments to implement the Paris Agreement and the United Nations Sustainable Development Goals, this Programme will contribute to mainstream climate action and to the achievement of an overall target of ~~25~~ **30** % of the EU budget expenditures supporting climate objectives **and the ambition of 7.5% of the Budget reflecting biodiversity expenditures in 2024 and 10% in 2026 and 2027 while considering the existing overlaps between climate and biodiversity goals.**

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<sup>21</sup> *This recital may have to be updated pending the outcome of negotiations on the conditionality regime.*

<sup>22</sup> Council Decision 2013/755 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).

**The Programme should support activities that would respect the climate and environmental standards and priorities of the Union and the “do no harm” principle of the European Green Deal.**

Relevant actions will be identified during the Programme's preparation and implementation, and reassessed in the context of ~~its mid-term evaluation~~ **the relevant evaluations and review processes.**‡

- (29) Pursuant to paragraph 22 and 23 of the Inter-institutional agreement for Better Law-Making of 13 April 2016, there is a need to evaluate this Programme on the basis of information collected through specific monitoring requirements, while avoiding overregulation and administrative burdens, in particular on Member States. These requirements, where appropriate, can include measurable indicators, as a basis for evaluating the effects of the Programme on the ground.
- (30) ~~{~~In order to ensure uniform conditions for the implementation of this Regulation, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission in respect of indicators as indicated in Article 14 and 16 and Annex II. 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 on Better Law-Making of 13 April 2016. 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.~~}~~



(31) {In order to ensure uniform conditions for the implementation of this Regulation, implementing powers should be conferred on the Commission. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council.<sup>23</sup>}

**(32) In order to ensure continuity in providing support in the relevant policy area and to allow implementation as of the beginning of the multi-annual financial framework 2021-2027, it is necessary to provide for the application of this Regulation from the beginning of the 2021 financial year.**

HAVE ADOPTED THIS REGULATION:

*Article 1*

*Subject matter*

This Regulation establishes the Citizens, Equality, Rights and Values programme ('Programme') **for the duration of the Multiannual Financial Framework 2021-2027, laid down in Council Regulation (EU, Euratom) No [reference to the MFF Regulation to be inserted].**

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

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

*Article 2*

***Programme objectives***

1. The general objective of the Programme is to protect and promote rights and values as enshrined in the Treaties, the Charter and in the applicable international human rights conventions, in particular by supporting civil society organisations and other stakeholders active at local, regional, national and transnational level, and by encouraging civic and democratic participation, in order to sustain and further develop open, rights-based, democratic, equal and inclusive societies based on the rule of law.
2. Within the general objective set out in paragraph 1, the programme has the following specific objectives which correspond to strands:
  - (-a) to protect and promote Union values (Union values strand),
  - (a) to promote rights, non-discrimination, equality, including gender equality, and advance gender and non-discrimination mainstreaming; (Equality, Rights and Gender Equality strand),
  - (b) to promote citizens engagement and participation in the democratic life of the Union and exchanges between citizens of different Member States and to raise awareness of the common European history (Citizens' engagement and participation strand),
  - (c) to fight violence, including gender-based violence (Daphne strand).

*Article 2 a*

***Union values strand***

Within the general objective set out in Article 2(1) and within the specific objective set out in point (-a) of Article 2(2), the Programme shall focus on protecting, promoting and raising awareness on rights by providing financial support to civil society organisations active at local, regional and transnational level in promoting and cultivating these rights, thereby also strengthening the protection and promotion of Union values and the respect for the rule of law and contributing to the construction of a more democratic Union, democratic dialogue, transparency and good governance.

*Article 3*

***Equality, Rights and Gender Equality strand***

Within the general objective set out in Article 2(1) and within the specific objective set out in point (a) of Article 2(2), the Programme shall focus on:

- (a) promoting equality and preventing and combating inequalities and discrimination on grounds of sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation and respecting the principle of non-discrimination on the grounds provided for in Article 21 of the Charter;
- (b) supporting, advancing and implementing comprehensive policies:
  - (i) to promote women's full enjoyment of rights, gender equality, including work-life balance, women's empowerment and gender mainstreaming;
  - (ii) to promote non-discrimination and its mainstreaming;

- (iii) to combat racism, xenophobia and all forms of intolerance including homophobia, biphobia, transphobia and interphobia and intolerance on the basis of gender identity, both online and offline;
  - (iv) to protect and promote the rights of the child;
  - (v) to protect and promote the rights of persons with disabilities;
- (c) protecting and promoting Union citizenship rights and the right to the protection of personal data.

#### *Article 4*

#### ***Citizens engagement and participation strand***

Within the general objective set out in Article 2(1) and within the specific objective set out in point (b) of Article 2(2), the Programme shall focus on:

- (a) supporting projects aimed at commemorating defining events in modern European history, including the causes and consequences of authoritarian and totalitarian regimes, and at raising awareness among European citizens, of their common history, culture, cultural heritage and values, thereby enhancing their understanding of the Union, its origins, purpose, diversity and achievements and of the importance of mutual understanding and tolerance;
- (b) promoting citizens and representative associations' participation in and contribution to the democratic and civic life of the Union by making known and publicly exchanging their views in all areas on Union action;

- (ba) promoting exchanges between citizens of different countries, in particular through town-twinning and networks of towns, so as to afford them practical experience of the wealth and diversity of the common heritage of the Union and to make them aware that these constitute the foundation for a common future.

*Article 5*

***Daphne strand***

Within the general objective set out in Article 2(1) and within the specific objective set out in point (c) of Article 2(2), the Programme shall focus on:

- (-a) preventing and combating at all levels all forms of gender-based violence against women and girls and domestic violence, also by promoting the standards laid down in the Council of Europe Convention on preventing and combating violence against women and domestic violence (the Istanbul Convention); and
- (a) preventing and combating all forms of violence against children, young people, as well as violence against other groups at risk, such as LGBTIQI persons and persons with disabilities;
- (b) supporting and protecting all direct and indirect victims of such violence, such as domestic violence exerted within the family or violence in intimate relationships, including children orphaned by domestic crimes, and supporting and ensuring the same level of protection throughout the Union for victims of gender-based violence.

*Article 6*

*Budget*

1. ~~[The financial envelope **budget** for the implementation of the Programme for the period 2021 – 2027 shall be **composed of:**~~

~~The financial envelope for the implementation of the Programme for the period 2021 – 2027 shall be EUR [641 705 000] in current prices.~~

~~(a) **a financial envelope of EUR [641 705 000] in current prices;**~~

~~(b) **an additional allocation of a maximum amount of EUR 800 000 000 in 2018 prices in accordance with Article 5 and Annex II of the MFF Regulation<sup>24</sup>.**~~

- 1a. ~~As a result of the Programme specific adjustment provided for in Article 5 of Council Regulation (EU, Euratom) No XXXX/20XX (the MFF Regulation) the amount referred to in paragraph 1 shall be increased by an additional allocation of EUR 800 000 000 in 2018 prices as specified in Annex II to that Regulation.~~

2. [Within the amount referred to in paragraph 1 the following indicative amount shall be allocated to the following objective:

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<sup>24</sup> ~~2018 prices in accordance with Article 5 and Annex II of the MFF Regulation, to be converted to current prices.~~

~~(-a) EUR 297 366 097 in current prices (i.e. 46.34%, of the financial envelope) for the specific objectives referred to in point (-a) of Article 2(2);~~

~~(a) EUR [408 705 000] in current prices referred to in paragraph 1(a) EUR 169 410 120 in current prices (i.e. 26.4%, of the financial envelope) for the specific objectives referred to in article 2(2)(a) and 2(2)(c);~~

~~(b) EUR [233 000 000] in current prices referred to in paragraph 1(a) EUR 174 928 783 in current prices (i.e. 27.26%, of the financial envelope) for the specific objective referred to in Article 2(2)(b);~~

~~(c) EUR 800.000.000<sup>25</sup> in 2018 prices referred to in paragraph 1(b) for all the objectives referred to in Article 2(2), with a minimum of 50% of the additional allocation for the specific objective referred to in Article 2(2)(a);~~

**2a. Within the amount referred to in paragraph 1a the following indicative amount shall be allocated to the following objective:**

~~(-a) 43%, up to EUR 344 000 000 in 2018 prices for the specific objectives referred to in point (-a) of Article 2(2);~~

~~(a) 23.07%, up to EUR 184 560 000 in 2018 prices for the specific objectives referred to in points (a) and (c) of Article 2(2);~~

~~(b) 23.93%, up to EUR 191 440 000 in 2018 prices for the specific objectives referred to in point (b) of Article 2(2);~~

~~(c) 10%, up to EUR 80 000 000 in 2018 prices for any of the objectives referred to in Article 2(2).~~

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<sup>25</sup> ~~2018 prices in accordance with Article 5 and Annex II of the MFF Regulation, to be converted to current prices.~~

**2b. Within the amount referred to in point (a) of paragraph 2 and in point (a) of paragraph 2a at least 40% shall be allocated to support activities to prevent and combat at all levels all forms of gender-based violence and at least 15 % to activities promoting women's full enjoyment of rights, gender equality, including work-life balance, women's empowerment and gender mainstreaming.**

**Within the amount referred to in point (b) of paragraph 2 and in point (b) of paragraph 2a at least 65% shall be allocated to democratic participation and 15 % to remembrance activities.**

**2c. Within the amounts provided for in points (-a) and (a) of paragraph 2 and points (-a) and (a) of paragraph 2a at least 50% shall be allocated to support activities carried out by civil society organisations, of which at least 40% shall be allocated to local and regional civil society organisations.**

**2d. The Commission shall not depart from the allocated percentages of programme funds as set out in paragraph 2b by more than ten percentage points.**

3. The amount referred to in paragraph 1 **and 1a** may be allocated 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, studies, meetings of experts, communications on priorities and areas related to the general objectives of the programme.

4. ~~Without prejudice to the Financial Regulation, expenditure for actions resulting from projects included in the first work programme may be eligible under the present Regulation as from 1 January 2021.~~



**In accordance with point (a) of the second subparagraph of Article 193(2) of Regulation (EU, Euratom) No 2018/1046, in duly justified cases specified in the financing decision and for a limited period, activities supported under this Regulation and the underlying costs may be considered eligible as of 1 January 2021, even if they were implemented and incurred before the grant application was submitted.**

5. ~~{Resources allocated to Member States under shared management may, at their request~~ **of the Member State concerned**, be transferred to the Programme **subject to the conditions set out in Article [21] of Regulation (EU) XX [Common Provisions Regulation].**}

*{Article 7*

***Third countries associated to the Programme***

1. The Programme shall be open to **the participation of** the following **third** countries ~~provided that the conditions are met:~~
- ~~(a)~~ **Members of the** European Free Trade Association (EFTA) members, which are members of the European Economic Area (EEA), in accordance with the conditions laid down in the **European Economic Area** ~~EEA~~ agreement;
  - ~~(b)~~—acceding countries, candidate **countries** and potential candidate, in accordance with the general principles and general terms and conditions for the participation of those countries in Union programmes established in the respective framework agreements and Association Council decisions, or similar agreements, and in accordance with the specific conditions laid down in agreements between the Union and those countries;

- (e) countries covered by the European Neighbourhood Policy, in accordance with the general principles and general terms and conditions for the participation of those countries in Union programmes established in the respective framework agreements and Association Council decisions, or similar agreements, and in accordance with the specific conditions laid down in agreements between the Union and those countries;
- (d) other third countries, in accordance with the conditions laid down in a specific agreement covering the participation of the third country to any Union programme, provided that the agreement:
  - (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. These contributions shall constitute assigned revenues in accordance with Article [21(5)] of [the new Financial Regulation];
  - (iii) does not confer to the third country a decisional power **in respect of** ~~on~~ the programme;
  - (iv) guarantees the rights of the Union to ensure sound financial management and to protect its financial interests.}

## Article 8

### *Implementation and forms of EU funding*

1. The Programme shall be implemented in direct management in accordance with the Financial Regulation or in indirect management with bodies referred to in point (c) of Article 62(1) of the Financial Regulation.
2. The Programme may provide funding in any of the forms laid down in the Financial Regulation.

3. {Contributions to a mutual insurance mechanism may cover the risk associated with the recovery of funds due by recipients and shall be considered a sufficient guarantee under the Financial Regulation. The provisions laid down in [Article X of] Regulation XXX [successor of the Regulation on the Guarantee Fund] shall apply}.

## Article 9

### **Type of actions**

Actions contributing to the achievement of a specific objective specified in Article 2 may receive funding under this Regulation. In particular, activities listed in Annex I shall be eligible for funding.

## Article 9 a

### **Civil Dialogue Group**

The Commission shall set up a ‘Civil Dialogue Group’ aimed at ensuring a regular, open and transparent dialogue with the beneficiaries of the Programme and other relevant stakeholders in order to exchange experiences and good practices and to discuss policy developments within the fields and objectives covered by the Programme and related fields.

## Article 10

### **Grants**

1. Grants under the Programme shall be awarded and managed in accordance with Title VIII of the Financial Regulation.
2. The evaluation committee may be composed of external experts.

Article 11

***Cumulative ~~[, complementary]~~ and combined Alternative funding***

1. An action that has received a contribution under the Programme may also receive a contribution from any other Union programme, including Funds under shared management, provided that the contributions do not cover the same costs. **The rules of each contributing Union programme shall apply to its respective contribution to the action.** {The cumulative financing shall not exceed the total eligible costs of the action and the support from different Union programmes may be calculated on a pro-rata basis}.
2. ~~Where the Programme and the Funds under shared management referred to in Article 1 of Regulation (EU)[XX] [CPR] provide jointly financial support to a single action, that action shall be implemented in accordance with the rules set out in this Regulation, including rules on recovery of amounts unduly paid.~~
3. ~~Actions eligible under the Programme and awarded a Seal of Excellence certification complying with the conditions referred to in the second subparagraph may be identified with the aim to be funded by the Funds under shared management. In this case the co-financing rates and the eligibility rules provided for in this Regulation shall apply.~~

The actions referred to in the first subparagraph **are awarded a Seal of Excellence certification under this Programme by complying** ~~shall comply~~ with the following cumulative, **comparative** 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;
- (c) they may not be financed under that call for proposals due to budgetary constraints.

The actions ~~shall be implemented by the managing authority referred to in Article [65] of Regulation (EU)[XX] [CPR] in accordance with the rules set out in that Regulation and fund specific regulations, including rules on financial corrections~~ **may receive support from [the European Regional Development Fund, or the European Social Fund+], in accordance with paragraph 5 of Article [67] of Regulation (EU) XX [Common Provisions Regulation].**

*Article 12*

***Eligible entities***

1. The eligibility criteria set out in paragraphs 2 and 3 shall apply in addition to the criteria set out in [Article 197] of the Financial Regulation.
2. The following entities are eligible:
  - (a) legal entities established in any of the following countries:
    - a Member State or an overseas country or territory linked to it;
    - a third country associated to the Programme, except for the specific objective referred to in point (-a) of Article 2(2);
  - (b) any legal entity created under Union law or any international organisation;
3. An operating grant may be awarded without a call for proposals to the European Network of Equality Bodies (EQUINET), under Article 6(2)(a), to cover expenditure associated with its permanent work programme.

~~Article 13~~

**Work programme**

1. The Programme shall be implemented by work programmes referred to in Article 110 of Financial Regulation.
2. The work programme shall be adopted by the Commission by means of an implementing act. That implementing act shall be adopted in accordance with the examination procedure referred to in Article 19.

*Article 14*

***Monitoring and reporting***

1. Indicators to report on progress of the Programme towards the achievement of the specific objectives set out in Article 2 are set out in Annex II.
2. To ensure effective assessment of progress of the Programme towards the achievement of its objectives, the Commission shall be empowered to adopt delegated acts, in accordance with Article 16, to develop the provisions for a monitoring and evaluation framework, including through amendments to Annex II to review and complement the indicators where necessary.
3. The performance reporting system shall ensure that data for monitoring programme implementation and results are collected efficiently, effectively, and in a timely manner. To that end, proportionate reporting requirements shall be imposed on recipients of Union funds and Member States.

*Article 15*

***Evaluation***

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

2. The interim evaluation of the Programme shall be performed once there is sufficient information available about the implementation of the Programme, but no later than four years after the start of the programme implementation. The mid-term evaluation shall take into account the results of the evaluations of the long-term impact of the predecessor programmes (Rights Equality and Citizenship and Europe for Citizens).
3. At the end of the implementation of the Programme, but no later than four years after the end of the period specified in Article 1, a final evaluation of the Programme shall be carried out by the Commission.
4. The Commission shall communicate the conclusions of the evaluations accompanied by its observations, to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions.

#### *Article 16*

#### **Exercise of the delegation**

1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.
- ~~2.~~ The power to adopt delegated acts referred to in Article 14 shall be conferred on the Commission until 31 December 2027.
3. The delegation of power referred to in Article 14 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 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.~~3~~

4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016.
45. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.
6. A delegated act adopted pursuant to Article 14 shall enter into force 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 17*

#### **Protection of the financial interests of the Union**

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



*Article 18*

***Information, communication and publicity***

1. The recipients of Union funding shall acknowledge the origin and ensure the visibility of the Union funding (in particular when promoting the actions and their results) by providing coherent, effective and proportionate targeted information to multiple audiences, including the media and the public.
2. The Commission shall implement information and communication actions relating to the Programme, and its actions and results. Financial resources allocated to the Programme shall also contribute to the corporate communication of the political priorities of the Union, as far as they are related to the objectives referred to in Article 2.

*Article 18 a*

***Programme Contact Points***

Every member state may establish Programme Contact Points. They shall be in charge of providing impartial guidance, practical information and assistance to applicants, stakeholders and beneficiaries of the programme with respect to all the aspects of the programme, including in relation to the application procedure, dissemination of user-friendly information and programme results, inquiries for partners, training and other formalities. Programme Contact Points shall carry out their functions independently.

*Article 19*

***Committee procedure***

1. The Commission shall be assisted by a committee. This committee shall be a committee within the meaning of Regulation (EU) No 182/2011.
2. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.
3. The committee may meet in specific configurations to deal with the individual strands of the Programme.†

*Article 20*

***Repeal***

Regulation (EU) No 1381/2013 and Regulation (EU) No 390/2014 are repealed with effect from 1 January 2021.

*Article 21*

***Transitional provisions***

1. This Regulation shall not affect the continuation or modification of the actions concerned, until their closure, under Regulations (EU) No 1381/2013 and (EU) No 390/2014, which shall continue to apply to the actions concerned until their closure.
2. The financial envelope for the Programme may also cover technical and administrative assistance expenses necessary to ensure the transition between the Programme and the measures adopted under its predecessor programmes established by Regulations (EU) No 1381/2013 and (EU) No 390/2014.

3. If necessary, appropriations may be entered in the budget beyond 2027 to cover the expenses provided for in Article 6(3), to enable the management of actions not completed by 31 December 2027.

*Article 22*

***Entry into force***

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

**It shall apply from 1 January 2021.**

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

Done at Brussels,

*For the European Parliament*

*For the Council*

*The President*

*The President*

## *Annex I*

### *Activities supported by the Programme*

The general and specific objectives of the Programme set out in Article 2 will be pursued in particular by supporting the following activities:

- (a) awareness raising, promotion and dissemination of information to improve the knowledge of the rights and values and policies, within the areas and objectives covered by the Programme;
- (b) mutual learning through the exchange of good practices among stakeholders to improve knowledge and mutual understanding;
- (c) analytical monitoring activities to improve the understanding of the situation in Member States and at Union level in the areas covered by the Programme as well as to improve implementation of EU law, policies and Union values within Member States, such as activities to include for instance the collection of data and statistics; the development of common methodologies and, where appropriate, indicators or benchmarks; studies, research, analyses and surveys; evaluations; impact assessment; the elaboration and publication of guides, reports and educational material;
- (d) training relevant stakeholders to improve their knowledge of the policies and rights in the fields covered by the Programme;
- (e) information and Communication Technology (ICT) tools development and maintenance;
- (e a) supporting civil society organisations and non-profit stakeholders active in the areas of the Programme to increase their capacity to react and to ensure adequate access for all citizens to their services, counselling and support activities;

- (e b) supporting civil society organisations and non-profit stakeholders active in the areas of the Programme to carry out advocacy activities to promote rights, thereby also strengthening the protection and promotion of Union values and the respect of the rule of law and contributing to democratic dialogue, transparency and good governance, including in cases of shrinking space for civil society;
- (f) strengthening awareness among citizens, especially young people, of European culture, cultural heritage, identity and history including with regard to totalitarian and authoritarian regimes and other defining moments of recent European history so as to strengthen remembrance and European citizens' commitment to the Union and to encourage tolerance, mutual understanding, intercultural dialogue and respect for diversity;
- (g) bringing together citizens of different nationalities and cultures by giving them the opportunity to participate in town-twinning activities and civil society projects, thus creating the conditions for a stronger bottom-up approach and fostering civic and democratic engagement;
- (h) encouraging and facilitating active and inclusive participation in the construction of a more democratic Union, as well as raising awareness on rights and values through support to civil society organisations;
- (j) developing the capacity of European networks to promote and further develop Union law, values, policy goals and strategies;
- (k) financing the technical and organisational support to implement Regulation [(EU)No 211/2011], thereby underpinning the exercise by citizens of the right to launch and support European citizens' initiatives;
- (l) enhancing knowledge of the Programme and dissemination and transferability of its results and fostering outreach, including by setting up and supporting programme contact points;

## *Annex II*

### *Indicators*

The Programme will be monitored on the basis of a set of indicators intended to measure the extent to which the general and specific objectives of the Programme have been achieved and with a view to minimising administrative burdens and costs. To that end, data will be collected as regards the following set of key indicators:

Number of people reached by

- (i) training activities;
- (ii) mutual learning and exchange of good practices activities;
- (iii) awareness raising, information and dissemination activities.

Number of civil society organisations reached by support and capacity building activities.

Number of transnational networks and initiatives focusing on European memory and heritage as a result of programme intervention.

All individual data shall be broken down by sex whenever possible; the interim and the final evaluations of the programme shall focus on each strand and on each activity and include a gender equality perspective and evaluate impacts on gender equality.

## **ANNEX B**

### **Joint declaration of the European Parliament and the Council on financing the Union values strand in 2021**

Without prejudice to the powers of the budgetary authority, the co-legislators agree that the Union Values strand of the Citizenship, Equality, Rights and Values programme should be equipped with substantial funding from the 1st of January 2021.

The co-legislators call upon the Commission to take appropriate actions to reach that objective, especially to assess the use of flexibility instruments under the legal framework of the annual EU budget for 2021, in accordance with the activation criteria laid down in the MFF regulation.

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