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To:	Mr Jeppe TRANHOLM-MIKKELSEN, Secretary-General of the Council of the European Union
No. Cion doc.:	COM(2021) 214 final
Subject:	COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT pursuant to Article 294(6) of the Treaty on the Functioning of the European Union concerning the position of the Council on the adoption of a Regulation of the European Parliament and of the Council establishing the Justice programme (2021 to 2027) and repealing Regulation (EU) No 1382/2013

Delegations will find attached document COM(2021) 214 final.

Encl.: COM(2021) 214 final

EUROPEAN
COMMISSION

Brussels, 23.4.2021
COM(2021) 214 final

2018/0208 (COD)

**COMMUNICATION FROM THE COMMISSION
TO THE EUROPEAN PARLIAMENT**

pursuant to Article 294(6) of the Treaty on the Functioning of the European Union

concerning the

position of the Council on the adoption of a Regulation of the European Parliament and of the Council establishing the Justice programme (2021 to 2027) and repealing Regulation (EU) No 1382/2013

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1. BACKGROUND

Transmission of the proposal to the European Parliament and to the Council (document COM(2018)0384)	30 May 2018
The Committee of the Regions was consulted and decided not to issue an opinion	/
The European Economic and Social Committee adopted its Opinion on the proposal	18 October 2018
The Committee of Permanent Representatives adopted a partial mandate for negotiations	19 December 2018
Trilogues	20 February 2019
	5 March 2019
The Committee of Permanent Representatives confirmed the common understanding reached with the European Parliament at the second trilogue	13 March 2019.
The European Parliament confirmed the common understanding, through the adoption of its legislative resolution (first reading).	17 April 2019
Council agreement on a general approach	2 December 2020
Trilogues	11 December 2020
	18 December 2020
JURI and LIBE committees sent a letter to the Chair of the Committee of Permanent Representatives (Part 2) confirming the European Parliament's agreement on the outcome of inter-institutional negotiations	5 February 2021
The Committee of Permanent Representatives reached a political agreement on the compromise text	17 February 2021

2. OBJECTIVE OF THE PROPOSAL FROM THE COMMISSION

The Justice programme is one of the funding instruments under the 2021-2027 multiannual financial framework. A working European area of Justice and effective national justice systems are necessary for a flourishing internal market and for upholding the common values of the EU. Promoting EU values also means protecting them and ensuring an environment respectful of the rule of law and the independence of the judiciary, with mutual recognition and mutual trust among Member States. The Justice programme will contribute to the further development of a European area of justice based on the rule of law, on mutual recognition and mutual trust. It will facilitate and support judicial cooperation in civil and criminal matters, it will support and promote judicial training, with a view to fostering a common legal, judicial and rule of law culture and it will facilitate effective access to justice for all and effective redress. The Commission proposed an overall budget of EUR 305 000 000 in current prices.

The programme will support activities by public authorities, academia/research institutes, training bodies, and Civil Society Organisations that contribute to the development of a European area of Justice. It will fund activities improving mutual trust, and cooperation (including by means of information and communication technology). It will fund training of the judiciary and judicial staff to improve their knowledge of EU law, judicial cooperation instruments, the relevant case-law of the EU Court of Justice and of comparative law (including through supporting the annual work programme of European Judicial Training Network). The programme will also support relevant civil society organisations and non-profits that ensure adequate access to their services, counselling and support activities to all citizens.

3. COMMENTS ON THE POSITION OF THE COUNCIL

The Council's position reflects the agreement reached in the trilogues. The most important changes introduced compared to the Commission's proposal include:

– *Beneficiaries*: inclusion of legal professionals working with civil society organisations (CSOs) as potential beneficiaries and increased role of CSOs;

– *Earmarking of funds:* introduction of an earmarking of the funds by specific objectives as well as a flexibility margin; this limited earmarking, even if not envisaged in the original Commission proposal, builts on a similar allocation of funds provided for in the Regulation which establishes the Justice Programme 2014-2020;

– *Gender equality perspective*: introdution of an article on gender and non discrimination mainstreaming, reinforced recital, sex-disaggregated data in the indicators and gender equality perspective in the mid-term and final evaluations;

– *Reporting*: additional language inserted;

– *Activities to be funded*: further specification; split of one of the proposed activity to have a self-standing activity on civil society organisations; the proposed "National contact point" was replaced by forums of discussions for stakeholders;

– *Comitology*: examination procedure instead of advisory procedure; the examination procedure, even if not envisaged in the original Commission proposal, was the one used in the Regulation which establishes the Justice Programme 2014-2020.

The Commission considers that the agreement reached preserves the objectives of the Commission's original proposal.

4. CONCLUSION

The Commission accepts the position taken by the Council.