



Council of the
European Union

Brussels, 3 May 2021
(OR. en)

8392/21

Interinstitutional File:
2018/0207(COD)

CADREFIN 213
COPEN 211
FREMP 119
INF 118
JAI 472
JUSTCIV 82
DROIPEN 91
CODEC 632

COVER NOTE

From:	Secretary-General of the European Commission, signed by Ms Martine DEPREZ, Director
date of receipt:	23 April 2021
To:	Mr Jeppe TRANHOLM-MIKKELSEN, Secretary-General of the Council of the European Union
No. Cion doc.:	COM(2021) 216 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 Rights and Values programme (2021 to 2027) and repealing Regulation (EU) No 390/2014

Delegations will find attached document COM(2021) 216 final.

Encl.: COM(2021) 216 final



Brussels, 23.4.2021
COM(2021) 216 final

2018/0207 (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 Rights and Values programme (2021 to 2027) and
repealing Regulation (EU) No 390/2014**

**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 Rights and Values programme (2021 to 2027) and
repealing Regulation (EU) No 390/2014**

1. BACKGROUND

Transmission of the proposal to the European Parliament and to the Council (document COM(2018)0383)	30 May 2018
The Committee of the Regions delivered its Opinion on the proposal	10 October 2018
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, which was subsequently extended	19 December 2018 20 February 2019
Trilogues	22 January, 5 February, 20 February and 6 March 2019
The Committee of Permanent Representatives confirmed the common understanding reached with the European Parliament at the fourth trilogue	13 March 2019.
The European Parliament confirmed the common understanding through the adoption of a legislative resolution (first reading).	17 April 2019
Council agreement on a general approach	2 December 2020
Trilogues	10 and 17 December 2020
LIBE committee 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	4 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 Rights and Values programme is one of the funding instruments under the 2021-2027 multiannual financial framework. The Rights and Values programme contributes to protect and promote rights and values as enshrined in the EU Treaties and in the EU Charter of Fundamental Rights in order to sustain and further develop open, rights-based, democratic, equal and inclusive societies based on the rule of law. The programme will support civil society organisations active at local, regional, national and transnational level in promoting Union values and rights. It will raise awareness of equality and non-discrimination, the rights of the child, data protection, EU citizenship rights as well as of the common European history. It will contribute to advance gender and non-discrimination mainstreaming. It will contribute to preventing and combating gender-based violence against women as well as all forms of violence against children and other groups at risk. It will support citizens' participation in the EU democratic life. The Commission proposed an overall budget of EUR 641 705 000 in current prices.

The programme will support civil society organisations, European networks, public authorities including equality and human rights bodies, local authorities, academia/research institutes, think tanks. It will fund activities such as:

- Increasing awareness of rights, values and principles underpinning the EU as well as of EU culture, and history;
- Increasing knowledge of EU law and policies as well as of potential obstacles to the exercise of rights;
- Increasing capacity to act in order to better implement EU law instruments and policies in the Member States;
- Fostering cross-border cooperation, exchange and debate, improving mutual knowledge, mutual understanding and enhancing mutual trust among all stakeholders.

3. COMMENTS ON THE POSITION OF THE COUNCIL

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

- *Title* : the title was changed to : "Citizens, Equality, Rights and Values" Programme,
- *Specific objectives*: further specification in each of the three strands proposed (equality and rights, citizens engagement and participation, Daphne) and notably the identification of examples of some groups at risk of violence;
- *New strand*: addition of a new fourth strand (Union values) particularly intended to support civil society organisations active in promoting Union values, democracy and the rule of law. These elements are fundamental in building citizens' trust in the Union and in ensuring mutual trust among Member States. In this way, the

programme will contribute to the construction of a more democratic Union, respect for the rule of law and democratic dialogue, transparency and good governance;

- *Additional funding*: allocation of a top-up of EUR 800 000 000 in 2018 prices, resulting from the Programme-specific adjustment provided for in Article 5 and Annex II of the Council Regulation (EU, Euratom) 2020/2093 (i.e. MFF regulation);
- *Earmarking of funds*: introduction of earmarking of the funds by strand as well as within the strands and introduction of a flexibility margin; allocation of a substantial part of the budget (the financial envelope and its top-up) to the Union values strand; the extra funding provided through the additional allocation ensures that the Union values strand is adequately financed and the proper implementation of the other three strands is not undermined;
- *Joint declaration*: a joint declaration by the European Parliament and the Council calls upon the Commission to take all appropriate actions to provide the Union values strand with substantial funding already in 2021;
- *Eligible entities*: entities from third countries are excluded from the new strand (Union values) on the grounds that the focus of activities in this strand should be on the Member States;
- *Programme contact points*: introduction of a dedicated article;
- *Civil dialogue*: addition of a Civil Dialogue group (an informal forum for discussion with stakeholders) with a dedicated article and recital;
- *Gender equality perspective*: reinforced recital, sex-disaggregated data in the indicators and gender equality perspective in the mid-term and final evaluations;
- *Activities to be funded*: further specifications;
- *Comitology*: examination procedure instead of advisory procedure; the examination procedure, even if not envisaged in the original Commission proposal, was the one used in Regulation (EU) No 1381/2013 establishing the Rights, Equality and Citizenship Programme 2014-2020

The agreement reached as regards earmarking of funds increases the complexity of the programme implementation, but it maintains the degree of flexibility that the Commission wanted to preserve for the programme.

The Commission therefore considers that the agreement reached preserves the objectives of its original proposal.

4. CONCLUSION

The Commission accepts the position taken by the Council.