European Parliament

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Committee on Civil Liberties, Justice and Home Affairs

2018/0197(COD)

19.10.2018

OPINION

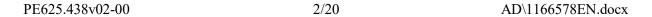
of the Committee on Civil Liberties, Justice and Home Affairs

for the Committee on Regional Development

on the proposal for a regulation of the European Parliament and of the Council on the European Regional Development Fund and on the Cohesion Fund (COM(2018)0372 – C8-0227/2018 – 2018/0197(COD))

Rapporteur for opinion: Soraya Post

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SHORT JUSTIFICATION

The greatest challenge in the Union and in the world is poverty, which is a violation of human rights, since poverty deprives people of their access and enjoyment of all their other rights.

Acknowledging the detrimental effect of poverty, the 2030 Agenda for Sustainable Development stated that 'eradicating poverty in all its forms and dimensions, including extreme poverty, is the greatest global challenge and an indispensable requirement for sustainable development', and designated 'ending poverty in all its forms everywhere' as its first sustainable development goal (SDG).

Apart from poverty, the Union has been facing serious challenges concerning segregation, social exclusion and discrimination, all of which will continue to aggravate if we do not act rapidly both through our Union and member state policies and our funding programmes.

In order to effectively eradicate poverty and fight social exclusion and segregation, an integrated approach and the programming and implementation of multi-fund programmes are needed; therefore, it is vital to safeguard the compatibility and complementarity of the ERDF and the Cohesion Fund with the ESF+ (with all its merged components), but also of other funds, such as the EAFRD, the Erasmus programme, etc. We have to make sure that the respective rules are simple, flexible, do not pose high administrative costs and that they are aligned.

On another note, even if often unconsciously and unintentionally, our national and Union programs and funds are discriminatory, since they do not take into account the challenges and the realities of the people living in the Union. Therefore, it is essential that infrastructure investments (including relating to the access to water, sewage and electricity), economic transformations, energy transitions, digital connectivity-related and transport investments, urban and rural developments, climate risk prevention measures should reach all the people living in the Union and its disadvantaged micro-regions and rural areas.

If we take the jointly set values in our Treaties seriously, and if we want to fulfil our commonly defined Union commitments and achieve the SDGs, we cannot allow having a Union budget, which is not safeguarding non-discrimination and equal opportunities.

If the ERDF and the Cohesion Fund are designed well, and if member states authorities fight corruption, they can change our presently grave European reality, they can contribute to the fulfillment of the potentials of all our citizens and residents, and they can help the long-term integration of those people, who have found their new homes in our European Union.

Therefore, your rapporteur's main goal was to make the text of this proposal safeguard that the future – either mono- (fund-specific) or multi-fund – projects will be as inclusive and non-discriminatory as possible, and that they will enable better life prospects for everybody in the Union, thereby making ours a sustainable society.

AMENDMENTS

The Committee on Civil Liberties, Justice and Home Affairs calls on the Committee on Regional Development, as the committee responsible, to take into account the following amendments:

Amendment 1

Proposal for a regulation Recital 1

Text proposed by the Commission

(1) Article 176 of the Treaty on the Functioning of the European Union ('TFEU') provides that the European Regional Development Fund ('ERDF') is intended to help to redress the main regional imbalances in the Union. Under that Article and the second and third paragraphs of Article 174 of the TFEU, the ERDF is to contribute to reducing disparities between the levels of development of the various regions and to reducing the backwardness of the least favoured regions, among which particular attention is to be paid to regions which suffer from severe and permanent natural or demographic handicaps such as the northernmost regions with very low population density and island, cross-border and mountain regions.

Amendment

Article 176 of the Treaty on the (1) Functioning of the European Union ('TFEU') provides that the European Regional Development Fund ('ERDF') is intended to help to redress the main regional imbalances in the Union. Under that Article and the second and third paragraphs of Article 174 of the TFEU, the ERDF is to contribute to reducing disparities between the levels of development of the various regions and to reducing the backwardness of the least favoured regions, among which particular attention is to be paid to rural areas, areas affected by industrial transition and to regions which suffer from severe and permanent natural or demographic handicaps such as the northernmost regions with very low population density and island, cross-border and mountain regions.

Amendment 2

Proposal for a regulation Recital 5

Text proposed by the Commission

(5) Horizontal principles as set out in Article 3 of the Treaty on European Union ('TEU') and in Article 10 of the TFEU, including principles of subsidiarity and proportionality as set out in Article 5 of the

Amendment

(5) Horizontal principles as set out in Article 3 of the Treaty on European Union ('TEU'), with a special focus on combating social exclusion and discrimination, and in Article 10 of the TFEU, including

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TEU, should be respected in the implementation of the ERDF and the Cohesion Fund, taking into account the Charter of Fundamental Rights of the European Union. Member States should also *respect* the obligations of the UN Convention on the Rights of Persons with Disabilities and ensure accessibility in line with its article 9 and in accordance with the Union law harmonising accessibility requirements for products and services. Member States and the Commission should aim at eliminating inequalities and at promoting equality between men and women and integrating the gender perspective, as well as at combating discrimination based on sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation. The Funds should not support actions that contribute to any form of segregation. The objectives of the ERDF and the Cohesion Fund should be pursued in the framework of sustainable development and the Union's promotion of the aim of preserving, protecting and improving the quality of the environment as set out in Articles 11 and 191(1) of the TFEU, taking into account the polluter pays principle. In order to protect the integrity of the internal market, operations benefitting undertakings shall comply with State aid rules as set out in Articles 107 and 108 of the TFEU.

principles of subsidiarity and proportionality as set out in Article 5 of the TEU, should be respected in the implementation of the ERDF and the Cohesion Fund, taking into account and fully respecting the Charter of Fundamental Rights of the European Union and the European Convention for the Protection of Human Rights and Fundamental Freedoms. Member States should also *comply with* the obligations *set* out in the UN Convention on the Rights of Persons with Disabilities, in particular the obligation to ensure accessibility set out in its article 9, in accordance with the Union law harmonising accessibility requirements for products and services. The accessibility of persons with disabilities should be guaranteed in all infrastructure projects funded by the ERDF and the Cohesion Fund with the exception of duly justified cases. Member States and the Commission should aim at eradicating poverty, at eliminating inequalities and at promoting equality between men and women and integrating the gender perspective, as well as at combating discrimination complying with Article 21 of the Charter that stipulates that any discrimination based on any ground such as sex, race, colour, ethnic or social origin, genetic features, language, religion or belief, political or any other opinion, membership of a national minority, property, birth, disability, age or sexual orientation is prohibited.. The Funds should not support actions that contribute to any form of segregation. The objectives of the ERDF and the Cohesion Fund should be pursued in the framework of sustainable development and the Union's promotion of the aim of preserving, protecting and improving the quality of the environment as set out in Articles 11 and 191(1) of the TFEU, taking into account the polluter pays principle. In order to protect the integrity of the internal market, operations benefitting undertakings shall comply with State aid rules as set out in Articles 107

Proposal for a regulation Recital 5 a (new)

Text proposed by the Commission

Amendment

(5 a) The ERDF and the Cohesion Fund should contribute to fulfilling the commitment of the Union and its Member States to achieve the Sustainable Development Goals.

Amendment 4

Proposal for a regulation Recital 8

Text proposed by the Commission

(8) In an increasingly interconnected world and in view of the demographic and migration dynamics, it is clear that Union migration policy requires a common approach that relies on the synergies and complementarities of the different funding instruments. In order to ensure coherent, strong and consistent support for solidarity and *responsibility-sharing* efforts between Member States in managing migration, the ERDF should provide support to facilitate the long-term integration *of migrants*.

Amendment

In an increasingly interconnected (8) world and in view of the demographic and migration dynamics, it is clear that Union migration policy requires a common approach that relies on the synergies and complementarities of the different funding instruments, such as the ESF+, ERDF, and the AMF. In order to ensure coherent, strong and consistent support for solidarity and efforts for the fair sharing of responsibilities between Member States in managing migration, the ERDF should provide support to facilitate the long-term integration and inclusion of third-country nationals.

Amendment 5

Proposal for a regulation Recital 9

(9) In order to support the efforts of Member States and regions in facing new challenges and ensuring a high level of security for their citizens as well as the prevention of radicalisation, while relying on the synergies and complementarities with other Union policies, investments under the ERDF should contribute to security in areas where there is a need to ensure safe and secure public spaces and critical infrastructure, such as transport and energy.

Amendment

(9) The ERDF should be used to prevent marginalisation and eradicate segregation, thereby contributing to the efforts of Member States and regions in ensuring a high level of cohesion, integration and inclusion in societies. Investments under the ERDF should also contribute to safety in areas where there is a need to ensure safe public spaces and critical infrastructure, such as transport and energy

Amendment 6

Proposal for a regulation Recital 9 a (new)

Text proposed by the Commission

Amendment

(9 a) In order to effectively eradicate poverty and fight social exclusion and segregation, an integrated approach and the programming and implementation of multi-fund programmes are needed; therefore, the compatibility and complementarity of the ERDF and the Cohesion Fund with the ESF+ and the EAFRD are vital.

Amendment 7

Proposal for a regulation Recital 10

Text proposed by the Commission

(10) In addition, investments under the ERDF should contribute to the development of a comprehensive high-speed digital infrastructure network, and to promoting clean and sustainable

Amendment

(10) In addition, investments under the ERDF should contribute to the development of a comprehensive high-speed digital infrastructure network, and to promoting clean and sustainable multimodal urban mobility, *including with*

Proposal for a regulation Recital 25

Text proposed by the Commission

(25)Within the framework of sustainable urban development, it is considered necessary to support integrated territorial development in order to more effectively tackle the economic, environmental, climate, demographic and social challenges affecting urban areas, including functional urban areas, while taking into account the need to promote urban-rural linkages. The principles for selecting the urban areas where integrated actions for sustainable urban development are to be implemented, and the indicative amounts for those actions, should be set out in the programmes under the Investment for jobs and growth goal with a minimum target of 6% of the ERDF resources allocated at national level for that purpose. It should also be established that this percentage should be respected throughout the programming period in the case of transfer between priorities within a programme or between programmes, including at the mid-term review.

Amendment

(25)Within the framework of sustainable urban development, it is considered necessary to support integrated territorial development in order to more effectively tackle the economic, environmental, climate, demographic, social and geographic challenges affecting urban areas, including functional urban areas, while taking into account the need to promote urban-rural linkages and linkages to remote island regions. The principles for selecting the urban areas where integrated actions for sustainable urban development are to be implemented, and the indicative amounts for those actions, should be set out in the programmes under the Investment for jobs and growth goal with a minimum target of 6% of the ERDF resources allocated at national level for that purpose. It should also be established that this percentage should be respected throughout the programming period in the case of transfer between priorities within a programme or between programmes, including at the mid-term review. The ERDF and the Cohesion Fund should also address the specific challenges facing rural areas, such as population decline and ageing, aweak labour market, limited access to education and training, lack of healthcare facilities and social services, remoteness, isolation and risk of poverty and social exclusion.

Amendment 9

Proposal for a regulation Article 2 – paragraph 1 – point a – introductory part

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(a) 'a smarter Europe by promoting innovative and smart economic transformation' ('PO 1') by:

Amendment

(a) 'a smarter Europe by promoting *inclusive*, innovative and smart economic transformation' ('PO 1') by:

Amendment 10

Proposal for a regulation Article 2 – paragraph 1 – point b – introductory part

Text proposed by the Commission

(b) 'a greener, low-carbon Europe by promoting clean and fair energy transition, green and blue investment, the circular economy, climate adaptation and risk prevention and management ('PO 2') by: Amendment

(b) 'a greener, low-carbon Europe *for all* by promoting clean and fair energy transition, green and blue investment, the circular economy, climate adaptation and risk prevention and management ('PO 2') by:

Amendment 11

Proposal for a regulation Article 2 – paragraph 1 – point b – point v

Text proposed by the Commission

Amendment

- (v) promoting sustainable water management;
- (v) providing universal access to water and sewage, and promoting sustainable water management;

Amendment 12

Proposal for a regulation Article 2 – paragraph 1 – point c – introductory part

Text proposed by the Commission

Amendment

- (c) 'a more connected Europe by enhancing mobility and regional ICT connectivity' ('PO 3') by:
- (c) 'a more connected Europe *for all* by enhancing mobility and regional ICT connectivity' ('PO 3') by:

Proposal for a regulation Article 2 – paragraph 1 – point c – point i

Text proposed by the Commission

(i) enhancing digital connectivity;

Amendment

(i) enhancing digital connectivity with a special focus on the most disadvantaged micro-regions, rural areas, and remote island regions;

Amendment 14

Proposal for a regulation Article 2 – paragraph 1 – point c – point iii

Text proposed by the Commission

(iii) developing sustainable, climate resilient, intelligent and intermodal national, regional and local mobility, including improved access to TEN-T and cross-border mobility; Amendment

(iii) developing sustainable, climate resilient, intelligent and intermodal national, regional and local mobility covering all regions, including disadvantaged regions, regions with small cities and rural areas, as well as improved access to TEN-T and cross-border mobility;

Amendment 15

Proposal for a regulation Article 2 – paragraph 1 – point c – point iv a (new)

Text proposed by the Commission

Amendment

(iv a) promoting urban-rural linkages, in particular efficient and sustainable mobility between urban and rural areas;

Amendment 16

Proposal for a regulation Article 2 – paragraph 1 – point d – introductory part

(d) 'a more social Europe implementing the European Pillar of Social Rights' ('PO 4') by:

Amendment

(d) 'a non-discriminatory, inclusive and more social Europe implementing the European Pillar of Social Rights, and eliminating poverty and social exclusion ' ('PO 4') by:

Amendment 17

Proposal for a regulation Article 2 – paragraph 1 – point d – point i

Text proposed by the Commission

(i) enhancing the effectiveness of labour markets and access to quality employment through developing social innovation and infrastructure;

Amendment

(i) enhancing the effectiveness *and inclusiveness* of labour markets and access to quality employment through developing social innovation and infrastructure;

Amendment 18

Proposal for a regulation Article 2 – paragraph 1 – point d – point ii

Text proposed by the Commission

(ii) improving access to inclusive and quality services in education, training and life long learning through developing infrastructure;

Amendment

(ii) improving access to inclusive and quality services in education, training and life long learning through developing infrastructure *in particular in rural areas*;

Amendment 19

Proposal for a regulation Article 2 – paragraph 1 – point d – point iii

Text proposed by the Commission

(iii) increasing the socioeconomic *integration* of marginalised communities, *migrants* and disadvantaged groups, through integrated measures including housing and social services;

Amendment

(iii) increasing the socioeconomic *inclusion* of marginalised communities, *such as the Roma*, and *other* disadvantaged groups through integrated measures including housing and social

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Proposal for a regulation Article 2 – paragraph 1 – point d – point iii a (new)

Text proposed by the Commission

Amendment

(iii a) increasing the socioeconomic integration and inclusion of third-country nationals through integrated measures, including housing and social services;

Amendment 21

Proposal for a regulation Article 2 – paragraph 1 – point d – point iv

Text proposed by the Commission

(iv) ensuring equal access to health care through developing infrastructure, including primary care;

Amendment

(iv) ensuring equal access to highquality health care through developing infrastructure, including primary care, with special regard to rural areas and disadvantaged social groups, such as the Roma;

Amendment 22

Proposal for a regulation Article 2 – paragraph 1 – point e – point i

Text proposed by the Commission

(i) fostering the integrated social, economic and environmental development, cultural heritage and *security* in urban areas;

Amendment

(i) fostering the integrated *and inclusive* social, economic and environmental development, cultural heritage and *social infrastructure* in urban areas;

Amendment 23

Proposal for a regulation

Article 2 – paragraph 1 – point e – point ii

Text proposed by the Commission

(ii) fostering the integrated social, economic and environmental local development, cultural heritage and *security*, including for rural *and* coastal areas also through community-led local development.

Amendment

(ii) fostering the integrated *and inclusive* social, economic and environmental local development, cultural heritage and *social infrastructure*, including for rural, coastal *and remote island* areas also through community-led local development.

Amendment 24

Proposal for a regulation Article 4 – paragraph 1 – subparagraph 1 – point b

Text proposed by the Commission

Amendment

(b) investments in access to services;

(b) investments in access to services with a particular focus on disadvantaged, marginalised and segregated social groups;

Amendment 25

Proposal for a regulation Article 8 – paragraph 1

Text proposed by the Commission

1. The ERDF may support integrated territorial development within programmes under both goals referred to in Article 4(2) of Regulation (EU) 2018/xxxx [new CPR] in accordance with Chapter II of Title III of that Regulation[new CPR].

Amendment

1. The ERDF may support integrated territorial development within programmes under both goals referred to in Article 4(2) of Regulation (EU) 2018/xxxx [new CPR] in accordance with Chapter II of Title III of that Regulation [new CPR]. Integrated territorial development shall not be limited to urban areas but also encompass areas such as metropolitan areas, urban-rural, sub-regional or cross-border areas and isolated rural communities.

Amendment 26

Proposal for a regulation

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Article 9 – paragraph 1

Text proposed by the Commission

1. The ERDF shall support integrated territorial development based on territorial strategies in accordance with Article [23] of Regulation (EU) 2018/xxxx [new CPR] focused on urban areas ('sustainable urban development') within programmes under both goals referred to in Article 4(2) of that Regulation.

Amendment

1. The ERDF shall support integrated territorial development based on territorial strategies in accordance with Article [23] of Regulation (EU) 2018/xxxx [new CPR] focused on, *but not limited to*, urban areas ('sustainable urban development') within programmes under both goals referred to in Article 4(2) of that Regulation.

Amendment 27

Proposal for a regulation Annex 1 – table 1 – column 1 – point 1

Text proposed by the Commission

(1) A smarter Europe by promoting innovative and smart economic transformation

Amendment

(1) A smarter Europe by promoting *inclusive* innovative and smart economic transformation

Amendment 28

Proposal for a regulation Annex 1 – table 1 – column 1 – point 2

Text proposed by the Commission

(2) A greener, low-carbon Europe by promoting clean and fair energy transition, green and blue investment, the circular economy, climate adaptation and risk prevention and management

Amendment

(2) A greener, low-carbon Europe *for all* by promoting clean and fair energy transition, green and blue investment, the circular economy, climate adaptation and risk prevention and management

Amendment 29

Proposal for a regulation Annex 1 – table 1 – column 1 – point 3

Text proposed by the Commission

(3) A more connected Europe by enhancing mobility and regional ICT

Amendment

(3) A more connected Europe *for all* by enhancing mobility and regional ICT

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connectivity connectivity

Amendment 30

Proposal for a regulation Annex 1 – table 1 – column 2 – RCO 65

Text proposed by the Commission

Amendment

RCO 65 - Capacity of rehabilitated housing - *other*

Capacity of rehabilitated housing – *Roma*

Amendment 31

Proposal for a regulation Annex 1 – table 1 – column 2 – RCO 65 a (new)

Text proposed by the Commission

Amendment

Capacity of rehabilitated housing – other

Amendment 32

Proposal for a regulation Annex 1 – table 1 – column 2 – RCO 69

Text proposed by the Commission

Amendment

Capacity of supported health care infrastructure

Capacity of supported health care infrastructure —*Roma*

Amendment 33

Proposal for a regulation Annex 1 – table 1 – column 2 – RCO 69 a (new)

Text proposed by the Commission

Amendment

Capacity of supported health care infrastructure – other

Proposal for a regulation Annex 1 – table 1 – column 2 – RCO 70

Text proposed by the Commission

Amendment

Capacity of supported social infrastructure (other than housing)

Capacity of supported social infrastructure (other than housing) – *Roma*

Amendment 35

Proposal for a regulation Annex 1 – table 1 – column 2 – RCO 70 a (new)

Text proposed by the Commission

Amendment

Capacity of supported social infrastructure (other than housing) – other

Amendment 36

Proposal for a regulation Annex 1 – table 1 – column 3 – RCR 68

Text proposed by the Commission

Amendment

Occupancy of rehabilitated housing - other

Occupancy of rehabilitated housing – *Roma*

Amendment 37

Proposal for a regulation Annex 1 – table 1 – column 3 – RCR 68 a (new)

Text proposed by the Commission

Amendment

Occupancy of rehabilitated housing – other

Amendment 38

Proposal for a regulation Annex 1 – table 1 – column 3 – RCR 72



Amendment

People with access to improved health care services

People with access to improved health care services – *Roma*

Amendment 39

Proposal for a regulation Annex 1 – table 1 – column 3 – RCR 72 a (new)

Text proposed by the Commission

Amendment

People with access to improved health care services – other

Amendment 40

Proposal for a regulation Annex 1 – table 1 – column 3 – RCR 73

Text proposed by the Commission

Amendment

Annual number of persons using the health care facilities supported

Annual number of persons using the health care facilities supported – *Roma*

Amendment 41

Proposal for a regulation Annex 1 – table 1 – column 3 – RCR 73 a (new)

Text proposed by the Commission

Amendment

Annual number of persons using the health care facilities supported – other

Amendment 42

Proposal for a regulation Annex 1 – table 1 – column 3 – RCR 74

Text proposed by the Commission

Amendment

Annual number of persons using the social

Annual number of persons using the social

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Proposal for a regulation Annex 1 – table 1 – column 3 – RCR 74 a (new)

Text proposed by the Commission

Amendment

Annual number of persons using the social care facilities supported – other

PROCEDURE - COMMITTEE ASKED FOR OPINION

Title	European Regional Development Fund and on the Cohesion Fund	
References	COM(2018)0372 - C8-0227/2018 - 2018/0197(COD)	
Committee responsible Date announced in plenary	REGI 11.6.2018	
Opinion by Date announced in plenary	LIBE 5.7.2018	
Rapporteur Date appointed	Soraya Post 9.7.2018	
Discussed in committee	10.9.2018 18.10.2018	
Date adopted	18.10.2018	
Result of final vote	+: 36 -: 6 0: 1	
Members present for the final vote	Asim Ademov, Heinz K. Becker, Monika Beňová, Malin Björk, Caterina Chinnici, Rachida Dati, Frank Engel, Tanja Fajon, Laura Ferrara, Romeo Franz, Kinga Gál, Nathalie Griesbeck, Sylvie Guillaume, Monika Hohlmeier, Filiz Hyusmenova, Dietmar Köster, Barbara Kudrycka, Cécile Kashetu Kyenge, Juan Fernando López Aguilar, Péter Niedermüller, Ivari Padar, Soraya Post, Giancarlo Scottà, Birgit Sippel, Branislav Škripek, Csaba Sógor, Sergei Stanishev, Traian Ungureanu, Bodil Valero, Marie-Christine Vergiat, Josef Weidenholzer, Kristina Winberg, Tomáš Zdechovský, Auke Zijlstra	
Substitutes present for the final vote	Lívia Járóka, Sylvia-Yvonne Kaufmann, Innocenzo Leontini, Ana Miranda, Angelika Mlinar, Maite Pagazaurtundúa Ruiz, Barbara Spinelli, Jaromír Štětina	
Substitutes under Rule 200(2) present for the final vote	Ivan Štefanec	

FINAL VOTE BY ROLL CALL IN COMMITTEE ASKED FOR OPINION

36	+
ALDE	Nathalie Griesbeck, Filiz Hyusmenova, Angelika Mlinar, Maite Pagazaurtundúa Ruiz
EFDD	Laura Ferrara
GUE/NGL	Malin Björk, Barbara Spinelli, Marie-Christine Vergiat
PPE	Asim Ademov, Heinz K. Becker, Rachida Dati, Frank Engel, Monika Hohlmeier, Lívia Járóka, Barbara Kudrycka, Innocenzo Leontini, Csaba Sógor, Ivan Štefanec, Traian Ungureanu
S&D	Monika Beňová, Caterina Chinnici, Tanja Fajon, Sylvie Guillaume, Sylvia-Yvonne Kaufmann, Dietmar Köster, Cécile Kashetu Kyenge, Juan Fernando López Aguilar, Péter Niedermüller, Ivari Padar, Soraya Post, Birgit Sippel, Sergei Stanishev, Josef Weidenholzer
VERTS/ALE	Romeo Franz, Ana Miranda, Bodil Valero

6	-
ECR	Branislav Škripek, Kristina Winberg
ENF	Giancarlo Scottà, Auke Zijlstra
PPE	Kinga Gál, Jaromír Štětina

1	0
PPE	Tomáš Zdechovský

Key to symbols:

+ : in favour- : against0 : abstention

