



A7-0397/2013

19.11.2013

*****I**
IZVJEŠĆE

o prijedlogu Uredbe Europskog parlamenta i Vijeća o uspostavi Programa o pravima i građanstvu za razdoblje 2014. – 2020.
(COM(2011)0758 – C7-0438/2011 – 2011/0344(COD))

Odbor za građanske slobode, pravosuđe i unutarnje poslove

Izjaviteljica: Kinga Göncz

Izjaviteljice za mišljenja (*):
Jean Lambert, Odbor za zapošljavanje i socijalna pitanja
Regina Bastos, Odbor za prava žena i jednakost spolova

(*) Pridruženi odbori – članak 50. Poslovnika

Oznake postupaka

- * Postupak savjetovanja
- *** Postupak suglasnosti
- ***I Redovni zakonodavni postupak (prvo čitanje)
- ***II Redovni zakonodavni postupak (drugo čitanje)
- ***III Redovni zakonodavni postupak (treće čitanje)

(Navedeni se postupak temelji na pravnoj osnovi predloženoj u nacrtu akta.)

Izmjene nacrtu akta

Amandmani Parlamenta u obliku dvaju stupaca

Brisanja su označena *podebljanim kurzivom* u lijevom stupcu. Izmjene su označene *podebljanim kurzivom* u obama stupcima. Novi tekst označen je *podebljanim kurzivom* u desnom stupcu.

U prvom i drugom retku zaglavlja svakog amandmana naznačen je predmetni odlomak iz nacrtu akta koji se razmatra. Ako se amandman odnosi na postojeći akt koji se želi izmijeniti nacrtom akta, zaglavlje sadrži i treći redak u kojem se navodi postojeći akt te četvrti redak u kojem se navodi odredba akta na koju se izmjena odnosi.

Amandmani Parlamenta u obliku pročišćenog teksta

Novi dijelovi teksta označuju se *podebljanim kurzivom*. Brisani dijelovi teksta označuju se oznakom **■** ili su precrtani. Izmjene se naznačuju tako da se novi tekst označi *podebljanim kurzivom*, a da se zamijenjeni tekst izbriše ili precrtu.

Iznimno, izmjene strogo tehničke prirode koje unesu nadležne službe prilikom izrade konačnog teksta ne označuju se.

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(*) Associated committees – Rule 50 of the Rules of Procedure

NACRT ZAKONODAVNE REZOLUCIJE EUROPSKOG PARLAMENTA

o prijedlogu Uredbe Europskog parlamenta i Vijeća o uspostavi Programa o pravima i građanstvu za razdoblje 2014. – 2020.

(COM(2011)0758 – C7-0438/2011 – 2011/0344(COD))

(Redovni zakonodavni postupak: prvo čitanje)

Europski parlament,

- uzimajući u obzir prijedlog Komisije upućen Europskom parlamentu i Vijeću (COM(2011)0758),
 - uzimajući u obzir članak 294. stavak 2. i članke 19. stavak 2., 21. stavak 2., 114., 168., 169. i 197. Ugovora o funkcioniranju Europske unije, u skladu s kojima je Komisija podnijela prijedlog Parlamentu (C7-0438/2011),
 - uzimajući u obzir članak 294. stavak 3. Ugovora o funkcioniranju Europske unije,
 - uzimajući u obzir mišljenje Europskog gospodarskog i socijalnog odbora od 26. travnja 2012.¹,
 - uzimajući u obzir mišljenje Odbora regija od 18. srpnja 2012.²,
 - uzimajući u obzir članak 55. Poslovnika,
 - uzimajući u obzir izvješće Odbora za građanske slobode, pravosuđe i unutarnje poslove i mišljenja Odbora za zapošljavanje i socijalna pitanja, Odbora za prava žena i jednakost spolova, Odbora za proračune, Odbora za pravna pitanja i Odbora za predstavke (A7-0397/2013),
1. usvaja sljedeće stajalište u prvom čitanju;
 2. traži od Komisije da predmet ponovno uputi Parlamentu ako namjerava bitno izmijeniti svoj prijedlog ili ga zamijeniti drugim tekstom;
 3. nalaže svojem predsjedniku da stajalište Parlamenta proslijedi Vijeću, Komisiji i nacionalnim parlamentima.

Amandman 1

AMANDMANI EUROPSKOG PARLAMENTA *

na prijedlog Komisije

¹ SL C 191, 29.6.2012., str. 108.

² SL C 277, 13.9.2012., str. 43.

* Amandmani: novi ili izmijenjeni tekst označava se podebljanim kurzivom, a brisani tekst oznakom **█**.

UREDBA (EU) br. .../2013
EUROPSKOG PARLAMENTA I VIJEĆA

od

o uspostavi Programa o pravima, jednakosti i građanstvu za razdoblje 2014. – 2020.

(Tekst značajan za EGP)

EUROPSKI PARLAMENT I VIJEĆE EUROPSKE UNIJE,

uzimajući u obzir Ugovor o funkcioniranju Europske unije, a posebno njegov članak 19. stavak 2., članak 21. stavak 2. i članke 114., 168., 169. i 197.,

uzimajući u obzir prijedlog Europske komisije,

nakon prosljeđivanja nacrtu zakonodavnog akta nacionalnim parlamentima,

uzimajući u obzir mišljenje Europskoga gospodarskog i socijalnog odbora³,

uzimajući u obzir mišljenje Odbora regija⁴,

u skladu s redovnim zakonodavnim postupkom⁵,

³ SL C 191, 29.6.2012., str. 108.

⁴ SL C 277, 13.9.2012., str. 43.

⁵ Stajalište Europskog parlamenta od ... (još nije objavljeno u Službenom listu) i odluka Vijeća od ...

budući da:

- (1) Europska unija temelji se na **vrijednostima** ■ poštovanja ljudskog **dostojanstva, slobode, demokracije, jednakosti**, vladavine prava i **poštovanja ljudskih prava i temeljnih sloboda**. **Te su vrijednosti** zajedničke državama članicama **u društvu u kojem prevladavaju pluralizam, nediskriminacija, tolerancija, pravda, solidarnost i ravnopravnost žena i muškaraca**. Osobe u Uniji imaju pravo uživati prava koja su im dodijeljena Ugovorom o funkcioniranju Europske unije (UFEU) i Ugovorom o Europskoj uniji (UEU). Nadalje, Povelja Europske unije o temeljnim pravima („**Povelja**”), koja je stupanjem na snagu **Ugovora iz Lisabona** postala pravno obvezujuća u cijeloj Uniji, odražava temeljna prava i slobode koja su zajamčena osobama u Uniji. Ta bi se prava trebala promicati i poštovati ■ . Trebalo bi zajamčiti potpuno uživanje tih prava, **kao i prava koja proizlaze iz međunarodnih konvencija kojima je Unija pristupila, kao što je Konvencija Ujedinjenih naroda o pravima osoba s invaliditetom**, te ukloniti eventualne prepreke. Osim toga, **uživanje ovih prava povlači za sobom odgovornosti i dužnosti prema drugim osobama, ljudskoj zajednici i budućim generacijama**.

(2) U Stockholmskom programu ¹ **Europsko vijeće ponovo je potvrdilo** prioritet razvoja područja slobode, sigurnosti i pravde te je kao politički **prioritet navelo** postizanje Europe prava. Financiranje **je bilo** utvrđeno kao jedno od važnih sredstava za uspješnu provedbu političkih prioriteta Stockholmskog programa. **Ambiciozne ciljeve postavljene Ugovorima i Stockholmskim programom trebalo bi, među ostalim, postići uspostavom, za razdoblje 2014. – 2020., fleksibilnog i učinkovitog Programa o pravima, jednakosti i građanstvu („Program”), koji bi trebao olakšati planiranje i provedbu. Opći i posebni ciljevi Programa trebali bi se tumačiti u skladu s relevantnim strateškim smjernicama koje je definiralo Europsko vijeće.**

(3) Komunikacijom **Komisije od 3. ožujka 2010. o strategiji** Europa 2020. određuje se strategija za pametan, održiv i uključiv rast. Podrška i promicanje prava osoba unutar Unije, borba protiv diskriminacije i nejednakosti te promoviranje građanstva **Unije** doprinose promicanju posebnih ciljeva i vodećih inicijativa strategije Europa 2020.

¹ SL C 115, 4.5.2010., str. 115.

- (5) **Nediskriminacija je temeljno načelo Unije. Člankom 19. UFEU-a predviđene su radnje radi suzbijanja diskriminacije** na temelju spola, rasnog ili etničkog podrijetla, religije ili uvjerenja, invaliditeta, dobi ili spolne orijentacije. **Nediskriminacija je također sadržana u članku 21. Povelje, koji bi se trebao primjenjivati u okviru granica članka 51. Povelje i u skladu s tim člankom. Trebalo bi se prilagoditi posebnim značajkama različitih oblika diskriminacije te usporedno s tim razviti odgovarajuće mjere za sprečavanje i borbu protiv diskriminacije na temelju jedne ili više osnova.**
- (5a) **Program bi se trebao provoditi zajedno s ostalim aktivnostima Unije koje imaju iste ciljeve i na način da se te aktivnosti uzajamno podržavaju, posebice s onima navedenima u Komunikaciji Komisije od 5. travnja 2011. pod nazivom „Okvir EU-a za nacionalne strategije integracije Roma do 2020.”⁶ i u zaključcima Vijeća od 19. svibnja 2011. o Okviru EU-a za nacionalne strategije integracije Roma do 2020., kojima se države članice pozivaju da potaknu rješavanje pitanja socijalne i gospodarske isključenosti Roma provođenjem pristupa ujednačavanja u četirima ključnim područjima - obrazovanju, zaposlenosti, zdravlju i stanovanju, kao i osiguravanjem da se Rome ne diskriminira, već da im se omogući jednako priznanje njihovih temeljnih prava i da se poduzmu mjere s ciljem ukidanja segregacije tamo gdje ona postoji, posebno u područjima obrazovanja i stanovanja.**

⁶ SL C 258, 2.9.2011., str. 6.

(5b) Rasizam, ksenofobija, homofobija i drugi oblici netolerancije predstavljaju izravno kršenje načela slobode, demokracije, poštovanja ljudskih prava i temeljnih sloboda te vladavine prava, a na tim je načelima utemeljena Unija i ta su načela zajednička državama članicama. Stoga je borba protiv tih pojava trajan cilj koji zahtijeva koordinirano djelovanje, uključujući i dodjelu sredstava. Te pojave uključuju, između ostalog, javno poticanje nasilja ili mržnje usmjerene na skupinu osoba ili člana takve skupine, kao i ostala kažnjiva djela kada su počinjena na rasističkoj, ksenofobnoj ili homofobnoj osnovi. U tom bi kontekstu posebnu pažnju trebalo obratiti i na sprječavanje i borbu protiv svih oblika nasilja, mržnje, segregacije i stigmatizacije, kao i borbu protiv tiraniziranja (bullying), zlostavljanja i netolerantnog ponašanja, primjerice u javnoj upravi, policiji, pravosuđu, u školi i na radnom mjestu.

- (5c) *Ravnopravnost između žena i muškaraca jedna je od temeljnih vrijednosti Unije. Nejednakim postupanjem prema ženama i muškarcima krše se temeljna prava. Osim toga, promicanje ravnopravnosti između žena i muškaraca također doprinosi postizanju ciljeva strategije Europa 2020. Cilj promicanja ravnopravnosti između žena i muškaraca trebao bi se provoditi zajedno s ostalim aktivnostima Unije ili država članica koje imaju iste ciljeve i na način da se te aktivnosti uzajamno podržavaju, posebice s onima navedenim u Europskom paktu za ravnopravnost između žena i muškaraca za razdoblje od 2011. do 2020.*
- (7d) *Diskriminacija na temelju spola uključuje, u skladu sa sudskom praksom Suda Europske unije, diskriminaciju koja proizlazi iz promjene spola. U provedbi Programa također bi trebalo obratiti pažnju na promjene u pravu Unije i u sudskoj praksi Suda Europske unije u vezi s daljnjim rodnim aspektima, uključujući rodni identitet.*

- (5e) ***Pravo svake osobe da se prema njoj odnosi dostojanstveno na radnom mjestu i u društvu općenito izraz je tih temeljnih vrijednosti Unije te je potrebno koordinirano djelovanje kako bi se omogućile ciljane aktivnosti povezane s tržištem zapošljavanja. Stoga bi djelovanja u području ravnopravnosti spolova i nediskriminacije trebale uključivati promicanje ravnopravnosti između žena i muškaraca kao i borbu protiv diskriminacije na radnom mjestu i na tržištu zapošljavanja.***
- (7) ***Nasilje nad djecom, mladima i ženama, kao i nad drugim rizičnim skupinama, u svim oblicima, predstavlja kršenje temeljnih prava i ozbiljnu prijetnju zdravlju. Takvo je nasilje prisutno diljem Unije te ima ozbiljne posljedice na fizičko i psihološko zdravlje žrtava, kao i na cjelokupno društvo. Potrebna je snažna politička volja i koordinirano djelovanje utemeljeno na metodama i rezultatima programâ Daphne⁷ kako bi se riješila ta situacija i zaštitilo žrtve. Poduzimanje mjera za suzbijanje nasilja nad ženama doprinosi promicanju ravnopravnosti žena i muškaraca. S obzirom na to da je financiranje u okviru programâ Daphne bilo izuzetno uspješno od njihovog pokretanja 1997. godine, kako u pogledu njihove popularnosti kod zainteresiranih strana (tijela javne vlasti, akademskih institucija i nevladinih organizacija), tako i u pogledu učinkovitosti financiranih projekata, ključno je da se u provedbi Programa zadrži ime „Daphne” kada se radi o dijelu posebnog cilja koji teži sprečavanju i suzbijanju nasilja nad djecom, mladima i ženama kako bi profil programâ Daphne ostao što viši.***

⁷ Odluka br. 293/2000/EZ Europskog parlamenta i Vijeća od 24. siječnja 2000. o donošenju programa djelovanja Zajednice (program Daphne) (2000. – 2003.) o preventivnim mjerama za suzbijanje nasilja nad djecom, mladima i ženama (SL L 34, 9.2.2000., str. 1.); Odluka br. 803/2004/EZ Europskog parlamenta i Vijeća od 21. travnja 2004. o donošenju programa djelovanja Zajednice (2004. – 2008.) za sprečavanje i suzbijanje nasilja nad djecom, mladima i ženama te za zaštitu žrtava i ugroženih skupina (program Daphne II) (SL L 143, 30.4.2004., str. 1.); Odluka br. 779/2007/EZ Europskog parlamenta i Vijeća od 20. lipnja 2007. o uspostavi posebnog programa za sprečavanje i suzbijanje nasilja nad djecom, mladima i ženama te zaštitu žrtava i ugroženih skupina za razdoblje 2007. - 2013. (Program Daphne III) u okviru Općeg programa „Temeljna prava i pravosuđe” (SL L 173, 3.7.2007., str. 19.).

- (7a) *Člankom 3. stavkom 3. UEU-a od Unije se zahtijeva da promiče zaštitu prava djece i suzbija diskriminaciju. Djeca su ranjiva, posebno u stanju siromaštva, socijalne isključenosti ili invaliditeta, ili u drugim specifičnim situacijama u kojima su izložena riziku, kao što su zanemarivanje, otmica i nestanak. Potrebno je poduzeti mjere u svrhu promicanja prava djeteta i doprinosa zaštiti djece od ozljeda i nasilja koji predstavljaju opasnost za njihovo fizičko i psihičko zdravlje te predstavljaju kršenje njihovih prava na razvoj, zaštitu i dostojanstvo.*
- (9) Osobne podatke i dalje bi trebalo učinkovito štititi u kontekstu stalnog tehnološkog razvoja i globalizacije. Pravni okvir Unije za zaštitu podataka trebao bi se učinkovito i dosljedno primjenjivati unutar Unije. Kako bi se to postiglo, Unija bi trebala moći podržati napore država članica da provedu taj pravni okvir, *stavljajući poseban naglasak na to da se pojedincima osigura učinkovito ostvarivanje njihovih prava.*

- (3) *Građani bi trebali biti više svjesni svojih prava koja proizlaze iz građanstva Unije, to jest svojeg prava da se slobodno kreću i borave u Uniji, prava da glasuju i budu birani na izborima za Europski parlament i na lokalnim izborima u državi članici u kojoj imaju boravište pod istim uvjetima kao i državljani te države, prava na podnošenje peticije Europskom parlamentu na bilo kojem jeziku Ugovorâ, prava na podnošenje inicijativa građana, kao i prava na podnošenje pritužbi Europskom ombudsmanu u vezi s nepravilnostima u djelovanju institucija, te bi trebali moći izvršavati ta prava. Poticanje građana da igraju aktivniju ulogu u demokraciji na razini Unije ojačat će europsko civilno društvo, kao i razvoj europskog identiteta. Građani bi se trebali osjećati opušteno što se tiče života, putovanja, studiranja, rada i volontiranja u drugoj državi članici te bi trebali osjećati da mogu imati povjerenje u jednak pristup, u potpuno ostvarivanje i zaštitu svojih prava bez ikakve diskriminacije, bez obzira na to gdje se u Uniji nalaze.*

- (9b) *Pojedinci u svojstvu potrošača ili poduzetnika na unutarnjem tržištu trebali bi moći ostvarivati svoja prava koja proizlaze iz prava Unije u prekograničnom kontekstu.*
- (10) U skladu s člancima 8. i 10. *UFEU*-a, Program bi *u svim svojim aktivnostima* trebao podržavati *rodno osviještenu politiku i* integriranje ciljeva *nediskriminacije* . Praćenje i ocjenjivanje trebali bi se provoditi redovito kako bi se ocijenio način na koji se aktivnosti Programa bave pitanjima ravnopravnosti spolova i nediskriminacije.
- (11) Iskustvo djelovanja na razini Unije pokazalo je da ostvarivanje ciljeva *Programa* u praksi zahtijeva kombinaciju instrumenata, uključujući *pravne akte*, inicijative politike i financiranje. Financiranje je važno sredstvo koje nadopunjuje zakonodavne mjere.

- (11a) *Osim što imaju realnu vrijednost za korisnike, djelovanja financirana u okviru Programa mogu pružati dokaze na kojima će se temeljiti poboljšana izrada politika na nacionalnoj razini i na razini Unije. Na primjer, programi Daphne omogućili su stvarni prijenos znanja i dobre prakse između svih uključenih zainteresiranih strana, uključujući države članice, u pogledu sprječavanja i suzbijanja nasilja nad djecom, mladima i ženama.*
- (11b) U Komunikaciji Komisije od **29. lipnja 2011.** pod nazivom „Proračun za strategiju Europa 2020.” ističe se potreba za racionalizacijom i pojednostavljenjem financiranja Unije. Smisleno pojednostavljenje financiranja i učinkovito upravljanje financiranjem može se ostvariti **smanjenjem** broja programa i racionalizacijom, pojednostavljenjem i usklađivanjem pravila i postupaka financiranja.

- (12) Odgovarajući na potrebu za pojednostavljenjem financiranja, učinkovitim upravljanjem financiranjem ***i lakšim pristupom financiranju, Program bi trebao nastaviti i razvijati*** aktivnosti koje su se prethodno provodile na temelju dijela 4. („Borba protiv diskriminacije i raznolikost”) i dijela 5. („Jednakost spolova”) programa Progress, uspostavljenog Odlukom br. 1672/2006/EZ Europskog parlamenta i Vijeća⁸, programa „Temeljna prava i građanstvo”, uspostavljenog Odlukom Vijeća 2007/252/EZ⁹ i programa Daphne III. ***Srednjoročne ocjene tih programa uključuju preporuke čiji je cilj poboljšati provedbu tih programa. Rezultati tih srednjoročnih ocjena, kao i rezultati ex-post ocjena trebaju se uzeti u obzir u provedbi Programa.***
- (12a) ***Osiguranje optimalne uporabe financijskih resursa i poboljšanje učinkovitosti potrošnje trebali bi biti vodeća načela za postizanje ciljeva programa. Adekvatno bi financiranje trebalo biti zajamčeno kako bi se podržali naponi uspostave Europe prava. Važno je osigurati da se Program provodi na najučinkovitiji i najpristupačniji mogući način te da se istovremeno svim sudionicima jamči pravna sigurnost i pristup. Kako bi se olakšao pristup financiranju svim potencijalnim korisnicima, trebalo bi također pojednostaviti postupke u vezi sa zahtjevom i zahtjeve financijskog upravljanja te ukloniti administrativna opterećenja.***

⁸ Odluka br. 1672/2006/EZ Europskog parlamenta i Vijeća od 24. listopada 2006. o uspostavljanju Programa Zajednice za zapošljavanje i socijalnu solidarnost - Progress (SL L 315, 15.11.2006., str.1.).

⁹ Odluka Vijeća 2007/252/EZ od 19. travnja 2007. o uspostavljanju posebnog programa „Temeljna prava i građanstvo” za razdoblje 2007. - 2013. u okviru Općeg programa „Temeljna prava i pravosuđe” (SL L 110, 27.4.2007., str. 33.)

- (13) U *Komunikaciji Komisije od 19. listopada 2010. pod nazivom „Revizija proračuna EU-a”* i *Komunikaciji Komisije od 29. lipnja 2011. pod nazivom „Proračun za strategiju Europa 2020.”* ističe se važnost usmjerenja financiranja na djelovanja s jasnom europskom dodanom vrijednošću, to jest gdje intervencija Unije može donijeti dodanu vrijednost u usporedbi s djelovanjem samih država članica. Djelovanja koja obuhvaća ova Uredba trebala bi doprinijeti razvoju uzajamnog povjerenja među državama članicama, poboljšavajući prekograničnu suradnju i umrežavanje te ostvarujući točnu, usklađenu i dosljednu primjenu prava Unije. Aktivnosti financiranja također bi trebale doprinijeti tome da svi uključeni učinkovitije i bolje upoznaju pravo i politike Unije te pružiti dobru analitičku bazu za potporu i razvoj *prava* i politika Unije, *time doprinoseći njihovoj provedbi i ispravnoj primjeni*. Intervencija Unije omogućuje dosljedno ostvarivanje tih aktivnosti diljem Unije te donosi ekonomije razmjera. Pored toga, Unija je u boljem položaju od država članica za rješavanje prekograničnih pitanja i osiguravanje europske platforme za uzajamno učenje.

- (13a) *Prilikom odabira djelovanja za financiranje u okviru Programa, Komisija bi trebala ocijeniti prijedloge na temelju prethodno utvrđenih kriterija. Ti bi kriteriji trebali uključivati ocjenjivanje europske dodane vrijednosti predloženih djelovanja. Nacionalni projekti i projekti manjeg opsega također mogu imati europsku dodanu vrijednost.*
- (13b) *Tijela ili subjekti koji nastoje postići cilj od općeg europskog interesa u područjima obuhvaćenima Programom trebala bi se smatrati ključnim čimbenicima u mjeri u kojoj su dokazali, ili se očekuje da mogu dokazati, da značajno utječu na ostvarenje tog cilja te bi trebali primiti financijska sredstva u skladu s postupcima i kriterijima utvrđenima u godišnjim programima rada koje je donijela Komisija u skladu s ovom Uredbom.*
- (13c) *Usklađene usluge od društvenog značaja trebale bi se tumačiti u smislu članka 2. Odluke Komisije 116/2007/EZ¹⁰.*

- (13d) *Tijela i subjekti koji imaju pristup Programu trebali bi uključivati nacionalna, regionalna i lokalna tijela vlasti.*

¹⁰ Odluka Komisije br. 116/2007/EZ od 15. veljače 2007. o rezerviranju nacionalnog numeracijskog raspona koji počinje brojem „116” za usklađene brojeve za usklađene usluge od društvenog značaja (SL L 49, 17.2.2007., str. 30.).

- (15) Ovom se Uredbom utvrđuje financijska omotnica za čitavo trajanje Programa koja predstavlja primarni referentni iznos, u smislu točke 17. Međuinstitucionalnog sporazuma od ... 2013 između Europskog parlamenta, Vijeća i Komisije o proračunskoj disciplini, o suradnji u vezi s proračunskim pitanjima i o dobrom financijskom upravljanju^{11*}, za Europski parlament i Vijeće tijekom godišnjeg proračunskog postupka.
- (15a) *Kako bi se osigurala dovoljna fleksibilnost Programa u odgovaranju na potrebe koje se mijenjaju i odgovarajuće prioritete politike za cijelo vrijeme njegova trajanja, Komisiji bi trebalo delegirati ovlast za donošenje akata u skladu s člankom 290. UFEU-a u vezi s izmjenom postotaka navedenih u Prilogu ovoj Uredbi za svaku skupinu posebnih ciljeva koja bi premašivala te postotke za više od 5 postotnih bodova. U svrhu ocjene potrebe za takvim delegiranim aktom, ti bi se postoci trebali izračunavati na temelju financijske omotnice za čitavo trajanje Programa, a ne na temelju godišnjih odobrenih sredstava. Posebno je važno da Komisija tijekom svojeg rada provede odgovarajuća savjetovanja, uključujući i ona na razini stručnjaka. Prilikom pripreme i izrade delegiranih akata, Komisija bi trebala osigurati da se relevantni dokumenti Europskom parlamentu i Vijeću šalju istodobno, na vrijeme i na primjeren način.*

¹¹ SL ...

* SL: molimo umetnuti datum donošenja i upućivanje na objavu Međuinstitucionalnog sporazuma, sadržanog u dokumentu ST 11838/13.

- (16) Ova bi se Uredba trebala provoditi u punoj usklađenosti s Uredbom (EU, Euratom) br. 966/2012 *Europskog parlamenta i Vijeća*¹² („*Financijska uredba*”). *Osobito u odnosu na uvjete prihvatljivosti poreza na dodanu vrijednost (PDV) koji plaćaju korisnici bespovratnih sredstava, prihvatljivost PDV-a ne bi smjela ovisiti o pravnom statusu korisnika za aktivnosti koje mogu obavljati privatna i javna tijela i subjekti pod istim pravnim uvjetima. Uzimajući u obzir posebnu prirodu ciljeva i aktivnosti obuhvaćenih ovom Uredbom, u pozivima na dostavu prijedloga trebalo bi se razjasniti da će, za aktivnosti koje mogu obavljati i javna i privatna tijela i subjekti, neodbitni PDV koji je nastao za javna tijela i subjekte biti prihvatljiv, u mjeri u kojoj je plaćen za provedbu aktivnosti, kao što su osposobljavanje ili podizanje svijesti, koje se ne mogu smatrati izvršavanjem javne vlasti. Ovom bi se Uredbom također trebala iskoristiti sredstva pojednostavljenja uvedena Financijskom uredbom.* Nadalje, cilj kriterija za određivanje djelovanja koja treba podupirati trebao bi biti dodjela raspoloživih financijskih resursa djelovanjima koja stvaraju najjači učinak u odnosu na cilj politike kojem se teži.

¹² Uredba (EU, Euratom) br. 966/2012 Europskog parlamenta i Vijeća od 25. listopada 2012. o financijskim pravilima koja se primjenjuju na opći proračun Unije (SL L 298, 26.10.2012., str. 1.).

(17) Radi osiguranja jedinstvenih uvjeta za provedbu ove Uredbe, provedbene ovlasti trebalo bi dodijeliti Komisiji u odnosu na donošenje godišnjih ■ programa rada. Te bi se ovlasti trebale izvršavati u skladu s Uredbom (EU) br. **182/2011** Europskog parlamenta i Vijeća¹³.

(17a) *Godišnji programi rada koje Komisija donese u skladu s ovom Uredbom trebali bi osigurati prikladnu raspodjelu financijskih sredstava između bespovratnih sredstava i ugovora o javnoj nabavi. Sredstva iz Programa trebala bi se izdvojiti ponajprije za bespovratna sredstva, uz istovremeno održavanje dostatne razine financiranja za nabavu. Najmanji postotak godišnjih rashoda koji se dodjeljuje za bespovratna sredstva trebao bi biti uspostavljen u godišnjim programima rada i ne bi smio biti manji od 65%. Kako bi se olakšalo planiranje projekata i sufinanciranje koje provode zainteresirane strane, Komisija bi trebala uspostaviti jasan vremenski raspored za pozive na dostavu prijedloga, odabir projekata i odluke o dodjeli.*

¹³ Uredba (EU) br. **182/2011** Europskog parlamenta i Vijeća od 16. veljače 2011. o utvrđivanju pravila i općih načela u vezi s mehanizmima nadzora država članica nad izvršavanjem provedbenih ovlasti Komisije (SL L 55, 28.2.2011., str. 13.).

- (18) Kako bi se osigurala učinkovita dodjela sredstava iz **općeg** proračuna **Unije**, trebalo bi tražiti dosljednost, komplementarnost i sinergije između programa financiranja kojima se podupiru međusobno usko povezana područja politike, posebno između Programa i **programa** Pravosuđe uspostavljenog Uredbom (EU) br. .../2013 Europskog parlamenta i Vijeća ^{14*}, **programa** Europa za građane uspostavljenog Uredbom (EU) br. .../2013 Europskog parlamenta i Vijeća ^{15**}, **programa Europske unije za zapošljavanje i društvene inovacije uspostavljenog Uredbom (EU) br. .../2013 Europskog parlamenta i Vijeća**^{16***} i **drugih** programa u područjima **█** zapošljavanja i društvenih pitanja; **unutarnjih** poslova; zdravstva i zaštite potrošača; obrazovanja, osposobljavanja, mladih i sporta; informacijskog društva; proširenja, posebno Instrumenta pretpristupne pomoći uspostavljenog Uredbom (EU) br. .../2013 Europskog parlamenta i Vijeća ^{17****} i fondova koji djeluju u okviru Zajedničkog strateškog okvira (fondovi ZSO-a), uspostavljenih Uredbom (EU) br. .../2013 Europskog parlamenta i Vijeća ^{18*****}.

¹⁴ SL L ...

* SL: molimo umetnuti broj u tekst, a u bilješku puni naziv i upućivanje na objavu Uredbe iz dokumenta PE-CONS 90/2013.

¹⁵ SL L ...

** SL: molimo umetnuti broj u tekst, a u bilješku puni naziv i upućivanje na objavu Uredbe iz dokumenta PE-CONS .../2013.

¹⁶ SL L ...

*** SL: molimo umetnuti broj u tekst, a u bilješku puni naziv i upućivanje na objavu Uredbe iz dokumenta PE-CONS 80/2013.

¹⁷ SL L ...

**** SL: molimo umetnuti broj u tekst, a u bilješku puni naziv i upućivanje na objavu Uredbe iz dokumenta PE-CONS .../2013.

¹⁸ SL L ...

***** SL: molimo umetnuti broj u tekst, a u bilješku puni naziv i upućivanje na objavu Uredbe iz dokumenta PE-CONS 85/2013.

- (18a) *Komisija bi trebala osigurati sveobuhvatnu dosljednost, komplementarnost i sinergije s radom tijela, ureda i agencija Unije, kao što je Europski institut za ravnopravnost spolova i Agencija za temeljna prava, te bi trebala uzeti u obzir rad drugih nacionalnih i međunarodnih čimbenika u područjima obuhvaćenima Programom.*
- (19) Financijske interese Unije trebalo bi zaštititi proporcionalnim mjerama tijekom cjelokupnog ciklusa rashoda, uključujući sprečavanje, otkrivanje i ispitivanje nepravilnosti, povrat izgubljenih, pogrešno isplaćenih ili nepravilno iskorištenih sredstava te, prema potrebi, određivanje *administrativnih i* financijskih sankcija ■ , u skladu s *Financijskom uredbom*.
- (20) S ciljem provedbe načela dobrog financijskog upravljanja, ova Uredba trebala bi osigurati odgovarajuća sredstva za ocjenu svoje učinkovitosti. U tu svrhu trebala bi definirati opće i posebne ciljeve. Kako bi se izmjerilo postizanje tih posebnih ciljeva, trebalo bi uspostaviti skup konkretnih i mjerljivih pokazatelja koji bi trebali biti važeći tijekom čitavog trajanja *Programa*. Komisija bi jednom godišnje Europskom parlamentu i Vijeću trebala podnositi izvješće o praćenju, koje bi se trebalo temeljiti, među ostalim, na pokazateljima određenima u ovoj Uredbi te koje bi trebalo pružiti informacije o korištenju raspoloživih sredstava.

- (20a) *Pri provedbi Programa Komisija bi trebala uzeti u obzir cilj pravedne geografske raspodjele sredstava te pružiti pomoć u onim državama članicama gdje postoji relativno mali broj financiranih djelovanja. Komisija bi pri provedbi Programa također trebala uzeti u obzir treba li, prema međunarodno priznatim indeksima/tijelima za praćenje, poduzeti mjere u nekim državama članicama kako bi se osiguralo učinkovito postizanje ciljeva Programa te bi trebala podržati djelovanje država članica ili civilnog društva u tim područjima.*
- (20b) *U skladu s člankom 180. stavkom 1. točkom (l) Delegirane uredbe Komisije (EU) br. 1268/2012 ¹⁹(„pravila za primjenu”), u sporazumima o dodjeli bespovratnih sredstava trebalo bi utvrditi odredbe o vidljivosti financijske potpore Unije, osim u opravdanim slučajevima kada javno iskazivanje nije moguće ili primjereno.*

¹⁹ Delegirana uredba Komisije (EU) br. 1268/2012 od 29. listopada 2012. o pravilima za primjenu Uredbe (EU, Euratom) br. 966/2012 Europskog parlamenta i Vijeća o financijskim pravilima koja se primjenjuju na opći proračun Unije (SL L 362, 31.12.2012., str. 1.).

- (20c) *U skladu s člankom 35. stavcima 2. i 3. Financijske uredbe i člankom 21. njezinih pravila za primjenu, Komisija bi trebala staviti na raspolaganje, na odgovarajući način i pravodobno, podatke o primateljima te naravi i svrsi mjera koje se financiraju iz općeg proračuna Unije. Ti bi se podaci trebali staviti na raspolaganje uz poštovanje zahtjeva povjerljivosti i sigurnosti, a posebno zaštite osobnih podataka.*
- (21) S obzirom na to da cilj ove Uredbe, to jest doprinos *daljnjem razvoju* područja gdje se *jednakost i prava osoba*, kako su sadržani u *UEU-u, UFEU-u, Povelji i u međunarodnim konvencijama o ljudskim pravima kojima je Unija pristupila, promiču, štite i učinkovito provode*, ne mogu dostatno ostvariti države članice, nego se zbog svojeg opsega i učinaka on na bolji način može ostvariti na razini *Unije*, Unija može donijeti mjere u skladu s načelom supsidijarnosti utvrđenim u članku 5. *UEU-a*. U skladu s načelom proporcionalnosti utvrđenim u tom članku, ova Uredba ne prelazi ono što je potrebno za ostvarivanje tog cilja ■ .

(21a) Kako bi se osigurao kontinuitet financiranja aktivnosti koje su se prethodno provodile na temelju dijelova 4. i 5. Odluke br. 1672/2006/EZ, Odluke 2007/252/EZ i Odluke br. 779/2007/EZ, ova bi Uredba trebala stupiti na snagu sljedećeg dana od dana objave,

DONIJELI SU OVU UREDBU:

Članak 1.

Uspostava i trajanje Programa

1. Ovom Uredbom uspostavlja se **Program** o pravima, *jednakosti* i građanstvu („Program”).
2. Program obuhvaća razdoblje od 1. siječnja 2014. do 31. prosinca 2020.

Članak 2.

Europska dodana vrijednost

1. Programom se financiraju djelovanja s europskom dodanom vrijednošću. U tu svrhu Komisija osigurava da djelovanja odabrana za financiranje imaju za cilj ostvarivanje rezultata s europskom dodanom vrijednošću **■**.
2. *Europska dodana vrijednost djelovanja, uključujući vrijednost djelovanja manjeg opsega i nacionalnih djelovanja, ocjenjuje se s obzirom na kriterije kao što su njihov doprinos dosljednoj i koherentnoj provedbi prava Unije, kao i osviještenost šire javnosti o pravima koja iz njega proizlaze, njihov potencijal u smislu razvoja uzajamnog povjerenja među državama članicama te poboljšanja prekogranične suradnje, njihov transnacionalni učinak, njihov doprinos razradi i širenju najbolje prakse ili njihov potencijal u smislu doprinosa stvaranju minimalnih standarda, praktičnih alata i rješenja za postupanje u odnosu na prekogranične izazove ili izazove diljem Unije.*

Članak 3.

Opći cilj

Opći je cilj Programa doprinijeti, **u skladu s člankom 4., daljnjem razvoju** područja gdje se **jednakost i prava osoba**, kako su sadržani u **UEU-u, UFEU-u, Povelji i u međunarodnim konvencijama o ljudskim pravima kojima je Unija pristupila, promiču, štite i učinkovito provode.**

Članak 4.

Posebni ciljevi

1. Kako bi ostvario opći cilj naveden u članku 3., Program ima sljedeće posebne ciljeve:

■

(b) promicati učinkovitu provedbu **načela** nediskriminacije na temelju spola, rasnog ili etničkog podrijetla, religije ili uvjerenja, invaliditeta, dobi ili spolne orijentacije **te poštovati načelo nediskriminacije na osnovama predviđenima u članku**

21. Povelje;

(ba) **sprječavati i suzbijati rasizam, ksenofobiju, homofobiju i druge oblike netolerancije;**

(bb) **promicati i štiti prava osoba s invaliditetom;**

(bc) **promicati ravnopravnost između žena i muškaraca te poticati rodno osviještenu politiku;**

(bd) sprječavati i suzbijati sve oblike nasilja nad djecom, mladima i ženama, kao i nasilja nad drugim rizičnim skupinama, posebno skupinama koje su u opasnosti od nasilja u bliskim odnosima, te zaštititi žrtve od takvog nasilja.

(c) *promicati i štiti* prava djece;

(d) doprinosti osiguravanju *najviše* razine zaštite *privatnosti i* osobnih podataka;

(da) promicati i jačati ostvarivanje prava koja proizlaze iz građanstva Unije;

█

(db) omogućiti pojedincima da u svojstvu potrošača ili poduzetnika na unutarnjem tržištu ostvare svoja prava koja proizlaze iz prava Unije, a odnose se na projekte financirane u okviru Programa za potrošače.

█

1.a *Posebni se ciljevi programa posebice ostvaruju putem:*

- (a) jačanja osviještenosti i poznavanja prava i politika Unije te prava, vrijednosti i načela na kojima se Unija temelji;*
- (b) pružanja potpore učinkovitoj, sveobuhvatnoj i dosljednoj provedbi i primjeni instrumenata prava i politika Unije u državama članicama te njihovom praćenju i ocjenjivanju;*
- (c) promicanja prekogranične suradnje, poboljšanja uzajamnog znanja i jačanja uzajamnog povjerenja među svim zainteresiranim stranama;*
- (d) poboljšanja poznavanja i razumijevanja potencijalnih prepreka ostvarenju prava i načela zajamčenih UEU-om, UFEU-om, Poveljom, međunarodnim konvencijama kojima je Unija pristupila i sekundarnim zakonodavstvom Unije.*

Članak 5.

Vrste djelovanja

1.

1. Program financira, između ostalog, sljedeće vrste djelovanja:

- (a) **analitičke** aktivnosti, poput prikupljanja podataka i statistike; razvoja zajedničkih metodologija i, prema potrebi, pokazatelja ili mjerila vrijednosti; studija, istraživanja, analiza i anketa; ocjena ■ ; izrade i objave vodiča, izvješća i obrazovnog materijala; ■ radionica, seminara, stručnih skupova i konferencija;
- (b) aktivnosti **osposobljavanja**, poput razmjene osoblja, radionica, seminara, tečajeva obuke instruktora i razvoja internetskih alata za osposobljavanje **ili** drugih modula osposobljavanja;

- (c) **uzajamno** učenje, suradnju, aktivnosti podizanja svijesti i širenja kao što su prepoznavanje i razmjena dobre prakse, inovativnih pristupa i iskustava; organiziranje stručnih pregleda te uzajamnog učenja; organiziranje konferencija, seminara, **kampanja za medije, uključujući u internetskim medijima**; **informativne kampanje**, uključujući **institucionalno** priopćivanje političkih prioriteta **Unije u onoj mjeri u kojoj su povezani s ciljevima Programa**; sastavljanje i objavu materijala za širenje informacija **o Programu i njegovim** rezultatima; razvoj, djelovanje i održavanje sustava i alata koristeći informacijske i komunikacijske tehnologije;
- (d) **potporu glavnim čimbenicima čije aktivnosti doprinose provedbi ciljeva Programa, kao što je potpora nevladinim organizacijama u provedbi djelovanja s europskom dodanom vrijednošću, potpora ključnim europskim čimbenicima, mrežama na europskoj razini te usklađenim uslugama od društvenog značaja**; potporu državama članicama u provedbi prava i politika Unije; **i potporu za aktivnosti umrežavanja na europskoj razini** među specijaliziranim tijelima i subjektima, **kao i nacionalnim, regionalnim i lokalnim tijelima te nevladinim organizacijama, uključujući potporu kroz bespovratna sredstva za djelovanja ili operativna bespovratna sredstva.**

2a. Kako bi se osigurala uključiva perspektiva, korisnici potiču sudjelovanje relevantnih ciljanih skupina u djelovanjima financiranim Programom.

Članak 6.

Sudjelovanje

1. Pristup Programu otvoren je svim ▯ tijelima i subjektima sa zakonitim poslovnim nastanom u:
 - (a) državama članicama;
 - (b) zemljama Europskog udruženja za slobodnu trgovinu (EFTA) koje su stranke ▯ Sporazuma *o Europskom gospodarskom prostoru*, u skladu s *tim* sporazumom;
 - (c) zemljama kandidatkinjama, potencijalnim *kandidatima i zemljama koje pristupaju Uniji*, u skladu s općim načelima i općim uvjetima utvrđenima za sudjelovanje tih zemalja u programima Unije koji su uspostavljeni u odgovarajućim okvirnim sporazumima te odlukama Vijeća za pridruživanje, ili sličnim sporazumima.
- 1a. Profitna tijela i subjekti imaju pristup Programu samo zajedno s neprofitnim ili javnim organizacijama.**

2. ***Tijela*** i subjekti koji imaju zakonit poslovni nastan u ■ trećim zemljama, ***osim onih koji sudjeluju u Programu u skladu sa stavkom 1. točkama (b) i (c), a posebno*** zemljama u kojima se primjenjuje Europska politika susjedstva, mogu biti povezani s djelovanjima Programa ***na vlastiti trošak***, ako to služi svrsi ***tih*** djelovanja.

3. Komisija može surađivati s ***međunarodnim organizacijama pod uvjetima utvrđenima u relevantnom godišnjem programu rada. Pristup Programu otvoren je*** međunarodnim organizacijama koje su aktivne u područjima obuhvaćenima Programom ***u skladu s Financijskom uredbom i relevantnim godišnjim programom rada.***

Članak 7.

Proračun

1. Financijska omotnica za provedbu Programa za razdoblje 2014. 2020. iznosi ***[439,473 milijuna]*** EUR.

2. Raspodjela financijskih sredstava Programa također može obuhvaćati izdatke koji se odnose na aktivnosti pripreme, praćenja, kontrole, revizije i evaluacije, potrebne za upravljanje Programom i **ocjenu** postizanja njegovih ciljeva. **Dodjela financijskih sredstava može obuhvaćati izdatke koji se odnose na potrebne** studije, sastanke stručnjaka, informacijske i komunikacijske aktivnosti, uključujući **institucionalno** priopćivanje političkih prioriteta Unije sve dok su povezani s općim ciljevima ove Uredbe, **kao i** izdatke povezane s mrežama informacijske tehnologije koje su usredotočene na obradu i razmjenu informacija; **i** drugu tehničku i administrativnu pomoć **potrebnu u vezi s** upravljanjem Programom od strane Komisije.
3. Europski parlament i Vijeće odobravaju raspoloživa godišnja odobrena sredstva u okviru granica predviđenih u višegodišnjem financijskom okviru uspostavljenom Uredbom Vijeća (EU, Euratom) br. .../2013^{20*}.
- 3.a U okviru financijske omotnice za Program, iznosi se raspoređuju za svaku skupinu posebnih ciljeva u skladu s postocima navedenima u Prilogu.**

²⁰ Uredba Vijeća (EU) br. .../2013 od ... 2013. o utvrđivanju višegodišnjeg financijskog okvira za godine 2014. – 2020. (SL L ...).

* SL: molimo umetnuti, u članku i u bilješci, broj, datum objave i upućivanje na objavu Uredbe sadržane u dokumentu ST 11791/13.

3b *Komisija ne odstupa od dodijeljenih postotaka financijske omotnice, kako je navedeno u Prilogu, za više od 5 postotnih bodova za svaku skupinu posebnih ciljeva. Ako se pokaže da je potrebno premašiti to ograničenje, Komisija je ovlaštena donijeti delegirane akte u skladu s člankom 7.a za izmjenu svake brojke iz Priloga za više od 5 te najviše 10 postotnih bodova.*

Članak 7.a

Izvršavanje ovlasti

- 1.** *Ovlast za donošenje delegiranih akata dodjeljuje se Komisiji podložno uvjetima utvrđenima u ovom članku.*
- 2.** *Ovlast za donošenje delegiranih akata iz članka 7. stavka 3.b dodjeljuje se Komisiji za razdoblje trajanja Programa.*
- 3.** *Europski parlament ili Vijeće u svakom trenutku mogu opozvati delegiranje ovlasti iz članka 7. stavka 3.b. Odlukom o opozivu prekida se delegiranje ovlasti koje je u njoj navedeno. Opoziv proizvodi učinke dan nakon objave spomenute odluke u Službenom listu Europske unije ili na kasniji dan naveden u spomenutoj odluci. On ne utječe na valjanost delegiranih akata koji su već na snazi.*
- 4.** *Čim donese delegirani akt, Komisija ga istodobno priopćuje Europskom parlamentu i Vijeću.*

5. *Delegirani akt donesen na temelju članka 7. stavka 3.b stupa na snagu samo ako Europski parlament ili Vijeće u roku dva mjeseca od priopćenja tog akta Europskom parlamentu i Vijeću na njega ne ulože nikakav prigovor ili ako su prije isteka tog roka i Europski parlament i Vijeće obavijestili Komisiju da neće uložiti prigovore. Taj se rok produljuje za dva mjeseca na inicijativu Europskog parlamenta ili Vijeća.*

Članak 8.

Provedbene mjere

1. Komisija provodi Program u skladu s *Financijskom* uredbom **■**.
2. Kako bi provela Program, Komisija donosi godišnje programe rada u obliku provedbenih akata. Ti se provedbeni akti donose u skladu s postupkom *ispitivanja* iz članka 9. stavka 2.
3. *Svakim* godišnjim programom rada *provode se ciljevi Programa, određujući sljedeće:*
 - (a) *djelovanja koja će se poduzeti, u skladu s općim i posebnim ciljevima navedenima u članku 3. i članku 4. stavku 1., uključujući okvirnu raspodjelu financijskih sredstava;*

(b) *osnovne kriterije prihvatljivosti, odabira i dodjele koji će se koristiti za odabir prijedlogâ koji će primiti financijske doprinose u skladu s člankom 84. Financijske uredbe i člankom 94. njezinih pravila za primjenu.*

(c) *najmanji postotak godišnjih rashoda koji će se izdvojiti za bespovratna sredstva.*

3a. *Osigurava se odgovarajuća i pravedna raspodjela financijske potpore između različitih područja obuhvaćenih posebnim ciljevima iz članka 4. stavka 1., istovremeno uzimajući u obzir razinu financijskih sredstava već dodijeljenih u okviru prethodnih programa za razdoblje 2007. - 2013. koji su uspostavljeni odlukama iz članka 13. Prilikom odlučivanja o raspodjeli sredstava među tim područjima u godišnjim programima rada, Komisija uzima u obzir potrebu da se održi dostatna razina financiranja i osigurava kontinuitet djelovanja i predvidljivost financiranja u svim područjima obuhvaćenima posebnim ciljevima iz članka 4. stavka 1.*

3b. *Pozivi na dostavu prijedloga objavljuju se na godišnjoj osnovi.*

█

Članak 9.

Postupak odbora

1. Komisiji pomaže odbor. Navedeni odbor je odbor u smislu Uredbe (EU) br. 182/2011.
2. Pri upućivanju na ovaj stavak primjenjuje se članak 5. Uredbe (EU) br. 182/2011.

Članak 10.

Komplementarnost

1. Komisija, u suradnji s državama članicama, osigurava sveukupnu dosljednost, komplementarnost i sinergije s drugim instrumentima Unije uključujući, između ostalog, s **programom** Pravosuđe, **programom** Europa za građane i **programom Europske unije za zapošljavanje i društvene inovacije**, te **drugim** programima u područjima **zapošljavanja i društvenih pitanja; unutarnjih poslova**, zdravlja i zaštite potrošača; obrazovanja, osposobljavanja, mladih i sporta; informacijskog društva; i proširenja, posebno Instrumenta pretpristupne pomoći i fondova koji djeluju u okviru Zajedničkog strateškog okvira (fondovi ZSO-a).
 - 1a. **Komisija također osigurava sveobuhvatnu dosljednost, komplementarnost i sinergije s radom tijela, ureda i agencija Unije koji djeluju u područjima obuhvaćenima ciljevima Programa.**
2. **Program** može dijeliti resurse s drugim instrumentima Unije, posebno s **programom** Pravosuđe, za potrebe provedbe onih djelovanja kroz koja se ispunjavaju ciljevi obaju programa. Djelovanje za koje su dodijeljena sredstva iz Programa može također potaknuti i dodjelu sredstava iz programa Pravosuđe, pod uvjetom da financiranje ne obuhvaća iste troškovne stavke.

Članak 11.

Zaštita financijskih interesa Unije

1. Komisija poduzima odgovarajuće mjere kojima osigurava da su, prilikom provedbe djelovanja koja se financiraju u okviru **Programa** financijski interesi Unije zaštićeni primjenom preventivnih mjera protiv prijevare, korupcije i bilo kojih drugih nezakonitih aktivnosti djelotvornim provjerama te, ukoliko se otkriju nepravilnosti, povratom pogrešno isplaćenih iznosa te prema potrebi učinkovitim, proporcionalnim i **odvraćajućim administrativnim i financijskim** sankcijama.
2. Komisija ili njezini predstavnici te Revizorski sud ovlašteni su za provedbu revizije, i na temelju dokumenata i na ■ ■ terenu, svih korisnika bespovratnih sredstava, ugovaratelja i podugovaratelja koji su primili sredstva Unije u okviru Programa.

3. Europski ured za borbu protiv *prijevvara* (OLAF) može provoditi *istrage, uključujući* provjere i inspekcije ■ na terenu, u skladu s *odredbama i* postupcima utvrđenima u Uredbi (EU, Euratom) br. 883/2013 Europskog parlamenta i Vijeća²¹ *i Uredbi Vijeća (Euratom, EZ) br. 2185/96*²² s ciljem utvrđivanja je li došlo do prijevare, korupcije ili bilo koje druge nezakonite aktivnosti koja ugrožava financijske interese Unije u vezi sa sporazumom o dodjeli bespovratnih sredstava ili odlukom o dodjeli bespovratnih sredstava ili ugovorom *financiranim u okviru Programa.*
4. Ne dovodeći u pitanje ■ stavke *1., 2. i 3.*, sporazumi o suradnji s trećim zemljama i s međunarodnim organizacijama, sporazumi o dodjeli bespovratnih sredstava, odluke o dodjeli bespovratnih sredstava i *ugovori* ■ koji su rezultat provedbe *ovog Programa, sadrže odredbe* kojima se izričito *ovlašćuju* Komisija, Revizorski sud i OLAF za provedbu revizija *i istraga iz tih stavaka, u skladu s njihovim nadležnostima.*

²¹ Uredba (EU, Euratom) br. 883/2013 Europskog parlamenta i Vijeća od 11. rujna 2013. o istragama koje provodi Europski ured za borbu protiv prijevvara (OLAF) i stavljanju izvan snage Uredbe (EZ) br. 1073/1999 Europskog parlamenta i Vijeća te Uredbe Vijeća (Euratom) br. 1074/1999 (SL L 248, 18.9.2013., str. 1.).

²² Uredba Vijeća (Euratom, EZ) br. 2185/96 od 11. studenoga 1996. o provjerama i inspekcijama na terenu koje provodi Komisija s ciljem zaštite financijskih interesa Europskih zajednica od prijevvara i ostalih nepravilnosti (*SL L 292, 15.11.1996., str. 2.*).

Članak 12.

Praćenje i ocjena

1. Komisija **na godišnjoj osnovi** prati Program kako bi pratila provedbu djelovanja koja se izvršavaju u njegovom okviru **te** ostvarivanje posebnih ciljeva navedenih u članku 4. Praćenje također osigurava sredstvo za ocjenu načina rješavanja pitanja ravnopravnosti spolova, **nediskriminacije i zaštite djece** u djelovanjima **Programa** **te** .

2. Komisija Europskom parlamentu i Vijeću podnosi:
 - (-a) **godišnje izvješće o praćenju, koje se temelji na pokazateljima navedenima u članku 12.a stavku 1.a, i uporabi dostupnih sredstava;**

 - (a) privremeno izvješće o ocjeni najkasnije 30. lipnja 2018.;

 - (b) ex-post izvješće o ocjeni **najkasnije 31. prosinca 2021.**

3. U privremenom izvješću o ocjeni ■ ocjenjuje se postizanje ciljeva Programa, učinkovitost iskorištavanja resursa i europska dodana vrijednost Programa u svrhu određivanja *treba li* financiranje u područjima koja su obuhvaćena Programom produžiti, izmijeniti ili suspendirati nakon 2020. Također ispituje mogućnosti za eventualno pojednostavljenje Programa, njegovu unutarnju i vanjsku koherentnost te jesu li svi ciljevi i djelovanja i dalje relevantni. U njemu se uzimaju u obzir rezultati ex-post ocjena *prethodnih* programa za razdoblje *2007. - 2013. uspostavljenih odlukama iz* članka 13.

4. U ex-post izvješću o ocjeni ■ *ocjenjuje se dugoročni* utjecaj Programa i ■ održivost njegovih učinaka s ciljem utjecanja na odluku o sljedećem programu.

Članak 12.a

Pokazatelji

1. U skladu s člankom 12. pokazatelji navedeni u stavku 1.a ovog članka služe kao osnova za praćenje i ocjenu opsega u kojem je svaki od posebnih ciljeva Programa navedenih u članku 4. postignut putem djelovanja predviđenih u članku 5. Oni se mjere u odnosu na unaprijed definirana polazišta koja odražavaju situaciju prije provedbe. Prema potrebi, pokazatelji se raščlanjuju, među ostalim, prema spolu, dobi i invaliditetu.

1.a Pokazatelji iz stavka 1. uključuju, između ostalog, sljedeće:

- (a) broj i postotak osoba u ciljanoj skupini do kojih su dospjele aktivnosti podizanja svijesti koje su financirane u okviru Programa;**
- (b) broj zainteresiranih strana koje sudjeluju, između ostalog, u aktivnostima osposobljavanja, razmjenama, studentskim putovanjima, radionicama i seminarima financiranim u okviru Programa;**
- (c) poboljšanje u razini poznavanja prava i politika Unije i, prema potrebi, prava, vrijednosti i načela na kojima se temelji Unija, u skupinama koje sudjeluju u aktivnostima financiranim u okviru Programa u usporedbi s cjelokupnom ciljanom skupinom;**
- (d) broj slučajeva, aktivnosti i rezultata prekogranične suradnje;**

- (e) ocjenu koju sudionici daju u vezi s aktivnostima u kojima su sudjelovali te (očekivanom) održivosti aktivnosti;*

- (f) broj zahtjeva i bespovratnih sredstava koji se odnose na svaki posebni cilj;*

- (g) razinu financiranja koju su zatražili podnositelji zahtjeva i koja je odobrena u odnosu na svaki posebni cilj;*

- (h) geografsku pokrivenost aktivnosti financiranih Programom.*

2. *Pored pokazatelja navedenih u stavku 1.a, u privremenim i ex-post izvješćima o ocjeni Programa između ostalog se ocjenjuje:*
- (a) *europska dodana vrijednost Programa, uključujući ocjenu aktivnosti Programa s obzirom na slične inicijative koje su izrađene na nacionalnoj ili europskoj razini bez potpore financijskim sredstvima Unije te njihove (očekivane) rezultate; i prednosti i/ili nedostaci financiranja Unije u usporedbi s nacionalnim financiranjem za dotičnu vrstu aktivnosti;*
 - (b) *razina financiranja u odnosu na postignute rezultate (učinkovitost);*
 - (c) *moguće administrativne, organizacijske i/ili strukturne prepreke neometanoj, učinkovitijoj i djelotvornijoj provedbi Programa (prostor za pojednostavljenje).*

Članak 13.

Prijelazne mjere

Djelovanja započeta **■** na temelju dijela 4. („Borba protiv diskriminacije i raznolikost”) i dijela 5. („Jednakost spolova”) Odluke 1672/2006/EZ, Odluke 2007/252/EZ ili Odluke 779/2007/EZ i dalje su regulirana odredbama tih odluka, sve do njihovog završetka. U odnosu na ta djelovanja, upućivanje na odbore predviđene u članku 13. Odluke 1672/2006/EZ, članku 10. Odluke 2007/252/EZ i članku 10. Odluke 779/2007/EZ tumači se kao upućivanje na odbor predviđen u članku 9. *ove* Uredbe.

Članak 14.

Stupanje na snagu

Ova Uredba stupa na snagu *sljedećeg* dana od dana objave u *Službenom listu Europske unije*.

Ova je Uredba u cijelosti obvezujuća i izravno se primjenjuje u svim državama članicama.

Sastavljeno u ...

Za Europski parlament

Predsjednik

Za Vijeće

Predsjednik

DODJELA SREDSTAVA

U okviru financijske omotnice za Program, svakoj skupini posebnih ciljeva navedenih u članku 4. stavku 1. dodjeljuju se iznosi kako slijedi:

<i>Skupina posebnih ciljeva</i>	<i>Udio u financijskoj omotnici (u %)</i>
<i>Skupina 1.</i>	<i>57 %</i>

- *promicati učinkovitu provedbu načela nediskriminacije na temelju spola, rasnog ili etničkog podrijetla, religije ili uvjerenja, invaliditeta, dobi ili spolne orijentacije te poštovati načelo nediskriminacije na osnovama predviđenima u članku 21. Povelje;*
- *sprječavati i suzbijati rasizam, ksenofobiju, homofobiju i druge oblike netolerancije;*
- *promicati i štiti prava osoba s invaliditetom;*
- *promicati ravnopravnost između žena i muškaraca te poticati rodno osviještenu politiku;*

Skupina 2.

43 %

- *sprječavati i suzbijati sve oblike nasilja nad djecom, mladima i ženama, kao i nasilja nad drugim rizičnim skupinama, posebno skupinama koje su u opasnosti od nasilja u bliskim odnosima, te zaštititi žrtve od takvog nasilja;*
- *promicati i štiti prava djece;*
- *doprinositi osiguravanju najviše razine zaštite privatnosti i osobnih podataka;*
- *promicati i jačati ostvarivanje prava koja proizlaze iz građanstva Unije;*
- *omogućiti pojedincima da u svojstvu potrošača ili poduzetnika na unutarnjem tržištu ostvare svoja prava koja proizlaze iz prava Unije, a odnose se na projekte financirane u okviru Programa za potrošače.*

10.10.2012

OPINION OF THE COMMITTEE ON EMPLOYMENT AND SOCIAL AFFAIRS(*)

for the Committee on Civil Liberties, Justice and Home Affairs

on the proposal for a regulation of the European Parliament and of the Council establishing for the period 2014 to 2020 the Rights and Citizenship Programme (COM(2011)0758 – C7-0438/2011 – 2011/0344(COD))

Rapporteur: Jean Lambert(*) Associated committee – Rule 50 of the Rules of Procedure

SHORT JUSTIFICATION

Background

The Rights and Citizenship programme stems from the simplification and rationalisation of funding instruments. It is the successor of three current programmes (DAPHNE III, PROGRESS (actions concerning gender equality and anti-discrimination section) and Fundamental Rights and Citizenship. The new programme now has a focus on promoting the rights deriving from European citizenship, the principles of non-discrimination, equality between men and women, the rights of the child, data protection and consumer and business aspects. The management of the fund now passes to DG Justice but it is to be hoped that the experience and expertise developed within DG EMPL will not be lost.

Methodology

Within the EP, the overall lead committee is LIBE. However, given the history of the different funding instruments within the new fund, EMPL and FEMM have co-competency in certain areas and FEMM has lead competency in a small number of areas. This co-responsibility leads to a degree of complexity, so the lead rapporteur and rapporteurs for Opinions in the associated committees have agreed to table common amendments, in so far as that is possible, on areas where there may be joint responsibility. It also means that EMPL cannot table amendments on certain recitals and Articles where competence has been assigned to another committee: amendments relating to Delegated, rather than Implementing Acts will be therefore tabled in LIBE, rather than in this Opinion.

Key points

a) Common amendments with LIBE:

- **Scope:** we wish to include citizenship in the wider meaning of being an active member of society, not only being based on nationality: otherwise we risk seeing certain activities funded under this programme randomly omitting some members of

the workforce, for example, from what is intended to be an inclusive activity, hence the amendment to recital 5 and an amendment to Article 4(1)(a)

- **Funding:** while no amending figures will be presented, there is a clear demand from stakeholders that funding should be maintained, if not increased, for this programme. The EESC opinion states that *it is concerned that the growth of "extremist tendencies" may harm the basic implementation of human rights and that it is therefore important that adequate resources be made available to groups working to improve this situation.* Other issues relevant to this instrument (e.g. the rights of the child and data protection) are likely to increase in importance over the coming years. This issue is covered in the proposed new Recital 12 a
- **Allocation of funding:** it was felt important to ensure a spread of funding across the component parts of the Programme, to ensure that annual programming does not disadvantage a particular element or a geographical dimension (new Recitals 13 c and 13 d). The importance of relevant networks and the need for access for smaller-scale but important projects is also recognised in recitals 13 a, 13 b and 13 c
- **Consumer rights.** it is felt that this is not the appropriate instrument in which to cover this issue and that it fits better within the Consumer Programme being dealt with in IMCO. However, your draftsman has proposed a standby amendment to Article 4(1)(e) relating to freedom of movement in case no transfer proves possible.

b) Points specific to EMPL.

- The **workplace** is an important place for issues concerning equality of opportunity and treatment and tackling discrimination. The **social partners** have an important role to play: this is reflected in your draftsman's amendment to Article 5(1)(c) and 5(2)(b) our only point of exclusive competence
- **Data protection** is also an issue of increasing importance for issues relevant to our Committee, hence the Amendment to Article 4(1)(c)
- **Volunteering** is an important issue for EMPL, your draftsman has included references to this group of people in Recital 3 and Article 5(2)(b)
- **Inter-regional and cross-border co-operation:** we have used the references from EMPL on EPSCI relating to inter-regional and cross-border observatories in Article 5(2)(d). Your draftsman has also included a cross-reference to EPSCI as an example of where synergies may be found in Article 10(1) and Recital 18. The issue of synergies relating to the employment and social dimension is also reflected in the proposed new Recital 9a and amendment to Recital 10.

This new programme aims to build on the developments of its predecessors. It should be a powerful instrument to help combat discrimination and to promote greater equality: civil society has shown itself to be enthusiastic in promoting such social inclusion but it needs the resources to be able to do that. Your Rapporteur for opinion hopes that the EMPL Committee will show its strong support.

AMENDMENTS

The Committee on Employment and Social Affairs calls on the Committee on Civil Liberties, Justice and Home Affairs, as the committee responsible, to incorporate the following amendments in its report:

Amendment 1

Proposal for a regulation Title

Text proposed by the Commission

Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL establishing for the period 2014 to 2020 the Rights and Citizenship Programme

Amendment

Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL establishing for the period 2014 to 2020 the **Equality**, Rights and Citizenship Programme

(This amendment applies throughout the text. Adopting it will necessitate corresponding changes throughout)

Amendment 2

Proposal for a regulation Recital 3

Text proposed by the Commission

(3) Citizens should be able to exercise fully the rights deriving from the citizenship of the Union. They should be able to exercise their right to move and reside freely in the Union, their right to vote for and stand as a candidate in European Parliament and municipal elections, their right to consular protection and their right to petition the European Parliament. They should feel at ease about living, travelling **and** working in another Member State, trusting that their rights are protected, no matter where in the Union they happen to be.

Amendment

(3) Citizens should be able to exercise fully the rights deriving from the citizenship of the Union **and from international Conventions that the EU has acceded to**. They should be able to exercise their right to move and reside freely in the Union, their right to vote for and stand as a candidate in European Parliament and municipal elections, their right to consular protection and their right to petition the European Parliament. They should feel at ease about living, travelling, working **studying and volunteering** in another Member State, trusting that their rights are protected, no matter where in the Union they happen to be, **and that access for persons with disabilities on an equal basis with others is ensured**.

Amendment 3

Proposal for a regulation Recital 5

Text proposed by the Commission

(5) ***Non-discrimination*** based on sex, racial or ethnic origin religion or belief, disability, age or sexual orientation and equality between women and men ***are values common to the Member States***. Combating all forms of discrimination ***is an ongoing goal*** which ***requires*** coordinated action, including by the allocation of funding.

Amendment

(5) ***Pursuant to Articles 2 and 3 TEU, Articles 8, 10, 18 and 19 TFEU and Article 21 of the Charter, the Union should take effective action to combat discrimination based on any grounds such as sex, gender identity, racial or ethnic origin, language, nationality or membership of a national minority, religion or belief, disability, age or sexual orientation and ensure equality between women and men, as well as the protection of the rights of persons with disabilities as an obligation derived from the accession of the Union to the UN Convention on the rights of persons with disabilities. Mainstreaming equality and building an inclusive society by combating all forms of discrimination, intolerance and hatred, promoting tolerant and inclusive workplaces and recognising the rights of all to be treated with dignity within the workplace and society in general are ongoing goals which require coordinated action, including by the allocation of sufficient funding.***

Pursuant to Articles 2 and 3 (3) TEU and Article 8 TFEU, equality between women and men is a fundamental value and objective of the EU and the EU should promote gender equality in all its activities. Equality between women and men is also enshrined in Article 23 of the Charter of Fundamental Rights of the European Union. Promoting gender equality across the EU is done through a dual approach of specific actions and effective gender mainstreaming in both policies and budgetary allocations.

Amendment 4

**Proposal for a regulation
Recital 5 a (new)**

Text proposed by the Commission

Amendment

(5a) Pursuant to Article 46 TFEU the Union should take action to ensure the free movement of workers and abolish any discrimination based on nationality between workers of the Member States as regards employment, remuneration and other conditions of work and employment.

Amendment 5

Proposal for a regulation Recital 6 a (new)

Text proposed by the Commission

Amendment

(6a) Equality and anti-discrimination are not only legal questions but fundamental challenges for society. The Community Programme for Employment and Social Solidarity – Progress (the Progress Programme) included sections on 'Antidiscrimination and diversity' and 'Gender equality' that are to be continued and further developed under this Programme. Furthermore, the mid-term evaluation of the Progress Programme underlined the need for more efforts and new initiatives with regard to equality and anti-discrimination. It is therefore of the utmost importance to maintain a strong focus on those issues. Moreover the findings of the Progress Mid-Term evaluation of 22 December 2011 in the fields of equality and anti-discrimination need to be taken into account in the implementation of this Programme.

Amendment 6

Proposal for a regulation Recital 9 a (new)

Text proposed by the Commission

Amendment

(9a) Pursuant to Article 9 TFEU a high level of employment, the guarantee of adequate social protection and the fight against social exclusion should be promoted. Actions under this programme therefore should promote synergies between the fight against poverty, social exclusion and exclusion from the labour market and the promotion of equality and fight against all forms of discrimination.

Amendment 7

Proposal for a regulation Recital 10

Text proposed by the Commission

Amendment

(10) The Communication from the Commission on Europe 2020⁷ sets out a strategy for smart, sustainable and inclusive growth. Supporting and promoting the rights of persons within the Union, tackling discrimination and inequalities and promoting citizenship contribute to the promotion of the specific objectives and flagship initiatives of the Europe 2020 Strategy.

(10) The Communication from the Commission on Europe 2020 sets out a strategy for smart, sustainable and inclusive growth. Supporting and promoting the rights of persons within the Union, ***the equality between women and men***, tackling discrimination and inequalities, ***notably in the labour market with a view of implementing the principle of equal treatment, protecting the rights of persons with disabilities*** and promoting citizenship contribute to the promotion of the specific objectives and flagship initiatives of the Europe 2020 Strategy.

Amendment 8

Proposal for a regulation Recital 12 a (new)

Text proposed by the Commission

Amendment

(12a) The rationalisation and simplification of the funding structure should not result in decreasing the level of financial resources available in the previous 2007–2013 programmes. In addition, a balanced and fair distribution of funding should be ensured for the specific objectives of the Programme. In order to facilitate access for potential applicants, simplification should also apply to the application procedures and financial management requirements together with the removal of administrative burdens. Calls for proposals and their supporting documents should be available in all official languages of the Union.

Amendment 9

Proposal for a regulation Recital 13 a (new)

Text proposed by the Commission

Amendment

(13a) Organisations and networks of organisations at European level make important contributions to policy development and should be considered as key actors as they can have a considerable impact on realising the objectives of the Programme and should receive funding in accordance with the procedures and the criteria set out in the annual work programmes.

Amendment 10

Proposal for a regulation Recital 13 b (new)

Text proposed by the Commission

Amendment

(13b) The Commission should select actions by assessing the proposals against pre-defined criteria ensuring overall consistency, complementarity and synergies with the work of Union bodies and agencies. National projects and small-scale projects could also be considered to have European added value and thus be selected for financing.

Amendment 11

Proposal for a regulation Recital 13 c (new)

Text proposed by the Commission

Amendment

(13c) Organizations – including non-governmental organisations–, bodies, European level networks and harmonised services of social value pursuing activities related to the objectives of the Programme should be able to apply for appropriate funding for action grants and operating grants. The annual work programmes should ensure that each specific objective of the Programme receives a balanced and fair share of financial allocations in order to ensure continuity and enhance predictability and reliability of funding.

Amendment 12

Proposal for a regulation Recital 13 d (new)

Text proposed by the Commission

Amendment

(13d) The Commission should ensure a

fair geographic distribution, and provide assistance in those Member States where the number of funded actions is relatively low.

Amendment 13

Proposal for a regulation

Recital 18

Text proposed by the Commission

(18) In order to ensure efficient allocation of funds from the Union budget, consistency, complementarity and synergies should be sought between funding programmes supporting policy areas with close links to each other, in particular between the Programme and the Justice programme established by Regulation (EU) No XX/XX of XX, the Europe for Citizens programme established by Regulation (EU) No XX/XX of XX and the programmes in the areas of home affairs; employment and social affairs; health and consumer protection; education, training, youth and sport; information society; enlargement, in particular the Instrument for Pre-accession Assistance and the funds operating under the Common Strategic Framework (CSF funds).

Amendment

(18) In order to ensure efficient allocation of funds from the Union budget, consistency, complementarity and synergies should be sought between funding programmes supporting policy areas with close links to each other, in particular between the Programme and the Justice programme established by Regulation (EU) No XX/XX of XX, the Europe for Citizens programme established by Regulation (EU) No XX/XX of XX, *the European Programme for Social Change and Innovation established by Regulation (EU) No XX/XX of XX* and the programmes in the areas of home affairs; employment and social affairs; health and consumer protection; education, training, youth and sport; information society; enlargement, in particular the Instrument for Pre-accession Assistance and the funds operating under the Common Strategic Framework (CSF funds).

Amendment 14

Proposal for a regulation

Article 1 – paragraph 1

Text proposed by the Commission

1. This Regulation establishes the European Union Programme on Rights and Citizenship, hereinafter referred to as ‘the Programme’.

Amendment

1. This Regulation establishes the European Union Programme on *Equality*, Rights and Citizenship, hereinafter referred to as ‘the Programme’.

Amendment 15

Proposal for a regulation

Article 4 – paragraph 1 – point a

Text proposed by the Commission

(a) to contribute to *enhancing* the exercise of rights deriving from the citizenship of the Union;

Amendment

(a) to contribute to *the promotion and protection of the rights of all persons residing in the EU including* the exercise of rights deriving from the citizenship of the Union *or from the legislation of the Union*;

Amendment 16

Proposal for a regulation

Article 4 – paragraph 1 – point b

Text proposed by the Commission

(b) to promote the effective implementation of the principles of non discrimination on *the* grounds *of* sex, racial or ethnic origin, religion or belief, disability, age *or* sexual orientation, including equality between women and men and the rights of persons with disabilities and of the elderly;

Amendment

(b) to promote *equal treatment and* the effective implementation of the principles of non discrimination on *any* grounds *such as* sex, *gender identit*, racial or ethnic origin, religion or belief, disability, age, sexual orientation, including equality between women and men and the rights of persons with disabilities and of the elderly, *recognising the rights of all persons to be treated with dignity; to combat bullying harassment and intolerant treatment, especially in the workplace; to abolish discrimination based on nationality between workers from different Member States especially as regards employment, remuneration and working conditions*;

Amendment 17

Proposal for a regulation

Article 4 – paragraph 1 – point b a (new)

Text proposed by the Commission

Amendment

(ba) to promote equality between women

and men, including through combating violence against women, children, young people and other vulnerable persons, and ensuring that a gender equality perspective is taken into account in defining and implementing of all the policies and activities of the Union;

Amendment 18

Proposal for a regulation

Article 4 – paragraph 1 – point c

Text proposed by the Commission

(c) to contribute to ensuring a high level of protection of personal data;

Amendment

(c) to contribute to ensuring a high level of protection of personal data, including data processing situations in the employment context or for social protection purposes as laid down in Article 81 and 82 of Regulation (EU) No XX/XX of the European Parliament and of the Council on the protection of individuals with regard to the processing of personal data and on the free movement of such data (General Data Protection Regulation) and in situations arising from obligations under Directive 2006/24/EC of the European Parliament and of the Council on the retention of data generated or processed in connection with the provision of publicly available electronic communications services or of public communications networks and amending Directive 2002/58/EC;

Amendment 19

Proposal for a regulation

Article 4 – paragraph 1 – point d b (new)

Text proposed by the Commission

Amendment

(db) to promote synergies between the fight against poverty and social exclusion and the fight against discrimination and

in favour of greater equality;

Amendment 20

Proposal for a regulation

Article 4 – paragraph 1 – point e

Text proposed by the Commission

(e) to empower *consumers and businesses to trade and purchase in trust within the internal market by enforcing the rights deriving from the Union consumer legislation and by supporting* the freedom to conduct business *in* the internal market *through cross-border transactions*.

Amendment

(e) to empower *citizens* to *enforce their* rights *to* the freedom to *move and reside freely, work, study, volunteer and* conduct business *within* the internal market.

Amendment 21

Proposal for a regulation

Article 4 – paragraph 2

Text proposed by the Commission

2. The indicators to measure the achievement of the objectives set out in paragraph 1 shall be, inter alia, the European *perception of* the respect, exercise and implementation of these rights and the number of complaints.

Amendment

2. The indicators to measure the achievement of the objectives set out in paragraph 1 shall be, inter alia, the *qualitative and quantitative data collected, at European level, on* the respect, exercise and implementation of these rights and the number of complaints.

Amendment 22

Proposal for a regulation

Article 5 – paragraph 1 – point c

Text proposed by the Commission

(c) promoting transnational cooperation and building up of mutual knowledge and mutual trust among all involved stakeholders;

Amendment

(c) promoting transnational cooperation and building up of mutual knowledge and mutual trust among all involved stakeholders, *including social partners, networks and non-governmental organisations;*

Amendment 23

Proposal for a regulation

Article 5 – paragraph 2 – point b

Text proposed by the Commission

(b) Training activities, such as staff exchanges, workshops, seminars, train-the-trainers events, development of online/other training modules;

Amendment

(b) Training activities, such as staff exchanges, workshops, seminars, train-the-trainers events ***or individualised training in the work place***, development of online/other training modules ***available to the entire workforce, including volunteers. These activities should include a gender dimension and an anti-discrimination perspective.***

Amendment 24

Proposal for a regulation

Article 5 – paragraph 2 – point d

Text proposed by the Commission

(d) Support for main actors, ***such as support for Member States*** when implementing Union law and policies; support for key European level networks whose activities are linked to the implementation of the objectives of the Programme; networking among specialised bodies and organisations, national, regional and local authorities at European level; funding of experts' networks; funding of European level observatories.

Amendment

(d) Support for main actors when implementing Union law and policies; support for key European level networks whose activities are linked to the implementation of the objectives of the Programme; networking among specialised bodies and organisations, national, regional and local authorities at European level; funding of experts' networks; ***cross-border and interregional cooperations and*** funding of European level observatories.

Amendment 25

Proposal for a regulation

Article 10 – paragraph 1

Text proposed by the Commission

1. The Commission, in cooperation with the Member States, shall ensure overall consistency and complementarity and synergies with other Union instruments,

Amendment

1. The Commission, in cooperation with the Member States, shall ensure overall consistency and complementarity and synergies with other Union instruments,

inter alia, with the Justice programme, the Europe for Citizens programme and with programmes in the areas of home affairs; employment and social affairs; health and consumer protection; education, training, youth and sport; information society; enlargement, in particular the Instrument for Pre-accession Assistance and the funds operating under the Common Strategic Framework (CSF funds).

inter alia, with the Justice programme, the Europe for Citizens programme, ***the European Programme for Social Change and Innovation*** and with programmes in the areas of home affairs; employment and social affairs; health and consumer protection; education, training, youth and sport; information society; enlargement, in particular the Instrument for Pre-accession Assistance and the funds operating under the Common Strategic Framework (CSF funds).

PROCEDURE

Title	Establishing the Rights and Citizenship Programme 2014 - 2020		
References	COM(2011)0758 – C7-0438/2011 – 2011/0344(COD)		
Committee responsible Date announced in plenary	LIBE 15.12.2011		
Opinion by Date announced in plenary	EMPL 15.12.2011		
Associated committee(s) - date announced in plenary	24.5.2012		
Rapporteur Date appointed	Jean Lambert 15.12.2011		
Discussed in committee	5.7.2012	6.9.2012	8.10.2012
Date adopted	9.10.2012		
Result of final vote	+: -: 0:	40 2 0	
Members present for the final vote	Regina Bastos, Edit Bauer, Heinz K. Becker, Jean-Luc Bennahmias, Phil Bennion, Pervenche Berès, Vilija Blinkevičiūtė, Philippe Boulland, Milan Cabrnoch, Alejandro Cercas, Ole Christensen, Derek Roland Clark, Minodora Cliveti, Emer Costello, Karima Delli, Richard Falbr, Thomas Händel, Marian Harkin, Nadja Hirsch, Stephen Hughes, Ádám Kósa, Jean Lambert, Patrick Le Hyaric, Veronica Lope Fontagné, Olle Ludvigsson, Thomas Mann, Elisabeth Morin-Chartier, Csaba Óry, Siiri Oviir, Konstantinos Poupakis, Sylvana Rapti, Licia Ronzulli, Elisabeth Schroedter, Jutta Steinruck, Traian Ungureanu, Andrea Zannoni		
Substitute(s) present for the final vote	Malika Benarab-Attou, Edite Estrela, Ria Oomen-Ruijten, Antigoni Papadopoulou, Csaba Sógor, Gabriele Zimmer		

21.9.2012

OPINION OF THE COMMITTEE ON WOMEN'S RIGHTS AND GENDER EQUALITY(*)

for the Committee on Civil Liberties, Justice and Home Affairs

on the proposal for a regulation of the European Parliament and of the Council establishing for the period 2014 to 2020 the Rights and Citizenship Programme (COM(2011)0758 – C7-0438/2011 – 2011/0344(COD))

Rapporteur: Regina Bastos

SHORT JUSTIFICATION

In the document entitled 'A budget for the Europe 2020 strategy', the Commission defined the main objectives for simplifying the financing structure by reducing the number of European financing instruments and establishing a set of basic provisions applicable to all European financing in the field of fundamental rights. With a view to clearly emphasising European added value and ensuring the rationalisation and simplification of financing mechanisms, the Commission proposed to create the Rights and Citizenship Programme, replacing three existing programmes:

- the Fundamental Rights and Citizenship Programme,
- the Daphne III Programme,
- the sections on 'Antidiscrimination and diversity' and 'Equality between men and women' in the Programme for Employment and Social Solidarity (PROGRESS).

The Rights and Citizenship Programme should promote the rights of European citizens, the principles of non-discrimination and equality between women and men, the right to the protection of personal data, the rights of the child, rights arising from EU legislation on consumer protection and freedom of enterprise in the internal market.

However, it should be ensured that the dimension relating to equality between men and women does not disappear from programmes in pursuing general objectives and becoming limited at best to the generic notion of equality between men and women.

Insufficient consideration for gender equality problems could mean that less attention is given to women's rights and equality between men and women.

It is therefore important that the dimension relating to equality be taken into consideration under this Regulation.

It is also essential to see the objectives of the Daphne programme, in particular that of combating violence against women, retained within this Regulation.

The intention to introduce flexible financing in areas of interest should be considered carefully. In the absence of a breakdown of information on the budget allocation for specific projects within the Rights and Citizenship Programme, it is difficult to determine who the beneficiaries will be and what impact the programme will have on equality between men and women.

Indeed, regulations should, more specifically, include direct, feasible and verifiable objectives in terms of equality between men and women with specific budgets while maintaining the same level of financing as the previous period.

It is also essential to ensure that the effects of the budgetary outturn on equality between men and women are monitored and assessed in order to facilitate a precise and efficient evaluation of the impact of this financing.

Any modification to the funds allocated to equality between men and women must be monitored and made visible.

It is also important to ensure that the beneficiaries, public authorities and non-governmental organisations continue to be fully informed of the financing options and the conditions for accessing the various programmes.

In conclusion, the regular collection of comparable data on the different types of violence towards women within the Union is essential, even though it is particularly difficult given that, because of fear or shame, women and men are reluctant to recount their experiences to those concerned to enable an evaluation of the true extent of the problem of violence towards women and the implementation of appropriate solutions.

AMENDMENTS

The Committee on Women's Rights and Gender Equality calls on the Committee on Civil Liberties, Justice and Home Affairs, as the committee responsible, to incorporate the following amendments in its report:

Amendment 1

Proposal for a regulation Title

Text proposed by the Commission

Proposal for a
REGULATION OF THE EUROPEAN
PARLIAMENT AND OF THE COUNCIL
establishing for the period 2014 to 2020 the
Rights and Citizenship Programme

Amendment

Proposal for a
REGULATION OF THE EUROPEAN
PARLIAMENT AND OF THE COUNCIL
establishing for the period 2014 to 2020 the
Rights, **Equality** and Citizenship
Programme

*(This amendment applies throughout the
text. If adopted, it will lead to
corresponding amendments in the text.)*

Amendment 2

Proposal for a regulation Recital 1

Text proposed by the Commission

(1) The European Union is founded on the principles of liberty, democracy, respect for human rights and fundamental freedoms and the rule of law, principles which are common to the Member States. Every citizen of the Union has the rights provided for in the Treaty. The Charter of Fundamental Rights of the European Union, which with the entry into force of the Lisbon Treaty became legally binding across the Union, reflects the fundamental rights and freedoms to which persons are entitled in the Union. Those rights should be promoted and respected if they are to become a reality. The full enjoyment of those rights should be guaranteed and any obstacles should be dismantled.

Amendment

(1) The European Union is founded on the principles of liberty, democracy, respect for human rights and fundamental freedoms and the rule of law, **respect for women's rights, equality between men and women and non-discrimination**, principles which are common to the Member States. Every citizen of the Union has the rights provided for in the Treaty. The Charter of Fundamental Rights of the European Union, which with the entry into force of the Lisbon Treaty became legally binding across the Union, reflects the fundamental rights and freedoms to which persons are entitled in the Union. Those rights should be promoted and respected if they are to become a reality. The full enjoyment of those rights should be guaranteed and any obstacles should be dismantled.

Amendment 3

Proposal for a regulation Recital 3

Text proposed by the Commission

(3) Citizens should be able to ***exercise fully the rights deriving from the citizenship of the Union***. They should be able to exercise their right to move and reside freely in the Union, their right to vote for and stand as a candidate in European Parliament and municipal elections, their right to consular protection and their right to petition the European Parliament. They should feel at ease about living, travelling and working in another Member State, trusting that their rights are protected, no matter where in the Union they happen to be.

Amendment

(3) Citizens should be able to ***access and enjoy the full range of their rights, as enshrined in the Treaties, without discrimination on any ground, including gender, gender identity and gender expression***. They should be able to exercise their right to move and reside freely in the Union, their right to vote for and stand as a candidate in European Parliament and municipal elections, their right to consular protection and their right to petition the European Parliament. They should feel at ease about living, travelling and working in another Member State, trusting that their rights are protected, no matter where in the Union they happen to be.

Amendment 4

Proposal for a regulation Recital 5

Text proposed by the Commission

(5) ***Non-discrimination*** based on sex, racial or ethnic origin religion or belief, disability, age or sexual orientation and equality ***between women and men are values common to the Member States***. Combating all forms of discrimination ***is an ongoing goal*** which ***requires*** coordinated action, including by the allocation of funding.

Amendment

(5) ***Pursuant to Articles 10 and 19 TFEU, the Union is to aim to combat discrimination*** based on sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation and ***mainstream*** equality. ***Non-discrimination is also enshrined in Article 21 of the Charter of Fundamental Rights of the European Union***. Combating all forms of discrimination which ***require*** coordinated action, including by the allocation of funding.

Justification

Combating discrimination and promoting equality between women and men should be complementary objectives of the Programme as women form the majority of most discriminated groups and are the majority of the EU population. Following the model of the current PROGRESS programme, the Rights and Citizenship Programme must give these two EU objectives an independent standing, and the recitals must reflect this. Since the 1995 United Nations World Conference on Women, the EU has been implementing a double strategy with regards to equality between women and men combining specific actions and gender mainstreaming. The Rights and Citizenship programme must provide the framework and the funding needed for this double strategy.

Amendment 5

Proposal for a regulation

Recital 5 a (new)

Text proposed by the Commission

Amendment

(5a) Pursuant to Article, 2 and 3(3) of the Treaty on European Union and of Article 8 TFEU, equality between women and men is a fundamental value and objective of the Union and the Union is to promote gender equality in all its activities. Equality between women and men is also enshrined in Article 23 of the Charter of Fundamental Rights of the European Union. Promoting gender equality across the Union is effected through a dual approach of specific actions and effective gender mainstreaming in policy making and in budgetary allocations.

Amendment 6

Proposal for a regulation

Recital 6

Text proposed by the Commission

Amendment

(6) Pursuant to Articles 8 and 10 of the Treaty on the Functioning of the European Union, the Programme should support the mainstreaming of equality between women and men and anti-

(6) In accordance with Article 2 and Article 3(3) of the Treaty on European Union, equality between women and men is a common objective and value of the Union. Pursuant to Articles 8 and 10

discrimination objectives in all its activities. Regular monitoring and evaluation should be carried out to assess the way in which gender equality and anti-discrimination issues are addressed in the Programme's activities.

TFEU, the Programme established by this Regulation should support the mainstreaming of equality between women and men and anti-discrimination objectives in all its activities and should be implemented in a mutually reinforcing manner with other Union or Member State activities that have the same objectives, in particular the EU Framework for National Roma Integration Strategies and the European Pact for equality between women and men for the period 2011 to 2020. Regular monitoring and evaluation should be carried out to assess the way in which gender equality and anti-discrimination issues are addressed in the Programme's activities. The Union should ensure the promotion of gender equality through a two-pronged approach that includes taking into account the gender issue in all policies and budget allocations and adopting specific measures.

Amendment 7

Proposal for a regulation Recital 6 a (new)

Text proposed by the Commission

Amendment

(6a) In its resolution of 2 February 2012 on the Daphne Programme: achievements and future prospects¹, the European Parliament regretted that combating violence against children, young persons and women was not expressly referred to as a specific objective in the Commission's proposal for this Regulation, considered it essential for the objectives Daphne III, in particular that of combating violence against women, to be retained among the objectives of the Programme, and maintained that the funding of the Programme should be maintained at the same or at a higher level than that of Daphne III and that the

profile of Daphne III should remain high, bearing in mind their success, effectiveness and popularity.

¹ *Texts adopted, P7_TA(2012)0027.*

Amendment8

Proposal for a regulation

Recital 6 b (new)

Text proposed by the Commission

Amendment

(6b) The future calls for proposals for action grants aiming to co-fund projects that contribute to prevent and combat violence against children, young people and women and to protect victims and groups at risk should continue to be called "Daphne".

Amendment Recital 6 c (new)

9Proposal for a regulation

Text proposed by the Commission

Amendment

(6c) Projects that contribute to prevent and combat violence against children young people and women and to protect victims and groups at risk shall be identified as "Daphne Objectives".

Amendment 10

Proposal for a regulation

Recital 7

Text proposed by the Commission

Amendment

(7) Violence against women *in all its forms* constitutes a violation of fundamental rights *and a serious health scourge*. Such violence is present throughout the Union and coordinated action *is necessary in order to address it*. Taking action to combat violence against women contributes to the promotion of

(7) *All forms of* violence against women, *children, young persons and other groups at risk* constitutes a *genuine* violation of fundamental rights. *This scourge has serious repercussions, not just on victims' physical and psychological health but also on society as a whole because inequality between men and women is expressed*

equality between women and men.

here in its cruellest and most distressing form. It is also the result of cultural and social factors, as well as a persistent inequality between men and women and an unequal distribution of power between men and women in our societies. Such violence is present throughout the Union *and a strong political will* and coordinated action *based on the methods and results of the Daphne programmes* are necessary. Taking action to combat violence against women contributes to *the empowerment of women and* the promotion of equality between women and men. *As the Daphne programmes have been a genuine success since their launch in 1997, both in terms of their popularity with stakeholders (beneficiaries, public and academic authorities, non-governmental organisations (NGOs)) and in terms of the effectiveness of the projects funded by the programmes, it is essential that the Programme clearly identify projects relating to the objectives of preventing and combating violence against children, teenagers, women and other groups at risk as "Daphne" so as to keep the Daphne programmes' profile as high as possible.*

Amendment 11

Proposal for a regulation Recital 8

Text proposed by the Commission

(8) The Treaty requires the Union to promote the protection of the rights of the child pursuant to Article 3(3) of the Treaty on European Union, while combating discrimination. Children are vulnerable, in particular in a situation of poverty, social exclusion, disability or specific situations putting them at risk. Action should be taken to promote the rights of the child and contribute to the protection of children

Amendment

(8) The Treaty requires the Union to promote the protection of the rights of the child pursuant to Article 3(3) of the Treaty on European Union, while combating discrimination. Children are vulnerable, in particular in a situation of poverty, social exclusion, disability or specific situations putting them at risk. Action should be taken to promote the rights of the child and contribute to the protection of children

from harm and violence, which pose a danger to their physical or mental health.

from harm and violence, which pose a danger to their physical or mental health.
The Union and the Member States should take into account the rights and duties of parents, guardians, and other individuals legally responsible for the child.

Amendment 12

Proposal for a regulation Recital 8 a (new)

Text proposed by the Commission

Amendment

(8a) Many non-governmental organisations (NGOs) active at various levels can make an important contribution at European level through European representative networks of rights holders which assist in developing policy orientations relating to the general objectives of the Programme.

Justification

The new programme must recognise the role of NGOs in policy shaping as in the Progress programme and the DAPHNE Programme.

Amendment 13

Proposal for a regulation Recital 8 b (new)

Text proposed by the Commission

Amendment

(8b) The requirement to promote a high level of employment, to guarantee adequate social protection and to fight against social exclusion are promoted by Article 9 TFEU. Actions under the Programme should promote synergies between the fight against poverty, social exclusion and discrimination and the promotion of gender equality and equality for all.

Justification

The co-ordination between policies to promote greater equality and fight discrimination and the policies to promote social inclusion and fight against poverty was one of the added values of the current PROGRESS programme. This added value must be cherished also in the next programming period, even if social inclusion and equality policies are funded through different programmes.

Amendment 14

Proposal for a regulation

Recital 10

Text proposed by the Commission

(10) The Communication from the Commission on Europe 2020 sets out a strategy for smart, sustainable and inclusive growth. Supporting and promoting the rights of persons within the Union, tackling discrimination and inequalities and promoting citizenship contribute to the promotion of the specific objectives and flagship initiatives of the Europe 2020 Strategy.

Amendment

(10) The Communication from the Commission on Europe 2020 sets out a strategy for smart, sustainable and inclusive growth. Supporting and promoting the rights of persons within the Union, ***promoting equality between women and men***, tackling discrimination and inequalities, and promoting citizenship, contribute to the promotion of the specific objectives and flagship initiatives of the Europe 2020 strategy.

Justification

Equality between women and men is crucial for the success of the Europe 2020 Strategy. There are specific provisions derived from the UN Convention in the Europe 2020 strategy.

Amendment 15

Proposal for a regulation

Recital 12 a (new)

Text proposed by the Commission

Amendment

(12a) The achievement of the overarching priority of gender equality and combating violence against women in all its forms requires sufficient and predictable level of funding. Therefore the move towards simplification and more efficient management of funding should ensure that Union funding is permanently

reserved for promoting gender equality and combating violence against women in all its forms, that the level of funding reserved for that priority is not reduced to below that reserved for Daphne III, and that there is a balanced geographical spread among the organisations that receive funding.

Amendment 16

Proposal for a regulation Recital 13 a (new)

Text proposed by the Commission

Amendment

(13a) Funding for programmes and activities that promote women's rights and gender equality is key to ensuring that the EU budget reflects the TFEU's commitment to gender equality. Therefore the Commission should select programmes and actions for funding by assessing the proposals against pre-defined criteria which take particular account of European added value in terms of gender equality and combating violence against women in all its forms.

Amendment 17

Proposal for a regulation Recital 14 a (new)

Text proposed by the Commission

Amendment

(14a) The regular collection of comparable data on different types of violence against children, teenagers, women and other groups at risk within the Union is essential to enable an evaluation of the true extent of the problem of violence and the implementation of appropriate solutions.

Amendment 18

Proposal for a regulation Recital 15 a (new)

Text proposed by the Commission

Amendment

(15a) Pursuant to Articles 8, 9 and 10 TFEU, the Union is to promote equality between women and men in all its policies, fight against social exclusion and combat discrimination based on racial or ethnic origin, religion or belief, disability, age or sexual orientation.

Amendment 19

Proposal for a regulation Recital 15 b (new)

Text proposed by the Commission

Amendment

(15b) Gender budgeting is the application of gender mainstreaming in the budgetary processes. It means a gender-based assessment of budgets, incorporating a gender perspective at all levels of the budgetary process and restructuring revenues and expenditures in order to promote gender equality.

Amendment 20

Proposal for a regulation Recital 18 b (new)

Text proposed by the Commission

Amendment

(18b) To ensure success, increased earmarked financing should be ensured for projects which defend women's rights and promote equality between men and women, including actions to combat violence against women. Financing should be divided equally on an annual basis in order to ensure the continuity of

the objectives and actions being pursued.

Amendment 21

Proposal for a regulation

Article 2

Text proposed by the Commission

The Programme shall finance actions with European added value. To that effect, the Commission shall ensure that the actions selected for funding are intended to produce results with European added value and shall monitor whether European added value was actually achieved through the final results of the actions financed by the Programme.

Amendment

The Programme shall finance actions with European added value ***in accordance with the principles of gender budgeting***. To that effect, the Commission shall ensure that the actions selected for funding are intended to produce results with European added value and shall monitor whether European added value was actually achieved through the final results of the actions financed by the Programme. ***European added value shall be assessed on the basis of the potential of the actions to contribute to achieving the overarching priorities of gender equality and combating violence against women.***

Amendment 22

Proposal for a regulation

Article 3

Text proposed by the Commission

The general objective of the Programme shall be to contribute to the creation of an area, where the rights of persons, as enshrined in the ***Treaty on the Functioning*** of the European Union and the ***Charter of Fundamental Rights*** of the ***European*** Union, are promoted ***and protected***.

Amendment

The general objective of the Programme shall be to contribute to the creation of an area, where the rights of persons, ***the principle of equality between women and men, equality and non-discrimination***, as enshrined in the ***TFEU, the Charter of Fundamental Rights*** of the European Union and the ***international human rights conventions to which the Union has acceded***, are promoted, ***protected and effectively implemented***.

Amendment 23

Proposal for a regulation

Article 4 – paragraph 1 – point b

Text proposed by the Commission

(b) to promote the effective implementation of the principles of non-discrimination on the grounds of sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation, ***including equality between women and men*** and the rights of persons with disabilities and of the elderly;

Amendment

(b) to promote the effective implementation of the principles of non-discrimination on the grounds of sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation and the rights of persons with disabilities and of the elderly;

See Amendments 10 and 11 establishing specific objectives with regard to equality between women and men and preventing and combating violence against children, teenagers, women and other groups at risk.

Amendment 24

Proposal for a regulation

Article 4 – paragraph 1 – point b a (new)

Text proposed by the Commission

Amendment

(ba) to promote women's rights, gender equality and the empowerment of women and ensure that a gender equality perspective is taken into account in the definition and implementation of all the policies and activities of the Union;

Amendment 25

Proposal for a regulation

Article 4 – paragraph 1 – point b b (new)

Text proposed by the Commission

Amendment

(bb) to facilitate by means of quick and simple procedures litigation in the event that the principles of non-discrimination are not respected;

Amendment 26

**Proposal for a regulation
Article 4 – paragraph 1 – point b c (new)**

Text proposed by the Commission

Amendment

(bc) to prevent and combat violence in all its forms, against children, teenagers, women and other groups at risk, such as elderly people, gender-based violence and violence in close relationships and to offer assistance and protection to victims of this kind of violence to designate actions taken in relation to the specific objectives referred to in this point as 'Daphne';

Amendment 27

**Proposal for a regulation
Article 4 – paragraph 1 – point b d new)**

Text proposed by the Commission

Amendment

(bd) to protect and promote equal dignity;

Amendment 28

**Proposal for a regulation
Article 4 – paragraph 1 – point b e (new)**

Text proposed by the Commission

Amendment

(be) to prevent and combat violence and hatred based in particular on gender, race or ethnic origin, religion or personal beliefs, disability, age and gender identity, and to promote tolerance and respect for human dignity;

Amendment 29

**Proposal for a regulation
Article 4 – paragraph 1 – point b f (new)**

Text proposed by the Commission

Amendment

(bf) to promote equality between women and men in the employment market and combat discrimination in this area;

Amendment 30

**Proposal for a regulation
Article 4 – paragraph 1 – point d**

Text proposed by the Commission

Amendment

(d) to ***enhance*** the ***respect of the*** rights of the child;

(d) to ***ensure that*** the rights of the child ***are respected, keeping in mind that young girls are particularly vulnerable;***

Amendment 31

**Proposal for a regulation
Article 4 – paragraph 2 a (new)**

Text proposed by the Commission

Amendment

(2a) The indicators and quantitative data used to assess achievement of the objectives of this Regulation shall be broken down by gender.

Amendment 32

**Proposal for a regulation
Article 5 – paragraph 1 – point a**

Text proposed by the Commission

Amendment

(a) enhancing public awareness and knowledge of Union law and policies;

(a) enhancing public awareness and knowledge of Union law and policies, ***with a view in particular to strengthening citizens' knowledge of their rights and empowering them to act thereupon, notably as regards equality between men and women and non-discrimination;***

Amendment 33

**Proposal for a regulation
Article 5 – paragraph 1 – point b a (new)**

Text proposed by the Commission

Amendment

(ba) assistance and support for non-governmental organisations (NGOs) and other organisations working in the field of preventing and combating violence;

Amendment 34

**Proposal for a regulation
Article 5 – paragraph 1 – point b b (new)**

Text proposed by the Commission

Amendment

(bb) assisting and supporting associations and non-governmental organisations that work in particular to prevent human trafficking and to identify, protect and assist the victims of such trafficking;

Amendment 35

**Proposal for a regulation
Article 5 – paragraph 1 – point b c (new)**

Text proposed by the Commission

Amendment

(bc) supporting the associations and networks of associations, including transnational ones, that operate in the area of cooperation; promoting the exchange of information, best practices and action models in the field of psychological and legal assistance and/or financial and social support; and supporting the social reintegration of the victims of violence;

Amendment 36

Proposal for a regulation
Article 5 – paragraph 1 – point b d (new)

Text proposed by the Commission

Amendment

(bd) supporting associations and non-governmental organisations in the exchange of information, best practices and action models with regard to the rehabilitation and social reintegration of violent individuals, in synergy with the Justice Programme;

Amendment 37

Proposal for a regulation
Article 5 – paragraph 1 – point b e (new)

Text proposed by the Commission

Amendment

(be) supporting associations that offer assistance to women who are victims of work and social discrimination;

Amendment 38

Proposal for a regulation
Article 5 – paragraph 2 – point a

Text proposed by the Commission

Amendment

(a) Analytical activities, such as collection of data and statistics; development of common methodologies and, where appropriate, indicators or benchmarks; studies, researches, analyses and surveys; evaluations and impact assessments; elaboration and publication of guides, reports and educational material; monitoring and assessment of the transposition and application of Union legislation and of the implementation of Union policies; workshops, seminars, experts meetings, conferences;

(a) Analytical activities, such as ***regular*** collection of ***comparable and disaggregated*** data and statistics, ***including the different types of violence and a wide range of abuse, from physical attacks to emotional abuse against children, teenagers, women and other groups at risk***; development of common methodologies and, where appropriate, indicators or benchmarks ***with data and information broken down by gender***; studies, researches, analyses and surveys; evaluations and impact assessments; elaboration and publication of guides, reports and educational material; monitoring and assessment of the

transposition and application of Union legislation and of the implementation of Union policies; workshops, seminars, experts meetings, conferences, **which shall include a global, cross-cutting gender approach**;

Amendment 39

**Proposal for a regulation
Article 5 – paragraph 2 – point b**

Text proposed by the Commission

(b) Training activities, such as staff exchanges, workshops, seminars, train-the-trainers events, development of online/other training modules;

Amendment

(b) Training activities, such as staff exchanges, workshops, seminars, train-the-trainers events, development of online/other training modules, **which are designed in close cooperation with civil society organisation and experts, include a global, cross-cutting gender dimension; where relevant, these activities shall include the gender and anti-discrimination perspective and aim at preventing, combating and acknowledging gender-based violence and promoting equality between men and women**;

Amendment 40

**Proposal for a regulation
Article 5 – paragraph 2 – point b a (new)**

Text proposed by the Commission

Amendment

(ba) Campaigns designed to combat gender stereotypes and the commoditisation of the image of women in the media;

Amendment 41

Proposal for a regulation

Article 5 – paragraph 2 – point c

Text proposed by the Commission

(c) Mutual learning, cooperation, awareness raising and dissemination activities, such as identification of, and exchanges on, good practices, innovative approaches and experiences, organisation of peer review and mutual learning; organisation of conferences and seminars; organisation of awareness-raising and information campaigns, media campaigns and events, including corporate communication of the political priorities of the European Union; compilation and publication of materials to disseminate information as well as results of the Programme; development, operation and maintenance of systems and tools using information and communication technologies;

Amendment

(c) Mutual learning, cooperation, awareness raising and dissemination activities, such as identification of, and exchanges on, good practices, innovative approaches and experiences, organisation of peer review and mutual learning; organisation of conferences and seminars; organisation of awareness-raising and information campaigns, media campaigns and events ***aimed at specific audiences, including campaigns in the field of preventing and combating violence and*** corporate communication of the political priorities of the European Union; compilation and publication of materials to disseminate information as well as results of the Programme; development, operation and maintenance of systems and tools using information and communication technologies; ***care should be taken to ensure that these activities include a global, cross-cutting gender approach which focuses on promoting equality between men and women, non-discrimination and the empowerment of women;***

Amendment 42

Proposal for a regulation

Article 5 – paragraph 2 – point d

Text proposed by the Commission

(d) Support for main actors, such as support for Member States when implementing Union law and policies; support for key European level networks whose activities are linked to the implementation of the objectives of the Programme; networking among specialised

Amendment

(d) Support for main actors, such as support for Member States when implementing Union law and policies; support for key European level networks whose activities are linked to the implementation of the objectives of the Programme; ***support with action grants***

bodies and organisations, national, regional and local authorities at European level; funding of experts' networks; funding of European level observatories.

*and operating grants for NGOs or other organisations pursuing the objectives of the Programme, in particular those of combating violence against children and women; networking among specialised bodies and organisations, national, regional and local authorities at European level; funding of experts' networks; **the establishment and implementation of support programmes for victims and groups at risk in the field of preventing and combating violence**; funding of European level observatories.*

Amendment 43

**Proposal for a regulation
Article 5 – paragraph 2 – point d a (new)**

Text proposed by the Commission

Amendment

(da) Actions specifically designed to promote the principles of gender equality and non-discrimination, and effective measures to combat violence against women in all its forms.

Amendment 44

**Proposal for a regulation
Article 7 – paragraph 1 a (new)**

Text proposed by the Commission

Amendment

(1a) In order to ensure continuity of the objectives and actions pursued through the Programme, the annual levels of financing for each area shall not differ substantially, unless there are objective reasons, which shall be duly documented and communicated well in advance.

Amendment 45

Proposal for a regulation
Article 7 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

(2a) A comparable or higher level of financial support shall be ensured for each of the objectives of this Regulation, taking into account the level of financing provided for in the framework of the programmes referred to in Article 13 for the period 2007 to 2013. Through the allocation of funds to those areas in annual working programmes, the Commission shall take into consideration the Union's priorities and the need to maintain appropriate and fair levels of funding for all the areas targeted in Article 4(1).

Amendment 46

Proposal for a regulation
Article 8 – paragraph 2

Text proposed by the Commission

Amendment

2. In order to implement the Programme, the Commission shall adopt annual work programmes in the form of implementing acts. Those implementing acts shall be adopted in accordance with the advisory procedure referred to in Article 9(2).

2. In order to implement the Programme, the Commission shall adopt annual work programmes in ***relation to the specific objectives referred to in Article 4(1) and the actions referred to in Article 5*** in the form of implementing acts. Those implementing acts shall be adopted in accordance with the advisory procedure referred to in Article 9(2).

Justification

The proposed regulation does not include information on how the funding will be allocated to the different priorities and actions across the year and it does not provide guarantees that the levels of funding for the specific objectives of the programme will be predictable each year. Promoting equality of all, implementing the principle of non-discrimination, promoting equality between women and men and combating violence against women, children and other vulnerable persons require sustainable and predictable funding every year. In addition, European Networks working on those topics require sustainable and predictable funding to be able to continue their work with their members in an effective manner. The legal text of the

Programme must provide some indication that funding for activities in these fields will be available every year.

Amendment 47

Proposal for a regulation

Article 8 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

(3a) Appropriate and fair distribution of financial support between different areas covered by this Regulation shall be ensured, while taking into account the level of funding allocated to the programmes referred to in Article 13 for the period 2007 to 2013. When deciding on the allocation of funds to those areas in its annual work programmes, the Commission shall take into consideration the need to increase funding for the specific objectives referred to in Article 4(1).

Amendment 48

Proposal for a regulation

Article 12 – paragraph 1

Text proposed by the Commission

Amendment

1. The Commission shall monitor the Programme regularly in order to follow the implementation of actions carried out under it in the areas of actions referred to in Article 5(1) and the achievement of the specific objectives referred to in Article 4. The monitoring shall also provide a means of assessing the way in which gender equality and anti-discrimination issues have been addressed across the programme's actions. **Where relevant**, indicators should be disaggregated by sex, age and disability.

1. The Commission shall monitor the Programme regularly in order to follow the implementation of actions carried out under it in the areas of actions referred to in Article 5(1) and the achievement of the specific objectives referred to in Article 4. The monitoring shall also provide a means of assessing the way in which gender equality, **combating and protecting against violence** and anti-discrimination issues have been addressed across the programme's actions. Indicators should be disaggregated by sex, age and disability.

Amendment 49

**Proposal for a regulation
Article 12 – paragraph 3**

Text proposed by the Commission

3. The interim evaluation shall report on the achievement of the Programme's objectives, the efficiency of the use of resources and the Programme's European added value with a view to determining whether funding in areas covered by the Programme shall be renewed, modified or suspended after 2020. It shall also address the scope for any simplification of the Programme, its internal and external coherence, as well as the continued relevance of all objectives and actions. It shall take into account the results of the ex-post evaluations of the programmes mentioned in Article 13.

Amendment

3. The interim evaluation shall report on the achievement of the Programme's objectives, the efficiency of the use of resources and the Programme's European added value with a view to determining whether funding in areas covered by the Programme shall be renewed, modified or suspended after 2020. It shall also address the scope for any simplification of the Programme, its internal and external coherence, as well as the continued relevance of all objectives and actions. It shall take into account the results of the ex-post evaluations of the programmes mentioned in Article 13. ***In its interim evaluation, the Commission shall, in particular, report on grants for operational costs when funding main actors, key European level networks, experts' networks or European level observatories.***

Amendment 50

**Proposal for a regulation
Article 12 – paragraph 4 a (new)**

Text proposed by the Commission

Amendment

(4a) The assessment of the achievement of the general and specific objectives referred to in Article 3 and Article 4(1) shall be based on measurable, gender-disaggregated performance indicators. The European added value in terms of achieving the overarching priority of gender equality and combating violence against women shall be a leading benchmark.

Amendment 51

**Proposal for a regulation
Article 12 – paragraph 4 ab (new)**

Text proposed by the Commission

Amendment

(4b) Care shall be taken to include a global, cross-cutting gender approach in the interim evaluation report and the ex-post evaluation report and to base the evaluation's conclusions on indicators and data that are broken down by gender and gender specific.

PROCEDURE

Title	Establishing the Rights and Citizenship Programme 2014 - 2020	
References	COM(2011)0758 – C7-0438/2011 – 2011/0344(COD)	
Committee responsible Date announced in plenary	LIBE 15.12.2011	
Opinion by Date announced in plenary	FEMM 15.12.2011	
Associated committee(s) - date announced in plenary	24.5.2012	
Rapporteur Date appointed	Regina Bastos 22.11.2011	
Discussed in committee	10.7.2012	3.9.2012
Date adopted	19.9.2012	
Result of final vote	+: 25	–: 1
	0: 3	
Members present for the final vote	Regina Bastos, Marije Cornelissen, Edite Estrela, Iratxe García Pérez, Zita Gurmai, Mikael Gustafsson, Mary Honeyball, Livia Járóka, Teresa Jiménez-Becerril Barrio, Nicole Kiil-Nielsen, Silvana Koch-Mehrin, Rodi Kratsa-Tsagaropoulou, Astrid Lulling, Barbara Matera, Krisztina Morvai, Norica Nicolai, Joanna Senyszyn, Joanna Katarzyna Skrzydlewska, Britta Thomsen, Marina Yannakoudakis, Anna Záborská, Inês Cristina Zuber	
Substitute(s) present for the final vote	Silvia Costa, Mariya Gabriel, Ana Miranda, Doris Pack, Antigoni Papadopoulou, Licia Ronzulli, Angelika Werthmann	

19.7.2012

OPINION OF THE COMMITTEE ON BUDGETS

for the Committee on Civil Liberties, Justice and Home Affairs

on the proposal for a regulation of the European Parliament and of the Council establishing for the period 2014 to 2020 the Rights and Citizenship Programme (COM(2011)0758 – C7-0438/2011 – 2011/0344(COD))

Rapporteur: Barbara Matera

SHORT JUSTIFICATION

The Commission has submitted a proposal for the Rights and Citizenship Programme for the period 2014 to 2020 as part of the forthcoming multiannual financial framework (MFF). The general objective of the programme is to contribute to the creation of an area, where the rights of persons, as enshrined in the Treaty on the Functioning of the European Union and the Charter of Fundamental Rights of the European Union, are promoted and protected.

Aiming at simplification and rationalisation, the Rights and Citizenship Programme is the successor of three current programmes: Fundamental Rights and Citizenship, Daphne III, and the sections "Antidiscrimination and Diversity" and "Gender Equality" of the Programme for Employment and Social Solidarity (PROGRESS). The Commission, following an impact assessment, has concluded that the merger of these programmes will allow for a better funding approach in the area of human rights, non-discrimination, data protection and citizenship.

The Rights and Citizenship Programme focuses on five specific objectives :

- to contribute to enhancing the exercise of rights deriving from the citizenship of the Union;
- to promote the effective implementation of the principles of non-discrimination on the grounds of sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation, including equality between women and men and the rights of persons with disabilities and of the elderly;
- to contribute to ensuring a high level of protection of personal data;
- to enhance the respect of the rights of the child;
- to empower consumers and businesses to trade and purchase in trust within the internal market by enforcing the rights deriving from the Union consumer legislation and by

supporting the freedom to conduct business in the internal market through cross-border transactions.

The Rapporteur for the opinion is concerned that, compared to the current funding period, such issues as protection of children, young people and women against all forms of violence, fight against trafficking in human beings and sexual exploitation, and gender issues and gender mainstreaming, are not explicitly addressed in the proposal for the new period, and therefore might receive insufficient attention and funding.

The Commission proposal states that the main indicators to measure the achievement of these objectives shall be, *inter alia*, the perception of the respect, exercise and implementation of these rights and the number of complaints. The Rapporteur for the opinion reminds that perception and a number of complaints are not ideal indicators to measure progress. They may be influenced by a multitude of factors, many lying outside the remit of the Rights and Citizenship Programme. Also, sheer fact of decreasing complaints cannot attest the achievements of the programme.

The financial appropriations for implementing the programme over the period from 1 January 2014 to 31 December 2020 will amount to EUR 439 million (in current prices). Discounting inflation and program adjustments, the volume of funds devoted to creation of the area of justice in the European Union in future is comparable with the funding in the current MFF.

The Rights and Citizenship Programme proposed by the Commission for the period 2014-2020 should be approved with the following amendments.

AMENDMENTS

The Committee on Budgets calls on the Committee on Civil Liberties, Justice and Home Affairs, as the committee responsible, to incorporate the following amendments in its report:

Amendement 1

Draft legislative resolution Paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a. Points out that the financial envelope specified in the legislative proposal constitutes only an indication to the legislative authority and that it cannot be fixed until agreement is reached on the proposal for a regulation laying down the multiannual financial framework for the

years 2014-2020;

Amendment 2

Draft legislative resolution

Paragraph 1 b (new)

Draft legislative resolution

Amendment

1b. Recalls its resolution of 8 June 2011 on Investing in the future: a new Multiannual Financial Framework (MFF) for a competitive, sustainable and inclusive Europe¹; reiterates that sufficient additional resources are needed in the next MFF in order to enable the Union to fulfil its existing policy priorities and the new tasks provided for in the Treaty of Lisbon, as well as to respond to unforeseen events; challenges the Council, if it does not share this approach, to clearly identify which of its political priorities or projects could be dropped altogether, despite their proven European added value; points out that even with an increase in the level of resources for the next MFF of at least 5% compared to the 2013 level only a limited contribution can be made to the achievement of the Union's agreed objectives and commitments and the principle of Union solidarity;

¹ *Texts adopted, P7_TA(2011)0266.*

Amendment 3

Proposal for a regulation

Citation 1 b (new)

Text proposed by the Commission

Amendment

Having regard to the Charter of Fundamental Rights of the European

Union,

Amendment 4

Proposal for a regulation Recital 1 a (new)

Text proposed by the Commission

Amendment

(1a) In its resolution of 8 June 2011 on Investing in the future: a new Multiannual Financial Framework (MFF) for a competitive, sustainable and inclusive Europe¹, the European Parliament emphasised that promoting Union citizenship has a direct impact on the daily lives of Europeans and that it contributes to a better understanding of the opportunities provided by Union policies, as well as of their fundamental rights, enshrined in the European Charter of Fundamental Rights and the Treaties; is convinced that adequate funding in the area of citizenship must be guaranteed.

¹ *Texts adopted, P7_TA(2011)0266.*

Amendment 5

Proposal for a regulation Recital 9 a (new)

Text proposed by the Commission

Amendment

(9a) The rationalisation and simplification of the funding structure should not result in a decrease in the level of financial resources available in the previous 2007-2013 programmes. In order to facilitate access for potential applicants, the application procedures and financial management requirements should also be simplified and administrative burdens should be removed. Calls for proposals and their

*supporting documents should be available
in all official languages of the Union.*

Justification

See Amendment 8 by Ms Göncz.

Amendment 6

**Proposal for a regulation
Recital 11a (new)**

Text proposed by the Commission

Amendment

(11a) Improving the implementation and quality of spending should constitute guiding principles for achieving the objectives of the programme while ensuring optimal use of the financial resources;

Amendment 7

**Proposal for a regulation
Recital 14a (new)**

Text proposed by the Commission

Amendment

(14a) It is important to ensure sound financial management of the programme and its implementation in the most effective and user-friendly manner possible, while also ensuring legal certainty and the accessibility of the programme to all participants.

Amendment 8

Proposal for a regulation Article 3

Text proposed by the Commission

The general objective of the Programme shall be to **contribute to the creation of** an area, where the rights of persons, as enshrined in the Treaty on the Functioning of the European Union and the Charter of Fundamental Rights of the European Union, are promoted and protected.

Amendment

The general objective of the Programme shall be to **further develop** an area, where the rights of persons, as enshrined in the Treaty on the Functioning of the European Union and the Charter of Fundamental Rights of the European Union, are promoted and protected.

Amendment 9

Proposal for a regulation Article 4 – paragraph 1

Text proposed by the Commission

1. To achieve the general objective set out in Article 3, the Programme shall have the following specific objectives:

(a) to contribute to enhancing the exercise of rights deriving from the citizenship of the Union;

(b) to promote the effective implementation of the principles of non discrimination on the grounds of sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation, including equality between women and men and the rights of persons with disabilities and of the elderly;

(c) to contribute to ensuring a high level of protection of personal data;

Amendment

1. To achieve the general objective set out in Article 3, the Programme shall have the following specific objectives:

(a) to contribute to enhancing the exercise of rights deriving from the citizenship of the Union;

(b) to promote the effective implementation of the principles of non discrimination on the grounds of sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation, including equality between women and men, **and gender mainstreaming**, and the rights of persons with disabilities and of the elderly;

(c) to contribute to ensuring a high level of protection of personal data;

(d) to enhance the respect of the rights of the child;

(e) to empower consumers and businesses to trade and purchase in trust within the internal market by enforcing the rights deriving from the Union consumer legislation and by supporting the freedom to conduct business in the internal market through cross-border transactions.

(d) to enhance the respect of the rights of the child, ***protection of children, young people and women against all forms of violence, fight against trafficking in human beings and sexual exploitation.***

(e) to empower consumers and businesses to trade and purchase in trust within the internal market by enforcing the rights deriving from the Union consumer legislation and by supporting the freedom to conduct business in the internal market through cross-border transactions.

Amendment 10

Proposal for a regulation Article 4 – paragraph 2

Text proposed by the Commission

The indicators to measure the achievement of the objectives set out in paragraph 1 shall be, *inter alia*, the European perception of the respect, exercise and implementation of these rights and the number of complaints.

Amendment

2. The indicators to measure the achievement of the objectives set out in paragraph 1 shall be, *inter alia*, the European perception of the respect, exercise and implementation of these rights, ***improved position of Member States in internationally recognized human rights indices***, and the number of ***successfully resolved*** complaints.

Amendment 11

Proposal for a regulation Article 5 – paragraph 2 – point c

Text proposed by the Commission

(c) Mutual learning, cooperation, awareness raising and dissemination activities, such as identification of, and exchanges on, good practices, innovative

Amendment

(c) Mutual learning, cooperation, awareness raising and dissemination activities, such as identification of, and exchanges on, good practices, innovative

approaches and experiences, organisation of peer review and mutual learning; organisation of conferences and seminars; organisation of awareness-raising and information campaigns, media campaigns and events, including *corporate* communication of the political priorities of the European Union; compilation and publication of materials to disseminate information as well as results of the Programme; development, operation and maintenance of systems and tools using information and communication technologies;

approaches and experiences, organisation of peer review and mutual learning; organisation of conferences and seminars; organisation of awareness-raising and information campaigns, media campaigns and events, including communication of the political priorities of the European Union; compilation and publication of materials to disseminate information as well as results of the Programme; development, operation and maintenance of systems and tools using information and communication technologies;

Justification

Corporate communication of the political priorities of the EU is already financed under EU budget title 16 "Communication".

Amendment 12

Proposal for a regulation Article 7 - paragraph 1

Text proposed by the Commission

1. **The** financial envelope for the implementation of the Programme shall be EUR 439 million.

Amendment

1. **Within the meaning of point [17] of the Interinstitutional Agreement of .../.... between the European Parliament, the Council and the Commission on cooperation in budgetary matters and on sound financial management, the** financial envelope for the implementation of the Programme **for the period from 2014 to 2020, representing the prime reference for the budgetary authority during the annual budgetary procedure,** shall be EUR 439 million.

Amendment 13

Proposal for a regulation

Article 7 - paragraph 3

Text proposed by the Commission

3. The budgetary authority shall authorise the available annual appropriations ***within the limits of the Multiannual Financial Framework established by Council Regulation (EU, Euratom) No XX/XX of XX*** laying down the multiannual financial framework for the years 2014-2020.

Amendment

3. The budgetary authority shall authorise the available annual appropriations ***without prejudice to the provisions of the Regulation*** laying down the multiannual financial framework for the years 2014-2020 ***and the Interinstitutional Agreement of xxx/201z between the European Parliament, the Council and the Commission on cooperation in budgetary matters and sound financial management.***

Amendment 14

Proposal for a regulation Article 10 - paragraph 1

Text proposed by the Commission

1. The Commission, in cooperation with the Member States, shall ensure overall consistency and complementarity and synergies with other Union instruments, inter alia, with the Justice programme, the Europe for Citizens programme and with programmes in the areas of home affairs; employment and social affairs; health and consumer protection; education, training, youth and sport; information society; enlargement, in particular the Instrument for Pre-accession Assistance and the funds operating under the Common Strategic Framework (CSF funds).

Amendment

1. The Commission, in cooperation with the Member States, shall ensure overall consistency and complementarity and synergies with other Union instruments, inter alia, with the Justice programme, the Europe for Citizens programme and with programmes in the areas of home affairs; employment and social affairs; health and consumer protection; education, training, youth and sport; information society; enlargement, in particular the Instrument for Pre-accession Assistance and the funds operating under the Common Strategic Framework (CSF funds). ***The Commission shall also ensure overall consistency, complementarity and synergies with the EU agencies whose mandates cover the same domains as the programme.***

Amendment 15

Proposal for a regulation Article 10 – paragraph 2

Text proposed by the Commission

2. The programme may share resources with other Union instruments, in particular the Justice programme, in order to implement actions meeting the objectives of both programmes. An action for which funding has been awarded from the Programme may also give rise to the award of funding from the Justice Programme, provided that the funding does not cover the same cost items.

Amendment

2. The programme may share resources with other Union instruments, in particular the Justice programme, in order to implement actions meeting the objectives of both programmes. An action for which funding has been awarded from the Programme may also give rise to the award of funding from the Justice Programme, provided that the funding does not cover the same cost items. ***The double-sourcing of funds should be avoided by clearly indicating the sources of funding for each category of expenditure, in line with the principle of sound financial management.***

Justification

The conditions upon which funding can be shared between the different programs are not clear. The additional problem is the dilution of funds among various small-scale projects.

PROCEDURE

Title	Establishing the Rights and Citizenship Programme 2014 - 2020
References	COM(2011)0758 – C7-0438/2011 – 2011/0344(COD)
Committee responsible Date announced in plenary	LIBE 15.12.2011
Opinion by Date announced in plenary	BUDG 15.12.2011
Rapporteur Date appointed	Barbara Matera 6.2.2012
Date adopted	12.7.2012
Result of final vote	+: 28 –: 3 0: 2
Members present for the final vote	Marta Andreasen, Richard Ashworth, Jean Louis Cottigny, Jean-Luc Dehaene, Isabelle Durant, James Elles, Göran Färm, José Manuel Fernandes, Eider Gardiazábal Rubial, Salvador Garriga Polledo, Lucas Hartong, Jutta Haug, Monika Hohlmeier, Anne E. Jensen, Jan Kozłowski, Alain Lamassoure, Giovanni La Via, Barbara Matera, Claudio Morganti, Juan Andrés Naranjo Escobar, Nadezhda Neynsky, Dominique Riquet, Alda Sousa, Helga Trüpel
Substitute(s) present for the final vote	Alexander Alvaro, Bendt Bendtsen, Frédéric Daerden, Gerben-Jan Gerbrandy, Lidia Joanna Geringer de Oedenberg, Jutta Steinruck, Theodor Dumitru Stolojan, Nils Torvalds
Substitute(s) under Rule 187(2) present for the final vote	Leonardo Domenici

18.9.2012

OPINION OF THE COMMITTEE ON LEGAL AFFAIRS

for the Committee on Civil Liberties, Justice and Home Affairs

on the proposal for a regulation of the European Parliament and of the Council establishing for the period 2014 to 2020 the Rights and Citizenship Programme (COM(2011)0758 – C7-0438/2011 – 2011/0344(COD))

Rapporteur: Klaus-Heiner Lehne

SHORT JUSTIFICATION

The 2014-2020 Rights and Citizenship Programme aims to give effect to the goals of the Stockholm Programme by promoting and protecting the rights of citizens conferred by the European Treaties and the Charter of Fundamental Rights.

Many of the problems reported by citizens when exercising their right to free movement are caused by the fact that they, or the public bodies they are dealing with, are not sufficiently aware of the existence or extent of their rights under the Treaties. The overarching objective of this programme is to remedy that.

This programme will be the successor of the current Fundamental Rights and Citizenship, Daphne III and (in part) Progress Programmes. The new omnibus programme will merge the objectives of the current programmes in order to allow for greater flexibility in deciding on the distribution of funds between specific projects.

The Committee on Legal Affairs believes that this will allow the European Union to continue promoting access to rights and hopes that a new single programme in this area will create synergies and have a greater impact.

This programme will be complementary to the related Justice Programme 2014-2020, which the Committee on Legal Affairs is co-responsible for, together with the Committee on Civil Liberties, Justice and Home Affairs.

Having regard to the legal bases used, the funds from the programme will concern the fields of the fight against discrimination (Article 19(2) TFEU), the right to free movement (Article 21(2) TFEU), the internal market (Article 114 TFEU), public health (Article 168 TFEU), consumer protection (Article 169 TFEU) and administrative support for Member States, including the exchange of information and training (Article 197 TFEU).

The committee considers that the general (Article 3) and specific (Article 4) objectives, and the areas of action (Article 5), set out in the proposal are largely satisfactory and therefore suggests broad support in favour of the programme.

However, the committee proposes some minor changes to the provisions of the draft regulation, mainly in order to ensure that the details of the programme are sufficiently precise.

Furthermore, the committee considers that the use of delegated acts would be more appropriate for the adoption of the annual work programmes.

AMENDMENTS

The Committee on Legal Affairs calls on the Committee on Civil Liberties, Justice and Home Affairs, as the committee responsible, to incorporate the following amendments into its report:

Amendment 1

Proposal for a regulation

Recital 17

Text proposed by the Commission

Implementing powers should be conferred on the Commission in respect of the adoption of annual work programmes. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011, laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers. Given the annual amounts concerned, the budgetary implications can be considered as non-substantial. Therefore, the advisory procedure should apply.

Amendment

In order to operate the Programme, 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 the adoption of annual work programmes. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level. The Commission, when preparing and drawing up delegated acts, should ensure a simultaneous, timely and appropriate transmission of relevant documents to the European Parliament and to the Council.

Justification

The purpose of this amendment and of Amendments 6 to 15 is to stipulate that annual work programmes should take the shape of delegated acts.

Amendment 2

Proposal for a regulation Article 4 – paragraph 2

Text proposed by the Commission

2. The indicators to measure the achievement of the objectives set out in paragraph 1 shall be, inter alia, the European perception of the respect, exercise and implementation of these rights and the number of complaints.

Amendment

2. The indicators to measure the achievement of the objectives set out in paragraph 1 shall be, inter alia, ***the number and percentage of citizens reached by awareness-raising activities funded by the Programme, qualitative data collected at national and European level on the degree of awareness of citizens of their rights under Union law, and*** the European perception of the respect, exercise and implementation of these rights and the number of complaints.

Justification

The purpose of this amendment is to ensure that the indicators used to evaluate the programme are sufficiently precise.

Amendment 3

Proposal for a regulation Article 5 – paragraph 2 – point c

Text proposed by the Commission

(c) Mutual learning, cooperation, awareness raising and dissemination activities, such as identification of, and exchanges on, good practices, innovative approaches and experiences, organisation of peer review and mutual learning; organisation of conferences and seminars; organisation of awareness-raising and information campaigns, media campaigns and events, including corporate communication of the political priorities of the European Union; compilation and publication of materials to disseminate information as well as results of the Programme; development, operation and

Amendment

(c) Mutual learning, cooperation, ***coordination mechanisms for cross-border cooperation***, awareness raising and dissemination activities, such as identification of, and exchanges on, good practices, innovative approaches and experiences, organisation of peer review and mutual learning; organisation of conferences and seminars; organisation of awareness-raising and information campaigns, media campaigns and events, including corporate communication of the ***legislation and*** political priorities of the European Union; compilation and publication of materials to disseminate

maintenance of systems and tools using information and communication technologies;

information as well as results of the Programme; development, operation and maintenance of systems and tools using information and communication technologies, ***including the cross-border interoperability of the existing systems and applications in the Member States;***

Justification

The committee considers that the draft text does not pay sufficient attention to cross-border problems.

Amendment 4

Proposal for a regulation

Article 5 – paragraph 2 – point d

Text proposed by the Commission

(d) Support for main actors, such as support for Member States when implementing Union law and policies; support for key European level networks whose activities are linked to the implementation of the objectives of the Programme; networking among specialised bodies and organisations, national, regional and local authorities at European level; funding of experts' networks; funding of European level observatories.

Amendment

(d) Support for main actors, such as support for Member States when implementing ***and applying*** Union law and policies; support for key European level networks, whose activities are linked to the implementation of the objectives of the Programme; networking among specialised bodies and organisations, national, regional and local authorities at European level; ***improving the coordination of existing networks;*** funding of experts' networks; funding of European level observatories.

Justification

The committee considers that the measures under the programme should also be aimed at improving coordination.

Amendment 5

Proposal for a regulation

Article 6 – paragraph 2

Text proposed by the Commission

2. Public and/or private bodies and entities

Amendment

2. Public and/or private bodies and entities

legally established in other third countries, notably countries where the European Neighbourhood Policy applies, may be associated to actions of the Programme, if this serves the purpose of these actions.

legally established in other third countries, notably countries where the European Neighbourhood Policy applies, may be associated to actions of the Programme, if this serves the purpose of *those* actions **and if those actions are co-financed by the third country concerned.**

Justification

The committee considers that programmes taking place in countries concerned by the European Neighbourhood Policy should be subject to the requirement that they be co-financed by the third country in question.

Amendment 6

Proposal for a regulation Article 8 – title

Text proposed by the Commission

Amendment

Implementing measures

Annual work programmes

Amendment 7

Proposal for a regulation Article 8 – paragraph 1

Text proposed by the Commission

Amendment

1. The Commission shall implement the Union financial support in accordance with the Regulation (EU, Euratom) No XX/XX of XX on the financial rules applicable to the annual budget of the European Union.

The Commission shall be empowered to adopt delegated acts in accordance with Article 9 concerning the adoption of annual work programmes.

Amendment 8

Proposal for a regulation Article 8 – paragraph 2

Text proposed by the Commission

Amendment

2. In order to implement the Programme,

deleted

the Commission shall adopt annual work programmes in the form of implementing acts. Those implementing acts shall be adopted in accordance with the advisory procedure referred to in Article 9(2).

Amendment 9

Proposal for a regulation Article 8 – paragraph 3

Text proposed by the Commission

Amendment

3. The annual work programmes shall set out the measures needed for their implementation, the priorities of calls for proposals and all other elements required by Regulation (EU, Euratom) No XX/XX of XX on the financial rules applicable to the annual budget of the European Union.

deleted

Amendment 10

Proposal for a regulation Article 9 – title

Text proposed by the Commission

Amendment

Committee procedure

Exercise of the delegation

Amendment 11

Proposal for a regulation Article 9 – paragraph 1

Text proposed by the Commission

Amendment

1. The Commission shall be assisted by a committee. That committee shall be a committee within the meaning of Regulation (EU) No 182/2011.

1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.

Amendment 12

Proposal for a regulation Article 9 – paragraph 2

Text proposed by the Commission

2. Where reference is made to this paragraph, Article 4 of Regulation (EU) No 182/2011 shall apply.

Amendment

2. The power to adopt delegated acts referred to in Article 8 shall be conferred on the Commission from [the date of entry into force of this Regulation] until 31 December 2020.

Amendment 13

Proposal for a regulation Article 9 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. The delegation of power referred to in Article 8 may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.

Amendment 14

Proposal for a regulation Article 9 – paragraph 2 b (new)

Text proposed by the Commission

Amendment

2b. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.

Amendment 15

Proposal for a regulation

Article 9 – paragraph 2 c (new)

Text proposed by the Commission

Amendment

2c. A delegated act adopted pursuant to Article 8 shall enter into force only if no objection has been expressed either by the European Parliament or 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 the Council.

PROCEDURE

Title	Establishing the Rights and Citizenship Programme 2014 - 2020
References	COM(2011)0758 – C7-0438/2011 – 2011/0344(COD)
Committee responsible Date announced in plenary	LIBE 15.12.2011
Opinion by Date announced in plenary	JURI 15.12.2011
Rapporteur Date appointed	Klaus-Heiner Lehne 26.6.2012
Discussed in committee	10.7.2012
Date adopted	18.9.2012
Result of final vote	+: 25 –: 0 0: 0
Members present for the final vote	Raffaele Baldassarre, Luigi Berlinguer, Sebastian Valentin Bodu, Françoise Castex, Christian Engström, Marielle Gallo, Giuseppe Gargani, Lidia Joanna Geringer de Oedenberg, Sajjad Karim, Klaus-Heiner Lehne, Antonio Masip Hidalgo, Jiří Maštálka, Alajos Mészáros, Bernhard Rapkay, Evelyn Regner, Francesco Enrico Speroni, Dimitar Stoyanov, Rebecca Taylor, Alexandra Thein, Rainer Wieland, Cecilia Wikström, Tadeusz Zwiefka
Substitute(s) present for the final vote	Piotr Borys, Eva Lichtenberger, Angelika Niebler, Dagmar Roth-Behrendt, József Szájer
Substitute(s) under Rule 187(2) present for the final vote	Jacek Włosowicz

16.7.2012

OPINION OF THE COMMITTEE ON PETITIONS

for the Committee on Civil Liberties, Justice and Home Affairs

on the proposal for a regulation of the European Parliament and of the Council establishing for the period 2014 to 2020 the Rights and Citizenship Programme (COM(2011)0758 – C7-0438/2011 – 2011/0344(COD))

Rapporteur: Adina-Ioana Vălean

SHORT JUSTIFICATION

The Rights and Citizenship Programme 2014-2020 is the successor of three previous programmes: Fundamental Rights and Citizenship, Daphne III, the Sections "Antidiscrimination and Diversity" and "Gender Equality" of the Programme for Employment and Social Solidarity (PROGRESS).

The Programme is expected to promote the rights attached to European citizenship, the principles of non-discrimination, equality between women and men, the right to the protection of personal data, the rights of the child, the rights deriving from the Union consumer legislation.

The Committee on Petitions receives a considerable number of petitions in relation to the objectives covered by the Programme. Some petitioners and organizations highlight the importance of funding and raise concerns about the difficulty to access the funds. Therefore, a judicious, accessible and transparent allocation of funds is needed. Funding should be made available not only to "key European level networks", but also to national projects submitted by small non governmental organisations.

The rapporteur asks for a better recognition of the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD). The Convention is the first international human rights instrument that the EU adhered to. Numerous petitions bear witness to the difficulties encountered by people with disabilities and to the fact that they do not enjoy the fundamental freedoms and rights laid out in the Convention. The Committee on petitions is one of the actors involved in the establishment of a framework for the implementation of the Convention, pursuant to article 33.2 and has the role of protecting the rights of people with disabilities.

Specific reference should be made to the Charter of Fundamental Rights of the European

Union. The areas of racism and xenophobia, gender mainstreaming and the prevention of violence against women, children and young people should be added as specific objectives of the Programme.

AMENDMENTS

The Committee on Petitions calls on the Committee on Civil Liberties, Justice and Home Affairs, as the committee responsible, to incorporate the following amendments in its report:

Amendment 1

Proposal for a regulation Citation 1

Text proposed by the Commission

Having regard to the Treaty on the Functioning of the European Union, and in particular Articles 19(2), 21(2), 114, 168, 169 and 197 thereof,

Amendment

Having regard to ***the Treaty on European Union, in particular Articles 2, 3 and 9 thereof, and*** the Treaty on the Functioning of the European Union, and in particular Articles ***8, 10***, 19(2), 21(2), 114, 168, 169 and 197 thereof,

Amendment 2

Proposal for a regulation Citation 1 a (new)

Text proposed by the Commission

Having regard to the Charter of Fundamental Rights of the European Union,

Amendment 3

Proposal for a regulation Recital 1

Text proposed by the Commission

(1) The European Union is founded on the principles of liberty, democracy, respect

Amendment

(1) The European Union is founded on the principles of ***respect for human dignity***,

for human rights and fundamental freedoms and the rule of law, principles which are common to the Member States. Every citizen of the Union has the rights provided for in the Treaty. The Charter of Fundamental Rights of the European Union, which with the entry into force of the Lisbon Treaty became legally binding across the Union, reflects the fundamental rights and freedoms to which persons are entitled in the Union. Those rights should be promoted and respected if they are to become a reality. The full enjoyment of those rights should be guaranteed and any obstacles should be dismantled.

liberty, democracy, respect for human rights and fundamental freedoms and the rule of law, principles which are common to the Member States. Every citizen of the Union has the rights provided for in the Treaty. The Charter of Fundamental Rights of the European Union, which with the entry into force of the Lisbon Treaty became legally binding across the Union, reflects the fundamental rights and freedoms to which persons are entitled in the Union. Those rights should be **properly publicised**, promoted and respected if they are to become a reality. The full enjoyment of those rights should be guaranteed and any obstacles should be dismantled.

Amendment 4

Proposal for a regulation Recital 1 a (new)

Text proposed by the Commission

Amendment

(1a) As stated in the preamble to the Charter of Fundamental Rights of the European Union, the Union is founded on the indivisible, universal values of human dignity, freedom, equality and solidarity, which are fundamentally important to the exercise of citizenship.

Amendment 5

Proposal for a regulation Recital 3

Text proposed by the Commission

Amendment

(3) Citizens should be able to exercise fully the rights deriving from the citizenship of the Union. They should be able to exercise their right to move and reside freely in the Union, their right to vote for and stand as a candidate in European Parliament and municipal elections, their right to consular

(3) ***EU*** Citizens should be able to exercise fully the rights deriving from the citizenship of the Union ***and from international Conventions ratified by the European Union, such as the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD).***

protection and their right to petition the European Parliament. They should feel at ease about living, travelling and working in another Member State, trusting that their rights are protected, no matter where in the Union they happen to be.

They should be able to exercise their right to move and reside freely in the Union, their right to vote for and stand as a candidate in European Parliament and municipal elections *in the country in which they reside*, their right to consular protection and their right to petition the European Parliament *in any of the Treaty languages*. They should feel at ease about living, travelling, *studying* and working in another Member State, trusting that their rights are protected, no matter where in the Union they happen to be.

Amendment 6

Proposal for a regulation Recital 3 a (new)

Text proposed by the Commission

Amendment

(3a) Citizens and civil society organisations should be made more aware of their basic political rights and encouraged to exercise them more frequently so as to assert their interests in the Union. Encouraging citizens to take a more active role in democracy at EU level will strengthen European civil society and foster the development of a European public.

Amendment 7

Proposal for a regulation Recital 4

Text proposed by the Commission

Amendment

(4) Citizens and businesses should also benefit fully from the internal market. Consumers should be able to enjoy the rights deriving from the consumer legislation and businesses should be supported to exercise the freedom to conduct business in the internal market. The development of contract and consumer

(4) **EU** Citizens and businesses should also benefit fully from the internal market. Consumers should be able to enjoy the rights deriving from the consumer legislation and businesses should be supported to exercise the freedom to conduct business in the internal market. The development of contract and consumer

legislative instruments provides practical solutions for businesses and consumers to address cross-border problems, aiming to offer them more choices and to make it less costly for them to conclude contracts with partners in another Member State, while providing a high level of consumer protection.

legislative instruments provides practical solutions for businesses and consumers to address cross-border problems, aiming to offer them more choices and to make it less costly for them to conclude contracts with partners in another Member State, while providing a high level of consumer protection.

Amendment 8

Proposal for a regulation Recital 5

Text proposed by the Commission

(5) Non-discrimination based on sex, racial or ethnic origin religion or belief, disability, age or sexual orientation and equality between women and men are values common to the Member States. Combating all forms of discrimination is an ongoing goal which requires coordinated action, including by the allocation of funding.

Amendment

(5) Non-discrimination based on sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation, ***tolerance, solidarity*** and equality between women and men are values common to the Member States. Combating all forms of discrimination is an ongoing goal which requires coordinated action, including by the allocation of funding.

Amendment 9

Proposal for a regulation Recital 7

Text proposed by the Commission

(7) Violence against women in all its forms constitutes a violation of fundamental rights and a serious health scourge. Such violence is present throughout the Union and coordinated action is necessary in order to address it. Taking action to combat violence against women contributes to the promotion of equality between women and men.

Amendment

(7) Violence against women in all its forms constitutes a violation of fundamental rights and a serious health scourge. Such violence is present throughout the Union and coordinated action is necessary in order to address it. Taking action to ***prevent and*** combat violence against women contributes to the promotion of equality between women and men.

Amendment 10

Proposal for a regulation Recital 8

Text proposed by the Commission

(8) The Treaty requires the Union to promote the protection of the rights of the child pursuant to Article 3(3) of the Treaty on European Union, while combating discrimination. Children are vulnerable, in particular in a situation of poverty, social exclusion, disability or specific situations putting them at risk. Action should be taken to promote the rights of the child and contribute to the protection of children from harm *and* violence, which pose a danger to their physical or mental health.

Amendment

(8) The Treaty requires the Union to promote the protection of the rights of the child pursuant to Article 3(3) of the Treaty on European Union, while combating discrimination. Children are vulnerable, in particular in a situation of poverty, social exclusion, disability or specific situations putting them at risk. Action should be taken to promote *and defend* the rights of the child and contribute to the protection of children from harm, violence *and any violation of their personal integrity*, which pose a danger to their physical or mental health, *and which, owing to rapid developments in modern communications technology, have become more varied and harder to pinpoint.*

Amendment 11

Proposal for a regulation Recital 8 a (new)

Text proposed by the Commission

Amendment

(8a) Not least in the light of current demographic trends, efforts should be made to combat all forms of age discrimination, whether against the young or the old. The best way to combat discrimination of this kind, which deprives our society of a significant source of social, economic and intellectual human capital, would be through measures promoting long-term solidarity between generations, as the Union is required to do under Article 3(3) of the Treaty on European Union.

Amendment 12

Proposal for a regulation

Recital 10

Text proposed by the Commission

Supporting and promoting the rights of persons within the Union, tackling discrimination and inequalities and promoting citizenship contribute to the promotion of the specific objectives and flagship initiatives of the Europe 2020 Strategy.

Amendment

Supporting and promoting the rights of persons within the Union, tackling discrimination and inequalities and promoting **Union** citizenship contribute to the promotion of the specific objectives and flagship initiatives of the Europe 2020 Strategy.

Amendment 13

Proposal for a regulation

Recital 13

Text proposed by the Commission

(13) The Commission Communications ‘The EU Budget Review’¹² and ‘A budget for Europe 2020’ underline the importance of focusing funding on actions with clear European added value, i.e. where the Union intervention can bring additional value compared to action of Member States alone. Actions covered by this Regulation should contribute to the development of mutual trust between Member States, increasing cross-border cooperation and networking and achieving correct, coherent and consistent application of Union law. Funding activities should also contribute to achieving effective and better knowledge of Union law and policies by all those concerned and provide a sound analytical basis for the support and the development of Union legislation and policies. Union intervention allows for those actions to be pursued consistently across the Union and brings economies of scale. Moreover, the European Union is in a better position than Member States to address cross-border situations and to provide a European platform for mutual learning.

Amendment

(13) The Commission Communications ‘The EU Budget Review’¹² and ‘A budget for Europe 2020’ underline the importance of focusing funding on actions with clear European added value, i.e. where the Union intervention can bring additional value compared to action of Member States alone. Actions covered by this Regulation should contribute to the development of mutual trust between Member States, increasing cross-border cooperation and networking and achieving correct, coherent and consistent application of Union law. Funding activities should also contribute to achieving effective and better knowledge of Union law and policies by all those concerned and provide a sound analytical basis for the support and the development of Union legislation and policies, ***as well as for their enforcement and proper implementation***. Union intervention allows for those actions to be pursued consistently across the Union and brings economies of scale. Moreover, the European Union is in a better position than Member States to address cross-border situations and to

provide a European platform for mutual learning.

Amendment 14

Proposal for a regulation Article 3

Text proposed by the Commission

The general objective of the Programme shall be to contribute to the creation of an area, where the rights of persons, as enshrined in the Treaty on the Functioning of the European Union **and** the Charter of Fundamental Rights of the European Union, are promoted and protected.

Amendment

The general objective of the Programme shall be to contribute to the creation of an area, where the rights of persons, as enshrined in the Treaty on the Functioning of the European Union, the Charter of Fundamental Rights of the European Union **and the United Nations Convention on the Rights of Persons with Disabilities**, are **fully respected**, promoted and protected.

Amendment 15

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

Text proposed by the Commission

a) to contribute to **enhancing the exercise** of rights deriving from the citizenship of the Union;

Amendment

a) to contribute to **improving knowledge and raising awareness** of rights deriving from the citizenship of the Union **and the promotion of active citizenship; encouraging people to exercise them more frequently;**

Amendment 16

Proposal for a regulation Article 4 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a. to focus on better and adequately funded communication both at European, national and local level.

Amendment 17

Proposal for a regulation

Article 4 – paragraph 1 – point b

Text proposed by the Commission

(b) to promote the effective implementation of the principles of non discrimination on the grounds of sex, racial or ethnic origin, religion or belief, disability, age *or* sexual orientation, including equality between women and men and the rights of persons with disabilities and of the elderly;

Amendment

(b) to promote the effective implementation of the principles of non discrimination on the grounds of sex, racial or ethnic origin, ***nationality***, religion or belief, disability, age or sexual orientation, including equality between women and men and the rights of persons with disabilities and of the elderly ***and to combat the aforementioned discriminations***;

Amendment 18

Proposal for a regulation

Article 4 – paragraph 1 – point b a (new)

Text proposed by the Commission

Amendment

(ba) to promote gender mainstreaming in all its activities;

Amendment 19

Proposal for a regulation

Article 4 – paragraph 1 – point b b (new)

Text proposed by the Commission

Amendment

(bb) to prevent and combat violence against women, children and young people, as well as to provide support for victims and groups at risk;

Amendment 20

Proposal for a regulation

Article 4 – paragraph 1 – point b c (new)

Text proposed by the Commission

Amendment

(bc) to combat racism, xenophobia and similar forms of intolerance;

Amendment 21

Proposal for a regulation

Article 4 – paragraph 1 – point b a (new)

Text proposed by the Commission

Amendment

(ba) To prevent and combat violence against women, children and young people as well as all hate crime and violence and to provide support for victims and groups at risk

Amendment 22

Proposal for a regulation

Article 4 – paragraph 1 b (new)

Text proposed by the Commission

Amendment

Ib. to identify and eliminate obstacles and barriers restricting access by the disabled to benefit from EU citizens rights.

Amendment 23

Proposal for a regulation

Article 4 – paragraph 1 – point e a (new)

Text proposed by the Commission

Amendment

(ea) to facilitate equal rights for workers from all Member States to compete on and access the EU labour market, on the basis of the principles of equality, non-discrimination, solidarity and

freedom of movement within the EU for all EU citizens.

Amendment 24

Proposal for a regulation

Article 4 – paragraph 2

Text proposed by the Commission

2. The indicators to measure the achievement of the objectives set out in paragraph 1 shall be, inter alia, the European perception of the respect, exercise and implementation of these rights *and* the number of complaints.

Amendment

2. The indicators to measure the achievement of the objectives set out in paragraph 1 shall be, inter alia, the European perception of the respect, exercise and implementation of these rights, *as well as* the number *and subjects* of complaints *and petitions regarding failures in their protection*.

Amendment 25

Proposal for a regulation

Article 5 – paragraph 1 – point a

Text proposed by the Commission

(a) enhancing public awareness and knowledge of Union law and policies;

Amendment

(a) enhancing public awareness and knowledge of Union law and policies, *including at the level of local communities and of the citizens*;

Amendment 26

Proposal for a regulation

Article 5 – paragraph 1 – point b

Text proposed by the Commission

(b) supporting the implementation of Union law and policies in the Member *States*;

Amendment

(b) supporting the implementation of Union law and policies in the Member *State and promoting, in particular through support to civil society organisations, the implementation and enforcement of fundamental rights within the scope of EU law*;

Amendment 27

Proposal for a regulation

Article 5 – paragraph 1 – point c

Text proposed by the Commission

(c) promoting transnational cooperation and building up of mutual knowledge and mutual trust among all involved stakeholders;

Amendment

(c) promoting transnational cooperation and building up of mutual knowledge and mutual trust among all involved stakeholders, ***including at regional and local level;***

Amendment 28

Proposal for a regulation

Article 5 – paragraph 2 – point c

Text proposed by the Commission

(c) Mutual learning, cooperation, awareness raising and dissemination activities, such as identification of, and exchanges on, good practices, innovative approaches and experiences, organisation of peer review and mutual learning; organisation of conferences and seminars; organisation of awareness-raising and information campaigns, media campaigns and events, including corporate communication of the political priorities of the European Union; compilation and publication of materials to disseminate information as well as results of the Programme; development, operation and maintenance of systems and tools using information and communication technologies;

Amendment

(c) Mutual learning, cooperation, awareness raising and dissemination activities, such as identification of, and exchanges on, good practices, innovative approaches and experiences, organisation of peer review and mutual learning; organisation of conferences and seminars; organisation of awareness-raising and information campaigns, media campaigns and events, including corporate communication of the political priorities of the European Union, ***particularly in the form of cooperation with public media organisations;*** compilation and publication of materials to disseminate information as well as results of the Programme; development, operation and maintenance of systems and tools using information and communication technologies ***as well as an Internet presence, including relevant websites, platforms, blogs or the use of Web 2.0;***

Amendment 29

Proposal for a regulation

Article 5 – paragraph 2 – point d

Text proposed by the Commission

(d) Support for main actors, such as support for Member States when implementing Union law and policies; support for key European level networks whose activities are linked to the implementation of the objectives of the Programme; networking among specialised bodies and organisations, national, regional and local authorities at European level; funding of experts' networks; funding of European level observatories.

Amendment

(d) Support for main actors, such as support for Member States when implementing Union law and policies; support for key European level networks whose activities are linked to the implementation of the objectives of the Programme; ***support for non-governmental organisations carrying out activities in the fields covered by the Programme***; networking among specialised bodies and organisations, national, regional and local authorities at European level; funding of experts' networks; funding of European level observatories.

Amendment 30

Proposal for a regulation

Article 7 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. Each specific objective of the Programme shall receive a balanced and fair annual allocation of funds and must ensure enough money to cover all objectives for every year of the Programme. An indicative breakdown of funding shall be made available for each specific objective.

Amendment 31

Proposal for a regulation

Article 7 – paragraph 2 b (new)

Text proposed by the Commission

Amendment

2b. Non governmental organisations who receive funding to carry out activities

covered by the objectives of the Programme must be given an indication of the continuity and predictability of the annual allocation of funds they will receive from one year to another, for the specific project.

PROCEDURE

Title	Establishing the Rights and Citizenship Programme 2014 - 2020
References	COM(2011)0758 – C7-0438/2011 – 2011/0344(COD)
Committee responsible Date announced in plenary	LIBE 15.12.2011
Opinion by Date announced in plenary	PETI 15.12.2011
Rapporteur Date appointed	Adina-Ioana Vălean 12.1.2012
Discussed in committee	24.4.2012
Date adopted	12.7.2012
Result of final vote	+: 21 –: 0 0: 0
Members present for the final vote	Margrete Auken, Victor Boștinăru, Philippe Boulland, Giles Chichester, Nikolaos Chountis, Iliana Malinova Iotova, Carlos José Iturgaiz Angulo, Lena Kolarska-Bobińska, Erminia Mazzoni, Willy Meyer, Chrysoula Paliadeli, Nikolaos Salavrakos, Jarosław Leszek Wałęsa, Rainer Wieland
Substitute(s) present for the final vote	Zoltán Bagó, Birgit Collin-Langen, Axel Voss
Substitute(s) under Rule 187(2) present for the final vote	Ioan Enciu, Petru Constantin Luhan, Franck Proust, Renate Sommer, Hermann Winkler

POSTUPAK

Naslov	Uspostava Programa o pravima, ravnopravnosti i građanstvu za razdoblje 2014. – 2020.			
Referentni dokumenti	COM(2011)0758 – C7-0438/2011 – 2011/0344(COD)			
Datum podnošenja EP-u	15.11.2011			
Nadležni odbor Datum objave na plenarnoj sjednici	LIBE 15.12.2011			
Odbor(i) čije se mišljenje traži Datum objave na plenarnoj sjednici	BUDG 15.12.2011	EMPL 15.12.2011	IMCO 15.12.2011	JURI 15.12.2011
	FEMM 15.12.2011	PETI 15.12.2011		
Odbori koji nisu dali mišljenje Datum odluke	IMCO 29.2.2012			
Pridruženi odbor(i) Datum objave na plenarnoj sjednici	FEMM 24.5.2012	EMPL 24.5.2012		
Izvjestitelj(i) Datum imenovanja	Kinga Göncz 9.2.2012			
Razmatranje u odboru	28.2.2012	21.6.2012	19.9.2012	7.11.2013
Datum usvajanja	7.11.2013			
Rezultat konačnog glasovanja	+: –: 0:	26 2 0		
Zastupnici nazočni na konačnom glasovanju	Jan Philipp Albrecht, Edit Bauer, Mario Borghezio, Rita Borsellino, Arkadiusz Tomasz Bratkowski, Salvatore Caronna, Ioan Enciu, Kinga Göncz, Nathalie Griesbeck, Monica Luisa Macovei, Nuno Melo, Claude Moraes, Judith Sargentini, Birgit Sippel, Csaba Sógor, Rui Tavares, Wim van de Camp, Josef Weidenholzer, Tatjana Ždanoka, Auke Zijlstra			
Zamjenici nazočni na konačnom glasovanju	Michael Cashman, Mariya Gabriel, Davor Ivo Stier			
Zamjenici nazočni na konačnom glasovanju prema čl. 187. st. 2.	Zoltán Bagó, Luigi Berlinguer, Liisa Jaakonsaari, Vytautas Landsbergis, Olle Ludvigsson			
Datum podnošenja	19.11.2013			