



EUROPEAN PARLIAMENT

2009 - 2014

Committee on Budgets

2011/0344(COD)

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

PA_Legam

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

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 and the Charter of Fundamental Rights of the European Union, are promoted and protected.

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;

(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.

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, ***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 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 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	<table> <tr> <td>+: </td><td>28</td></tr> <tr> <td>–: </td><td>3</td></tr> <tr> <td>0: </td><td>2</td></tr> </table>	+:	28	–:	3	0:	2
+:	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						