



**2018/0207(COD)**

2.10.2018

**\*\*\*I**

## **DRAFT REPORT**

on the proposal for a regulation of the European Parliament and of the Council  
establishing the Rights and Values programme  
(COM(2018)0383 – C8-0234/2018 – 2018/0207(COD))

Committee on Civil Liberties, Justice and Home Affairs

Rapporteur: Bodil Valero

### ***Symbols for procedures***

- \* Consultation procedure
- \*\*\* Consent procedure
- \*\*\*I Ordinary legislative procedure (first reading)
- \*\*\*II Ordinary legislative procedure (second reading)
- \*\*\*III Ordinary legislative procedure (third reading)

(The type of procedure depends on the legal basis proposed by the draft act.)

### ***Amendments to a draft act***

#### **Amendments by Parliament set out in two columns**

Deletions are indicated in ***bold italics*** in the left-hand column. Replacements are indicated in ***bold italics*** in both columns. New text is indicated in ***bold italics*** in the right-hand column.

The first and second lines of the header of each amendment identify the relevant part of the draft act under consideration. If an amendment pertains to an existing act that the draft act is seeking to amend, the amendment heading includes a third line identifying the existing act and a fourth line identifying the provision in that act that Parliament wishes to amend.

#### **Amendments by Parliament in the form of a consolidated text**

New text is highlighted in ***bold italics***. Deletions are indicated using either the ■ symbol or strikeout. Replacements are indicated by highlighting the new text in ***bold italics*** and by deleting or striking out the text that has been replaced.

By way of exception, purely technical changes made by the drafting departments in preparing the final text are not highlighted.

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## DRAFT EUROPEAN PARLIAMENT LEGISLATIVE RESOLUTION

**on the proposal for a regulation of the European Parliament and of the Council establishing the Rights and Values programme (COM(2018)0383 – C8-0234/2018 – 2018/0207(COD))**

**(Ordinary legislative procedure: first reading)**

*The European Parliament,*

- having regard to the Commission proposal to Parliament and the Council (COM(2018)0383) and the amended proposal (COM(2018)0383(COR1)),
  - having regard to Article 294(2) and Articles 16(2), 19(2), 21(2), 24, 167 and 168 of the Treaty on the Functioning of the European Union, pursuant to which the Commission submitted the proposal to Parliament (C8-0234/2018),
  - having regard to Article 294(3) of the Treaty on the Functioning of the European Union,
  - having regard to the opinion of the European Economic and Social Committee of ... <sup>1</sup>,
  - having regard to the opinion of the Committee of the Regions of ... <sup>2</sup>,
  - having regard to Rules 59 of its Rules of Procedure,
  - having regard to the report of the Committee on Civil Liberties, Justice and Home Affairs and the opinions of the Committee on Culture and Education, the Committee on Women's Rights and Gender Equality, the Committee on Budgets, the Committee on Employment and Social Affairs, Committee on Legal Affairs and the Committee on Constitutional Affairs (A8-0000/2018),
1. Adopts its position at first reading hereinafter set out;
  2. Calls on the Commission to refer the matter to Parliament again if it replaces, substantially amends or intends to substantially amend its proposal;
  3. Instructs its President to forward its position to the Council, the Commission and the national parliaments.

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<sup>1</sup> OJ C ... / Not yet published in the Official Journal.

<sup>2</sup> OJ C ... / Not yet published in the Official Journal.

## Amendment 1

### Proposal for a regulation Title

*Text proposed by the Commission*

Rights and Values programme

*Amendment*

**Citizens**, Rights and Values programme

Or. en

## Amendment 2

### Proposal for a regulation Recital 2

*Text proposed by the Commission*

(2) Those rights and values must continue to be promoted **and** enforced and shared among the citizens and peoples and be at the heart of the EU project. Therefore, a new Justice, Rights and Values Fund, comprising the Rights and Values and the Justice programmes shall be created in the EU budget. At a time where European societies are confronted with extremism, radicalism and divisions, it is more important than ever to promote, strengthen and defend justice, rights and EU values: human rights, respect for human dignity, freedom, democracy, equality, the rule of law. This will have profound and direct implications for political, social, cultural and economic life in the EU. As part of the new Fund, the Justice Programme will continue to support the further development of Union area of justice and cross-border cooperation. The Rights and Values Programme will bring together the 2014-2020 Programme Rights, Equality and Citizenship established by Regulation (EU) No 1381/2013 of the European Parliament and of the Council<sup>8</sup> and the Europe for Citizens programme established by Council Regulation (EU) No

*Amendment*

(2) Those rights and values must continue to be **cultivated, protected,** promoted, enforced and shared among the citizens and peoples and be at the heart of the EU project, **as the deterioration of those rights and values in any Member State can have detrimental effects on the Union as a whole.** Therefore, a new Justice, Rights and Values Fund, comprising the Rights and Values and the Justice programmes shall be created in the EU budget. At a time where European societies are confronted with extremism, radicalism and divisions, it is more important than ever to promote, strengthen and defend justice, rights and EU values: human rights, respect for human dignity, freedom, democracy, equality, the rule of law. This will have profound and direct implications for political, social, cultural and economic life in the EU. As part of the new Fund, the Justice Programme will continue to support the further development of Union area of justice and cross-border cooperation. The **Citizens, Rights and Values Programme (the 'Programme')** will bring together the 2014-2020 Programme Rights, Equality

390/2014<sup>9</sup>, (hereafter 'the predecessor Programmes').

and Citizenship established by Regulation (EU) No 1381/2013 of the European Parliament and of the Council<sup>8</sup> and the Europe for Citizens programme established by Council Regulation (EU) No 390/2014<sup>9</sup>, (hereafter 'the predecessor Programmes').

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<sup>8</sup> Regulation (EU) No 1381/2013 of the European Parliament and of the Council of 17 December 2013 establishing a Rights, Equality and Citizenship Programme for the period 2014 to 2020 (OJ L 354, 28.12.2013, p. 62)

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<sup>8</sup> Regulation (EU) No 1381/2013 of the European Parliament and of the Council of 17 December 2013 establishing a Rights, Equality and Citizenship Programme for the period 2014 to 2020 (OJ L 354, 28.12.2013, p. 62)

<sup>9</sup> Council Regulation (EU) No 390/2014 of 14 April 2014 establishing the 'Europe for Citizens' programme for the period 2014-2020 (OJ L 115, 17.4.2014, p.3)

<sup>9</sup> Council Regulation (EU) No 390/2014 of 14 April 2014 establishing the 'Europe for Citizens' programme for the period 2014-2020 (OJ L 115, 17.4.2014, p.3)

Or. en

### Amendment 3

#### Proposal for a regulation

##### Recital 3

###### *Text proposed by the Commission*

(3) The Justice, Rights and Values Fund and its two underlying funding programmes will focus **primarily** on people and entities, which contribute to make our common values, rights and rich diversity alive and vibrant. The ultimate objective is to nurture and sustain rights-based, equal, inclusive and democratic society. **That includes** a vibrant civil society, **encouraging** people's democratic, civic and social participation and **fostering** the rich diversity of European society, based on our common history and memory. Article 11 of the Treaty of the European Union **further specifies** that the institutions shall, by appropriate means, give citizens and representative associations the opportunity to make known and publicly exchange their views in all areas of Union

###### *Amendment*

(3) The Justice, Rights and Values Fund and its two underlying funding programmes will focus on people and entities, which contribute to make our common values, rights and rich diversity alive and vibrant. The ultimate objective is to nurture and sustain rights-based, equal, **open**, inclusive and democratic society **by funding activities that promote** a vibrant, **well-developed, self-reliant and empowered** civil society, **including advocacy for the promotion and protection of our common values, and that encourage** people's democratic, civic and social participation and **foster peace and** the rich diversity of European society, based on our common **values**, history and memory. Article 11 of the Treaty of the European Union **requires** that the

action.

institutions *shall maintain an open, transparent and regular dialogue with civil society and* shall, by appropriate means, give citizens and representative associations the opportunity to make known and publicly exchange their views in all areas of Union action. *The Commission should maintain a regular dialogue with the beneficiaries of the Programme as well as other relevant stakeholders by setting up a Civil Dialogue Group.*

Or. en

#### Amendment 4

#### Proposal for a regulation

#### Recital 4

##### *Text proposed by the Commission*

(4) The ***Rights and Values programme*** (*the 'Programme'*) should allow developing synergies to tackle the challenges that are common to the promotion and protection of values and to reach a critical dimension to have concrete results in the field. That should be achieved by building on the positive experience of the predecessor Programmes. This will enable to fully exploit the potential of synergies, to more effectively support the policy areas covered and to increase their potential to reach people. To be effective, the Programme should take into account the specific nature of the different policies, their different target groups and their particular needs through tailor-made approaches.

##### *Amendment*

(4) The Programme should allow developing synergies to tackle the challenges that are common to the promotion and protection of ***our common*** values and to reach a critical dimension to have concrete results in the field. That should be achieved by building on ***and further developing*** the positive experience of the predecessor Programmes. This will enable to fully exploit the potential of synergies, to more effectively support the policy areas covered and to increase their potential to reach people. To be effective, the Programme should take into account the specific nature of the different policies, their different target groups and their particular needs through tailor-made approaches.

Or. en



## Amendment 5

### Proposal for a regulation

#### Recital 4 a (new)

*Text proposed by the Commission*

*Amendment*

***(4a) Full respect and promotion of the rule of law and democracy is fundamental to building citizens' trust in the Union. Respect for the rule of law within the Union is a prerequisite for the protection of fundamental rights, as well as for upholding all rights and obligations enshrined in the Treaties. The way in which the rule of law is implemented in the Member States plays a vital role in ensuring mutual trust among Member States and their legal systems. The Programme should therefore promote and safeguard fundamental rights, democracy and the rule of law at local, regional, national and transnational levels.***

Or. en

#### *Justification*

*The Rapporteur suggests introducing a new strand aimed at promoting and safeguarding fundamental rights, democracy and the rule of law at local, regional, national and transnational level (Union values strand).*

## Amendment 6

### Proposal for a regulation

#### Recital 4 b (new)

*Text proposed by the Commission*

*Amendment*

***(4b) The 'rule of law', as one of the Union values enshrined in Article 2 TEU, include the principles of legality, implying a transparent, accountable, democratic and pluralistic process for enacting laws; legal certainty; prohibition of arbitrariness of executive powers; effective judicial protection by***

*independent courts, including of fundamental rights; separation of powers and equality before the law.*

Or. en

*Justification*

*The Rapporteur suggests to better explore and highlight synergies between the Programme and the European Commission Proposal for a Regulation on the protection of the Union's budget in case of generalised deficiencies as regards the rule of law in the Member States.*

**Amendment 7**

**Proposal for a regulation**

**Recital 5**

*Text proposed by the Commission*

(5) In order to bring the European Union closer to its citizens, a variety of actions and coordinated efforts are necessary. Bringing together citizens in town-twinning projects or networks of towns and supporting civil society organisations in the areas covered by the programme will contribute to increase citizens' engagement in society and ultimately their involvement in the democratic life of the Union. At the same time supporting activities promoting mutual understanding, diversity, dialogue and respect for others fosters a sense of belonging and a European identity, based on a shared understanding of European values, culture, history and heritage. The promotion of a greater sense of belonging to the Union and of Union values is particularly important amongst citizens of the EU outermost regions due to their remoteness and distance from continental Europe.

*Amendment*

(5) In order to bring the European Union closer to its citizens, a variety of actions and coordinated efforts are necessary. Bringing together citizens in town-twinning projects or networks of towns and supporting civil society organisations in the areas covered by the programme will contribute to increase citizens' engagement in society and ultimately their involvement in the democratic life of the Union. At the same time supporting activities promoting mutual understanding, diversity, dialogue, **social inclusion** and respect for others fosters a sense of belonging and a European identity, based on a shared understanding of European values, culture, history and heritage. The promotion of a greater sense of belonging to the Union and of Union values is particularly important amongst citizens of the EU outermost regions due to their remoteness and distance from continental Europe.

Or. en

## Amendment 8

### Proposal for a regulation

#### Recital 6

*Text proposed by the Commission*

(6) Remembrance activities and critical reflection on Europe's historical memory are necessary to make citizens aware of the common history, as the foundation for a common future, moral purpose and shared values. The relevance of historical, cultural and intercultural aspects should also be taken into account, as well as the links between remembrance and the creation of a European identity and sense of belonging together.

*Amendment*

(6) Remembrance activities and critical reflection on Europe's historical memory are necessary to make citizens aware of the common history **and core values**, as the foundation for a common future, moral purpose and shared values. The relevance of historical, cultural and intercultural aspects should also be taken into account, as well as the links between remembrance and the creation of a European identity **based on diversity, solidarity** and sense of belonging together.

Or. en

## Amendment 9

### Proposal for a regulation

#### Recital 7

*Text proposed by the Commission*

(7) Citizens should also be more aware of their rights deriving from citizenship of the Union, and should feel at ease about living, travelling, studying, working and volunteering in another Member State, and should feel able to enjoy and exercise all their citizenship rights, place their trust in equal access, full enforceability and protection of their rights without any discrimination, no matter where in the Union they happen to be. Civil society needs to be **supported** for the promotion, safeguarding and raising awareness of EU common values under Article 2 TEU and in contributing to the effective enjoyment of rights under Union law.

*Amendment*

(7) Citizens should also be more aware of their rights deriving from citizenship of the Union, and should feel at ease about living, travelling, studying, working and volunteering in another Member State, and should feel able to enjoy and exercise all their citizenship rights, place their trust in equal access, full enforceability and protection of their rights without any discrimination, no matter where in the Union they happen to be. Civil society needs to be **strengthened at all levels** for the promotion, safeguarding and raising awareness of EU common values under Article 2 TEU and in contributing to the effective enjoyment of rights under Union law.

**Amendment 10****Proposal for a regulation****Recital 11***Text proposed by the Commission*

(11) Non-discrimination is a fundamental principle of the Union. Article 19 of the Treaty on the Functioning of the European Union provides for action to combat discrimination based on sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation. Non-discrimination is also enshrined in Article 21 of the Charter. The specific features of the diverse forms of discrimination should be taken into account and appropriate action should be developed in parallel to prevent and combat discrimination on one or more grounds. The Programme should support actions to prevent and combat discrimination, racism, xenophobia, anti-semitism, anti-muslim hatred and other forms of intolerance. In that context, particular attention should also be devoted to preventing and combating all forms of violence, hatred, segregation and stigmatisation, as well as combating bullying, harassment and intolerant treatment. The Programme should be implemented in a mutually reinforcing manner with other Union activities that have the same objectives, in particular with those referred to in the Commission Communication of 5 April 2011 entitled ‘An EU Framework for National Roma Integration Strategies up to 2020<sup>10</sup>’ and in the Council Recommendation of 09 December 2013 on effective Roma integration measures in the Member States<sup>11</sup>.

*Amendment*

(11) Non-discrimination is a fundamental principle of the Union. Article 19 of the Treaty on the Functioning of the European Union provides for action to combat discrimination based on sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation. Non-discrimination is also enshrined in Article 21 of the Charter. The specific features of the diverse forms of discrimination should be taken into account and appropriate action should be developed in parallel to prevent and combat discrimination on one or more grounds. The Programme should support actions to prevent and combat discrimination, racism, xenophobia, anti-semitism, ***anti-ziganism***, anti-muslim hatred and other forms of intolerance ***against persons belonging to minorities***. In that context, particular attention should also be devoted to preventing and combating all forms of violence, hatred, segregation and stigmatisation, as well as combating bullying, harassment and intolerant treatment. The Programme should be implemented in a mutually reinforcing manner with other Union activities that have the same objectives, in particular with those referred to in the Commission Communication of 5 April 2011 entitled ‘An EU Framework for National Roma Integration Strategies up to 2020<sup>10</sup>’ and in the Council Recommendation of 09 December 2013 on effective Roma integration measures in the Member States<sup>11</sup>.

<sup>10</sup> COM(2011)173.

<sup>11</sup> OJ C 378, 24.12.2013, p. 1.

<sup>10</sup> COM(2011)173.

<sup>11</sup> OJ C 378, 24.12.2013, p. 1.

Or. en

## Amendment 11

### Proposal for a regulation

#### Recital 13

##### *Text proposed by the Commission*

(13) The right to respect for his or her private and family life, home and communications (right to privacy) is a fundamental right enshrined in Article 7 of the Charter of Fundamental Rights. The protection of personal data is a fundamental right enshrined in Article 8 of the Charter of Fundamental Rights and Article 16 of the Treaty on the Functioning of the European Union. Compliance with the rules for the protection of personal data is subject to the control by independent supervisory authorities. The Unions' legal framework, in particular Regulation (EU) 2016/679 of the European Parliament and of the Council<sup>12</sup> and Directive (EU) 2016/680 of the European Parliament and of the Council<sup>13</sup> lay down provisions to ensure that the right to protection of personal data is effectively protected. These legal instruments entrust the national data protection supervisory authorities with the task of promoting public awareness and understanding of the risks, rules, safeguards and rights in relation to the processing of personal data. The Union should be able to conduct awareness-raising activities, carry out studies and other relevant activities given the importance of the right to the protection of personal data in times of rapid technological developments.

##### *Amendment*

(13) The right to respect for his or her private and family life, home and communications (right to privacy) is a fundamental right enshrined in Article 7 of the Charter of Fundamental Rights. The protection of personal data is a fundamental right enshrined in Article 8 of the Charter of Fundamental Rights and Article 16 of the Treaty on the Functioning of the European Union. Compliance with the rules for the protection of personal data is subject to the control by independent supervisory authorities. The Unions' legal framework, in particular Regulation (EU) 2016/679 of the European Parliament and of the Council<sup>12</sup> and Directive (EU) 2016/680 of the European Parliament and of the Council<sup>13</sup> lay down provisions to ensure that the right to protection of personal data is effectively protected. These legal instruments entrust the national data protection supervisory authorities with the task of promoting public awareness and understanding of the risks, rules, safeguards and rights in relation to the processing of personal data. The Union should be able to conduct awareness-raising activities, ***support civil society organisations in advocating for data protection in line with Union standards,*** carry out studies and other relevant activities given the importance of the right to the protection of personal data in times of rapid technological developments.

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<sup>12</sup> OJ L 119, 4.5.2016, p. 1-88.

<sup>13</sup> OJ L 119, 4.5.2016, p. 89-131.

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<sup>12</sup> OJ L 119, 4.5.2016, p. 1-88.

<sup>13</sup> OJ L 119, 4.5.2016, p. 89-131.

Or. en

## Amendment 12

### Proposal for a regulation Recital 18

#### *Text proposed by the Commission*

(18) Independent human rights bodies and civil society organisations play an essential role in promoting, safeguarding and raising awareness of the Union's common values under Article 2 TEU, and in contributing to the effective enjoyment of rights under Union law, including the Charter of Fundamental Rights of the EU. As reflected in the European Parliament Resolution of **18** April 2018, adequate financial support is key to the development of a conducive and sustainable environment for civil society organisations to strengthen their role and perform their functions independently and effectively. Complementing efforts at national level, EU funding should therefore contribute to support, empower and build the capacity of independent civil society organisations active in the promotion of human rights whose activities help the strategic enforcement of rights under EU law and the Charter of Fundamental Rights of the EU, including through advocacy and watchdog activities, as well as to promote, safeguard and raise awareness of the Union's common values at national level.

#### *Amendment*

(18) Independent human rights bodies and civil society organisations play an essential role in promoting, safeguarding and raising awareness of the Union's common values under Article 2 TEU, and in contributing to the effective enjoyment of rights under Union law, including the Charter of Fundamental Rights of the EU. As reflected in the European Parliament Resolution of **19** April 2018, an **increase in funding and** adequate financial support is key to the development of a conducive and sustainable environment for civil society organisations to strengthen their role and perform their functions independently and effectively. Complementing efforts at national level, EU funding should therefore contribute to support, empower and build **, including through adequate core funding and simplified cost options, financial rules and procedures,** the capacity of independent civil society organisations active in the promotion of human rights whose activities help the strategic enforcement of rights under EU law and the Charter of Fundamental Rights of the EU, including through advocacy and watchdog activities, as well as to promote, safeguard and raise awareness of the Union's common values at national level.

Or. en

## Amendment 13

### Proposal for a regulation Recital 19 a (new)

*Text proposed by the Commission*

*Amendment*

***(19a) Mechanisms to ensure a link between Union funding policies Union values should be further refined, allowing the Commission to make a proposal to the Council to transfer resources allocated to a Member State under shared management to the Programme where that Member State is subject to procedures relating to Union values. In order to ensure uniform implementation and in view of the importance of the financial effects of measures being imposed, implementing powers should be conferred on the Council which should act on the basis of a Commission proposal. To facilitate the adoption of decisions which are required to ensure effective action, reversed qualified majority voting should be used.***

Or. en

### *Justification*

*The Rapporteur suggests to better explore and highlight synergies between the Programme and the European Commission Proposal for a Regulation on the protection of the Union's budget in case of generalised deficiencies as regards the rule of law in the Member States.*

## Amendment 14

### Proposal for a regulation Recital 20

*Text proposed by the Commission*

*Amendment*

(20) The Programme should be open, subject to certain conditions, to the participation of European Free Trade Association (EFTA) members which are

***(20) As regards the implementation of the specific objectives of promoting gender equality and rights, promoting citizens' engagement and participation in***

members of the European Economic Area (EEA) and EFTA members which are not members of the EEA and other European countries. Acceding countries, candidate countries and potential candidate countries benefiting from a pre-accession strategy should also be able to participate in the Programme.

*the democratic life of the Union at local, regional, national and transnational level as well as combating violence*, the Programme should be open, subject to certain conditions, to the participation of European Free Trade Association (EFTA) members which are members of the European Economic Area (EEA) and EFTA members which are not members of the EEA and other European countries. Acceding countries, candidate countries and potential candidate countries benefiting from a pre-accession strategy should also be able to participate in the Programme.

Or. en

## Amendment 15

### Proposal for a regulation Recital 21

#### *Text proposed by the Commission*

(21) In order to ensure efficient allocation of funds from the general budget of the Union, it is necessary to ensure the European added value of all actions carried out, their complementarity to Member States' actions, while consistency, complementarity and synergies shall be sought with funding programmes supporting policy areas with close links to each other, in particular within the Justice, Rights and Values Fund — and thus with the Justice Programme — as well as with Creative Europe programme, and Erasmus+ to realise the potential of cultural crossovers in the fields of culture, media, arts, education and creativity. It is necessary to create synergies with other European funding programmes, in particular in the fields of employment, internal market, enterprise, youth, health, citizenship, justice, migration, security, research, innovation, technology, industry,

#### *Amendment*

(21) In order to ensure efficient allocation of funds from the general budget of the Union, it is necessary to ensure the European added value of all actions carried out, ***bearing in mind the particular Union added value inherent in any action, including actions carried out at local, regional, national and transnational level, directed at promoting and safeguarding our common values as enshrined in Article 2 TEU***, their complementarity to Member States' actions, ***where actions at Member State level are present***, while consistency, complementarity and synergies shall be sought with funding programmes supporting policy areas with close links to each other, in particular within the Justice, Rights and Values Fund — and thus with the Justice Programme — as well as with Creative Europe programme, and Erasmus+ to realise the potential of cultural crossovers in the fields



cohesion, tourism, external relations, trade **and** development.

of culture, media, arts, education and creativity. It is necessary to create synergies with other European funding programmes, in particular in the fields of employment, internal market, enterprise, youth, health, citizenship, justice, migration, security, research, innovation, technology, industry, cohesion, tourism, external relations, trade, development **and climate**.

Or. en

### *Justification*

*The Rapporteur wishes to clarify that a European added value is inherent in actions relating generally to Art 2 TEU.*

## **Amendment 16**

### **Proposal for a regulation Recital 23**

#### *Text proposed by the Commission*

(23) Regulation (EU, Euratom) No [the new FR] (the ‘Financial Regulation’) applies to this Programme. It lays down rules on the implementation of the Union budget, including the rules on grants, prizes, procurement, indirect implementation, financial assistance, financial instruments and budgetary guarantees.

#### *Amendment*

(23) Regulation (EU, Euratom) No [the new FR] (the ‘Financial Regulation’) applies to this Programme. It lays down rules on the implementation of the Union budget, including the rules on grants, prizes, procurement, indirect implementation, financial assistance, financial instruments and budgetary guarantees ***and demands full transparency on the use of resources, sound financial management and prudent use of resources. In particular, rules concerning the possibility for local, regional, national and transnational civil society organisations to be funded through multiannual operating grants, cascading grants, provisions ensuring fast and flexible grant-making procedures, such as a two-step-application procedure, user-friendly applications and reporting procedures should be operationalised and further strengthened as part of the***

## Amendment 17

### Proposal for a regulation

#### Recital 24

*Text proposed by the Commission*

(24) The types of financing and the methods of implementation under this Regulation should be chosen on the basis of their ability to achieve the specific objectives of the actions and to deliver results, taking into account, in particular, the costs of controls, the administrative burden, and the expected risk of non-compliance. This should include consideration of the use of lump sums, flat rates **and** unit costs, as well as financing not linked to costs as referred to in Article 125(1) of the Financial Regulation. In accordance with the Financial Regulation, Regulation (EU, Euratom) No 883/2013 of the European Parliament and of the Council<sup>20</sup> Council Regulation (Euratom, EC) No 2988/95<sup>21</sup> Council Regulation (Euratom, EC) No 2185/96<sup>22</sup> and Council Regulation (EU) 2017/1939<sup>23</sup> the financial interests of the Union are to be protected through proportionate measures, including the prevention, detection, correction and investigation of irregularities and fraud, the recovery of funds lost, wrongly paid or incorrectly used and, where appropriate, the imposition of administrative sanctions. In particular, in accordance with Regulation (EU, Euratom) No 883/2013 and Regulation (Euratom, EC) No 2185/96 the European Anti-Fraud Office (OLAF) may carry out administrative investigations, including on-the-spot checks and inspections, with a view to establishing whether there has been fraud, corruption or any other illegal activity

*Amendment*

(24) The types of financing and the methods of implementation under this Regulation should be chosen on the basis of their ability to achieve the specific objectives of the actions and to deliver results, taking into account, in particular, the costs of controls, the administrative burden, ***the size and capacity of relevant stakeholders and targeted beneficiaries,*** and the expected risk of non-compliance. This should include consideration of the use of lump sums, flat rates, unit costs ***and cascading grants,*** as well as ***co-funding criteria which take into account volunteer work and*** financing not linked to costs as referred to in Article 125(1) of the Financial Regulation. ***Co-funding requirements should be accepted in kind and may be waived in cases of limited complementary funding.*** In accordance with the Financial Regulation, Regulation (EU, Euratom) No 883/2013 of the European Parliament and of the Council<sup>20</sup> Council Regulation (Euratom, EC) No 2988/95<sup>21</sup> Council Regulation (Euratom, EC) No 2185/96<sup>22</sup> and Council Regulation (EU) 2017/1939<sup>23</sup> the financial interests of the Union are to be protected through proportionate measures, including the prevention, detection, correction and investigation of irregularities and fraud, the recovery of funds lost, wrongly paid or incorrectly used and, where appropriate, the imposition of administrative sanctions. In particular, in accordance with Regulation (EU, Euratom) No 883/2013

affecting the financial interests of the Union. In accordance with Regulation (EU) 2017/1939, the European Public Prosecutor's Office (EPPO) may investigate and prosecute fraud and other criminal offences affecting the financial interests of the Union as provided for in Directive (EU) 2017/1371 of the European Parliament and of the Council<sup>24</sup>. In accordance with the Financial Regulation, any person or entity receiving Union funds is to fully cooperate in the protection of the Union's financial interests, to grant the necessary rights and access to the Commission, OLAF, the EPPO and the European Court of Auditors (ECA) and to ensure that any third parties involved in the implementation of Union funds grant equivalent rights.

and Regulation (Euratom, EC) No 2185/96 the European Anti-Fraud Office (OLAF) may carry out administrative investigations, including on-the-spot checks and inspections, with a view to establishing whether there has been fraud, corruption or any other illegal activity affecting the financial interests of the Union. In accordance with Regulation (EU) 2017/1939, the European Public Prosecutor's Office (EPPO) may investigate and prosecute fraud and other criminal offences affecting the financial interests of the Union as provided for in Directive (EU) 2017/1371 of the European Parliament and of the Council<sup>24</sup>. In accordance with the Financial Regulation, any person or entity receiving Union funds is to fully cooperate in the protection of the Union's financial interests, to grant the necessary rights and access to the Commission, OLAF, the EPPO and the European Court of Auditors (ECA) and to ensure that any third parties involved in the implementation of Union funds grant equivalent rights.

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<sup>20</sup> Regulation (EU, Euratom) No 883/2013 of the European Parliament and of the Council of 11 September 2013 concerning investigations conducted by the European Anti-Fraud Office (OLAF) and repealing Regulation (EC) No 1073/1999 of the European Parliament and of the Council and Council Regulation (Euratom) No 1074/1999, (OJ L248, 18.9.2013, p. 1.

<sup>21</sup> Council Regulation (EC, Euratom) No 2988/95 of 18 December 1995 on the protection of the European Communities financial interests (OJ L 312, 23.12.95, p.1).

<sup>22</sup> Council Regulation (Euratom, EC) No 2185/96 of 11 November 1996 concerning on-the-spot checks and inspections carried out by the Commission in order to protect the European Communities' financial interests against fraud and other

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<sup>20</sup> Regulation (EU, Euratom) No 883/2013 of the European Parliament and of the Council of 11 September 2013 concerning investigations conducted by the European Anti-Fraud Office (OLAF) and repealing Regulation (EC) No 1073/1999 of the European Parliament and of the Council and Council Regulation (Euratom) No 1074/1999, (OJ L248, 18.9.2013, p. 1.

<sup>21</sup> Council Regulation (EC, Euratom) No 2988/95 of 18 December 1995 on the protection of the European Communities financial interests (OJ L 312, 23.12.95, p.1).

<sup>22</sup> Council Regulation (Euratom, EC) No 2185/96 of 11 November 1996 concerning on-the-spot checks and inspections carried out by the Commission in order to protect the European Communities' financial interests against fraud and other

irregularities (OJ L292.15.11.96,, p.2).

<sup>23</sup> Council Regulation (EU) 2017/1939 of 12 October 2017 implementing enhanced cooperation on the establishment of the European Public Prosecutor's Office ('the EPPO') (OJ L283, 31.10.2017,, p.1).

<sup>24</sup> Directive (EU) 2017/1371 of the European Parliament and of the Council of 5 July 2017 on the fight against fraud to the Union's financial interests by means of criminal law (OJ L 198, 28.7.2017, p. 29).

irregularities (OJ L292.15.11.96,, p.2).

<sup>23</sup> Council Regulation (EU) 2017/1939 of 12 October 2017 implementing enhanced cooperation on the establishment of the European Public Prosecutor's Office ('the EPPO') (OJ L283, 31.10.2017,, p.1).

<sup>24</sup> Directive (EU) 2017/1371 of the European Parliament and of the Council of 5 July 2017 on the fight against fraud to the Union's financial interests by means of criminal law (OJ L 198, 28.7.2017, p. 29).

Or. en

## Amendment 18

### Proposal for a regulation Recital 24 a (new)

*Text proposed by the Commission*

*Amendment*

***(24a) In order to increase accessibility and provide guidance and practical information in relation to the Programme, each Member State should set up an independent National Contact Point with a view to providing assistance to both beneficiaries and applicants.***

Or. en

### *Justification*

*With the aim of increasing the accessibility, transparency and effectiveness of the Programme on the local, regional and national level, the Rapporteur proposes the creation of National Contact Points tasked with assisting, providing information and guidance to beneficiaries and applicants.*

## Amendment 19

### Proposal for a regulation Recital 25

*Text proposed by the Commission*

(25) Third countries which are members of the European Economic Area (EEA) may participate in Union programmes in the framework of the cooperation established under the EEA agreement, which provides for the implementation of the programmes by a decision under that agreement. Third countries may also participate on the basis of other legal instruments. A specific provision should be introduced in this Regulation to grant the necessary rights for and access to the authorizing officer responsible, the European Anti-Fraud Office (OLAF) as well as the European Court of Auditors to comprehensively exert their respective competences.

*Amendment*

(25) ***In relation to the implementation of the specific objectives of promoting gender equality and rights, citizens' engagement and participation in the democratic life of the Union at local, regional, national and transnational level and combating violence***, third countries which are members of the European Economic Area (EEA) may participate in Union programmes in the framework of the cooperation established under the EEA agreement, which provides for the implementation of the programmes by a decision under that agreement. Third countries may also participate on the basis of other legal instruments. A specific provision should be introduced in this Regulation to grant the necessary rights for and access to the authorizing officer responsible, the European Anti-Fraud Office (OLAF) as well as the European Court of Auditors to comprehensively exert their respective competences.

Or. en

**Amendment 20**

**Proposal for a regulation**  
**Recital 30**

*Text proposed by the Commission*

(30) In order to ***ensure uniform conditions for the implementation of*** this Regulation, 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 indicators as indicated in ***Article*** 14 and 16 and Annex II. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level,

*Amendment*

(30) In order to ***supplement*** this Regulation ***with a view to carrying out the Programme and ensuring effective assessment of its progress towards the achievement of its objectives***, 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 ***work programmes pursuant to Article 13 and*** indicators as indicated in ***Articles*** 14 and

and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.

16 and Annex II. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.

Or. en

#### *Justification*

*The work programmes should be adopted by means of delegated acts and this recital needs to be adapted accordingly. It should also be aligned with the wording of the delegation of powers referred to in Article 16.*

#### **Amendment 21**

##### **Proposal for a regulation**

##### **Recital 31**

*Text proposed by the Commission*

*Amendment*

***(31) In order to ensure uniform conditions for the implementation of this Regulation, implementing powers should be conferred on the Commission. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council<sup>26</sup>.***

***deleted***

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<sup>26</sup> ***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 the Member States of the Commission's exercise of***

*implementing powers (OJ L 55, 28.2.2011,  
p. 13)*

Or. en

*Justification*

*This recital needs to be deleted since the proposal should not include any reference to implementing acts.*

**Amendment 22**

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

*Text proposed by the Commission*

This Regulation establishes the Rights and Values programme ('Programme').

*Amendment*

This Regulation establishes the **Citizens, Rights and Values programme** (**the** 'Programme').

Or. en

**Amendment 23**

**Proposal for a regulation  
Article 1 – paragraph 2**

*Text proposed by the Commission*

It lays down the objectives of the Programme, the budget for the period 2021 – 2027, the forms of Union funding and the **rules** for providing such funding.

*Amendment*

It lays down the objectives **and scope** of the Programme, the budget for the period 2021 – 2027, the forms of Union funding and the **conditions** for providing such funding.

Or. en

**Amendment 24**

**Proposal for a regulation  
Article 2 – paragraph 1**

*Text proposed by the Commission*

*Amendment*

1. The general objective of the Programme is to protect and promote rights and values as enshrined in the **EU** Treaties, including by supporting civil society organisations, in order to sustain open, democratic and inclusive societies.

1. The general objective of the Programme is to protect and promote rights and values as enshrined in the Treaties, including **democracy, the rule of law and fundamental rights as enshrined in Article 2 TEU, in particular** by supporting **and building the capacity of** civil society organisations **at local, regional, national and transnational level**, in order to sustain open, **rights-based**, democratic, **equal** and inclusive societies.

Or. en

**Amendment 25**

**Proposal for a regulation**

**Article 2 – paragraph 2 – point -a (new)**

*Text proposed by the Commission*

*Amendment*

**(-a) to promote and safeguard fundamental rights, democracy and the rule of law at local, regional, national and transnational level (Union values strand);**

Or. en

*Justification*

*The Rapporteur proposes to include in the Programme a new specific objective (the Union values strand) referring to democracy, fundamental rights and the rule of law. This strand will fund corresponding specific actions at local, regional, national and transnational levels. Within the framework of this new specific objective the Rapporteur considers that the programme should focus on protecting and promoting democracy and the rule of law, including ensuring the independence of the judiciary, effective judicial protection by independent courts, including of fundamental rights, transparency and non-arbitrariness by public authorities and law enforcement, providing support for independent human rights defenders and civil society organisations undertaking monitoring compliance with the rule of law, whistleblower defence and support initiatives that promote transparency, accountability, integrity and absence of corruption.*



## Amendment 26

### Proposal for a regulation

#### Article 2 a (new)

*Text proposed by the Commission*

*Amendment*

#### **Article 2a**

##### **Union values strand**

*Within the general objective set out in Article 2(1) and within the specific objective set out in point (-a) of Article 2(2), the Programme shall focus on:*

*(a) protecting and promoting democracy and the rule of law, including ensuring the independence of the judiciary; effective judicial protection by independent courts, including of fundamental rights; transparency and non-arbitrariness by public authorities and law enforcement; providing support for independent human rights defenders and civil society organisations undertaking monitoring compliance with the rule of law, for whistleblower defence and for initiatives that promote transparency, accountability, integrity and absence of corruption;*

*(b) protecting, strengthening and promoting fundamental rights, including freedom of expression, peaceful assembly or association, media freedom and pluralism of the media, academic freedom, freedom of religion or belief and the right to privacy and family life;*

*(c) supporting, empowering and building the capacity of independent civil society organisations active in the promotion of the values referred to in Article 2(1).*

Or. en

#### *Justification*

*The Rapporteur proposes to include in the Programme a new specific objective (the Union values strand) referring to democracy, fundamental rights and the rule of law. This strand*

*will fund corresponding specific actions at local, regional, national and transnational levels. Within the framework of this new specific objective the Rapporteur considers that the programme should focus on protecting and promoting democracy and the rule of law, including ensuring the independence of the judiciary, effective judicial protection by independent courts, including of fundamental rights, transparency and non-arbitrariness by public authorities and law enforcement, providing support for independent human rights defenders and civil society organisations undertaking monitoring compliance with the rule of law, whistleblower defence and support initiatives that promote transparency, accountability, integrity and absence of corruption.*

## **Amendment 27**

### **Proposal for a regulation**

#### **Article 3 – paragraph 1 – introductory part**

##### *Text proposed by the Commission*

Within the specific objective set out in point (a) of Article 2(2), the Programme shall focus on:

##### *Amendment*

***Within the general objective set out in Article 2(1) and*** within the specific objective set out in point (a) of Article 2(2), the Programme shall focus on:

Or. en

## **Amendment 28**

### **Proposal for a regulation**

#### **Article 3 – paragraph 1 – point a**

##### *Text proposed by the Commission*

(a) preventing and combating inequalities and discrimination on grounds of sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation, and supporting comprehensive policies to promote gender equality and anti-discrimination and their mainstreaming as well policies to combat racism and all forms of intolerance;

##### *Amendment*

(a) preventing and combating inequalities and discrimination on grounds of sex, racial, ***social*** or ethnic origin, religion or belief, disability, age, ***language*** or sexual orientation, and supporting comprehensive policies to promote gender equality and anti-discrimination and their mainstreaming as well policies to combat racism and all forms of intolerance;

Or. en

## Amendment 29

### Proposal for a regulation

#### Article 4 – paragraph 1 – introductory part

*Text proposed by the Commission*

Within the specific objective set out in point (b) of Article 2(2), the Programme shall focus on:

*Amendment*

***Within the general objective set out in Article 2(1) and*** within the specific objective set out in point (b) of Article 2(2), the Programme shall focus on:

Or. en

## Amendment 30

### Proposal for a regulation

#### Article 5 – paragraph 1 – introductory part

*Text proposed by the Commission*

Within the specific objective set out in point (c) of Article 2(2), the Programme shall focus on:

*Amendment*

***Within the general objective set out in Article 2(1) and*** within the specific objective set out in point (c) of Article 2(2), the Programme shall focus on:

Or. en

## Amendment 31

### Proposal for a regulation

#### Article 5 – paragraph 1 – point b

*Text proposed by the Commission*

(b) supporting and protecting victims of such violence.

*Amendment*

(b) supporting and protecting victims of such violence, ***including by facilitating and ensuring access to justice, access to victim support services and access to safe police reporting for all victims of violence.***

Or. en

## Amendment 32

### Proposal for a regulation

#### Article 6 – paragraph 1

*Text proposed by the Commission*

1. The financial envelope for the implementation of the Programme for the period 2021 – 2027 shall be EUR [641 705 000] in current prices.

*Amendment*

1. The financial envelope for the implementation of the Programme for the period 2021 – 2027 shall be EUR [1 974 457 000] in current prices.

Or. en

#### *Justification*

*In line with the European Parliament resolution on the need to establish a European Values Instrument to support civil society organisations which promote fundamental values within the European Union at local and national level (2018/2619(RSP), the Rapporteur calls on the financial envelope for the implementation of the Programme for the period 2021-2027 to be raised to a funding level corresponding, in addition to existing programmes, to at least that of the European Instrument for Democracy and Human Rights, which serves similar purposes beyond the Union's borders.*

## Amendment 33

### Proposal for a regulation

#### Article 6 – paragraph 2 – point -a (new)

*Text proposed by the Commission*

*Amendment*

***(-a) EUR [1 000 000 000] for the specific objectives referred to in point (-a) of article 2(2);***

Or. en

#### *Justification*

*The Rapporteur proposes to include in the Programme a new specific objective (the Union values strand) referring to democracy, fundamental rights and the rule of law. This strand will fund corresponding specific actions at local, regional, national and transnational levels. Within the framework of this new specific objective the Rapporteur considers that the programme should focus on protecting and promoting democracy and the rule of law, including ensuring the independence of the judiciary, effective judicial protection by independent courts, including of fundamental rights, transparency and non-arbitrariness by public authorities and law enforcement, providing support for independent human rights*

*defenders and civil society organisations undertaking monitoring compliance with the rule of law, whistleblower defence and support initiatives that promote transparency, accountability, integrity and absence of corruption.*

#### **Amendment 34**

##### **Proposal for a regulation**

##### **Article 6 – paragraph 2 – point a**

*Text proposed by the Commission*

(a) EUR [**408.705.000**] for the specific objectives referred to in article 2(2)(a) **and** 2(2)(c);

*Amendment*

(a) EUR [**474.457.000**] for the specific objectives referred to in **points (a) and (c) of** article 2(2);

Or. en

#### **Amendment 35**

##### **Proposal for a regulation**

##### **Article 6 – paragraph 2 – point b**

*Text proposed by the Commission*

(b) EUR [**233.000.000**] for the specific objective referred to in Article 2(2)(b);

*Amendment*

(b) EUR [**500.000.000**] for the specific objective referred to in **point (b) of** Article 2(2);

Or. en

#### **Amendment 36**

##### **Proposal for a regulation**

##### **Article 6 – paragraph 2 – subparagraph 1 a (new)**

*Text proposed by the Commission*

*Amendment*

***The Commission should allocate at least 40% of the resources referred to in points (-a), (a) and (c) of paragraph 2 to the support of civil society organisations.***

Or. en

## Amendment 37

### Proposal for a regulation Article 6 – paragraph 5

*Text proposed by the Commission*

5. Resources allocated to Member States under shared management may, at their request, be transferred to the Programme. The Commission shall implement those resources directly in accordance with Article 62(1)(a) of the Financial Regulation **or indirectly in accordance with Article 62(1)(c)**. Where possible those resources shall be used for the benefit of the Member State concerned.

*Amendment*

5. Resources allocated to Member States under shared management may, at their **request, or at the Commission's** request, be transferred to the Programme. The Commission shall implement those resources directly in accordance with Article 62(1)(a) of the Financial Regulation. Where possible, those resources shall be used for the benefit of the Member State concerned.

Or. en

## Amendment 38

### Proposal for a regulation Article 6 – paragraph 5 a (new)

*Text proposed by the Commission*

*Amendment*

**5a. Resources allocated to a Member State under shared management may be transferred to the Programme in the following cases:**

**(a) where the Commission activates the EU Rule of Law Framework;**

**(b) where one third of the Member States, the European Parliament or the Commission submits a reasoned proposal to the Council in accordance with Article 7(1) TEU to determine that there is a clear risk of a serious breach by the Member State concerned of the values referred to in Article 2 TEU;**

**(c) where one third of the Member States or the Commission submits a reasoned proposal to the European Council in**

*accordance with Article 7(2) TEU to determine the existence of a serious and persistent breach by that Member State of the values referred to in Article 2 TEU.*

*The Commission shall implement those resources directly in accordance with point (a) of Article 62(1) of the Financial Regulation or indirectly in accordance with point (c) of that paragraph. Where possible, those resources shall be used for the benefit of the Member State concerned.*

Or. en

*Justification*

*The Rapporteur suggests to better explore and highlight synergies between the Programme and the European Commission Proposal for a Regulation on the protection of the Union's budget in case of generalised deficiencies as regards the rule of law in the Member States.*

**Amendment 39**

**Proposal for a regulation  
Article 6 – paragraph 5 b (new)**

*Text proposed by the Commission*

*Amendment*

**5b. The Commission may make a proposal to the Council to transfer the resources in accordance with paragraph 5a after consulting the European Parliament. A proposal by the Commission shall be deemed adopted by the Council unless the Council decides, by means of an implementing act, to reject such a proposal by qualified majority within one month of the submission of the Commission proposal.**

Or. en

## Amendment 40

### Proposal for a regulation

#### Article 6 – paragraph 5 c (new)

*Text proposed by the Commission*

*Amendment*

**5c. The Commission shall keep the European Parliament informed of the implementation of paragraphs 5a and 5b. In particular, the Commission shall, when one of the conditions set out in paragraph 5a is fulfilled for a Member State, immediately inform the European Parliament and provide details of the Funds and programmes which could be subject to a transfer of resources. The European Parliament may invite the Commission for a structured dialogue on the application of paragraphs 5a and 5b.**

Or. en

## Amendment 41

### Proposal for a regulation

#### Article 7 – paragraph 1 – introductory part

*Text proposed by the Commission*

*Amendment*

1. The Programme shall be open to the following countries provided that the conditions are met:

**1. For the specific objectives referred to in points (a) and (c) of article 2(2), the Programme shall be open to the following countries provided that the conditions are met:**

Or. en

#### *Justification*

*This formulation seeks to exclude third countries from participating in funding for objectives relating to the new strand art 2(2)(-a)NEW on Union values.*



## Amendment 42

### Proposal for a regulation Article 8 – paragraph 1

*Text proposed by the Commission*

1. The Programme shall be implemented in direct management in accordance with the Financial Regulation or in indirect management with bodies referred to in Article **61(1)(c)** of the Financial Regulation.

*Amendment*

1. The Programme shall be implemented in direct management in accordance with the Financial Regulation or in indirect management with bodies referred to in **point (c) of Article 62(1)** of the Financial Regulation.

Or. en

## Amendment 43

### Proposal for a regulation Article 8 – paragraph 2

*Text proposed by the Commission*

2. The Programme may provide funding in any of the forms laid down in the Financial Regulation.

*Amendment*

2. The Programme may provide funding, ***through action grants and multiannual operating grants***, in any of the forms laid down in the Financial Regulation, ***including the use of lump sums, unit costs, flat rates and cascading grants. Co-funding requirements shall be accepted in kind and may be waived in cases of limited complementary funding.***

Or. en

## Amendment 44

### Proposal for a regulation Article 9 – paragraph 1

*Text proposed by the Commission*

Actions contributing to the achievement of a specific objective specified in Article 2 may receive funding under this Regulation. In particular, activities listed in ***Annex I***

*Amendment*

Actions contributing to the achievement of a ***general or*** specific objective specified in Article 2 may receive funding under this Regulation. In particular, activities listed in

shall be eligible for funding.

*Article 9 a* (shall be eligible for funding.

Or. en

## Amendment 45

### Proposal for a regulation Article 9 a (new)

*Text proposed by the Commission*

*Amendment*

#### *Article 9a*

##### *Activities eligible for funding*

*The general and specific objectives of the Programme set out in Article 2 will be carried out in particular, but not exclusively, by supporting the following activities as carried out by one or more eligible entities:*

- (a) awareness raising, public education, promotion and dissemination of information to improve the knowledge of the policies, principles and rights within the areas covered by the Programme;*
- (b) mutual learning through the exchange of good practices among stakeholders to improve knowledge and mutual understanding and civic and democratic engagement;*
- (c) analytical monitoring, reporting and advocacy activities to improve the understanding of the situation in Member States and at Union level in the areas covered by the Programme as well as to improve the transposition and implementation of Union law, policies and common Union values within Member States, such activities to include for instance the collection of data and statistics; the development of common methodologies and, where appropriate, indicators or benchmarks; studies, researches, analyses and surveys; evaluations; impact assessment; the elaboration and publication of guides,*

*reports and educational material;*

*(d) training relevant stakeholders to improve their knowledge of the policies and rights in the fields covered and strengthening relevant stakeholders' capability to advocate for the policies and rights in the fields covered;*

*(e) promoting public awareness and understanding of the risks, rules, safeguards and rights in relation to the protection of personal data, privacy, and digital security, as well as addressing fake news and targeted misinformation through awareness raising, trainings, studies and monitoring activities;*

*(f) strengthening citizen's awareness of European culture, history, core values and remembrance as well as their sense of solidarity and belonging to the Union;*

*(g) bringing together Europeans of different nationalities and cultures by giving them the opportunity to participate in town-twinning activities and projects;*

*(h) encouraging and facilitating active and inclusive participation in the construction of a more democratic Union as well as raising awareness and promoting and defending rights and values through support to civil society organisations;*

*(i) financing the technical and organisational support to implement Regulation [(EU)No 211/2011], thereby underpinning the exercise by citizens of the right to launch and support European citizens' initiatives;*

*(j) supporting civil society organisations active in the areas covered by the Programme at all levels, as well as developing the capacity of European networks and civil society organisations to contribute to the development, awareness raising and monitoring of the implementation of Union law, policy goals, values and strategies;*

*(k) enhancing knowledge of the programme and dissemination and transferability of its results and fostering citizen and civil society outreach, including by setting up and supporting independent programme desks;*

*(l) strengthening the capacity and independence of human rights defenders and civil society organisations monitoring the situation of the rule of law and supporting actions at local, regional, national and transnational levels;*

*(m) supporting whistleblower defence, including initiatives and measures to establish safe channels for reporting within organisations and to public authorities or other relevant bodies, as well as measures to protect whistleblowers against dismissal, demotion or other forms of retaliation, including through information and training for relevant public authorities and stakeholders;*

*(n) supporting initiatives and measures to promote and protect freedom and pluralism of the media and to build capacity for the new challenges such as new media and countering hate speech;*

*(o) support and build capacity for civil society organisations active in promoting and monitoring integrity and corruption, transparency and accountability of public authorities;*

*(p) supporting civil society organisations active in the area of protection and promotion of fundamental rights, including support for actions to raise awareness of fundamental rights and contribute to human rights education.*

Or. en

*Justification*

*Reflecting Annex I - Activities of the Programme*

**Amendment 46**

**Proposal for a regulation**  
**Article 10 – paragraph 1**

*Text proposed by the Commission*

1. Grants under the Programme shall be awarded and managed in accordance with Title VIII of the Financial Regulation.

*Amendment*

1. Grants under the Programme shall be awarded and managed in accordance with Title VIII of the Financial Regulation **and shall include action grants, multiannual operating grants and cascading grants.**

Or. en

**Amendment 47**

**Proposal for a regulation**  
**Article 10 – paragraph 2**

*Text proposed by the Commission*

2. The evaluation committee may be composed of external experts.

*Amendment*

2. The evaluation committee may be composed of external experts. **The composition of the evaluation committee shall ensure gender balance.**

Or. en

**Amendment 48**

**Proposal for a regulation**  
**Article 12 – paragraph 2 – point a – indent 2**

*Text proposed by the Commission*

— a third country associated to the Programme;

*Amendment*

— **for the specific objectives referred to in points (a) and (c) of Article 2(2),** a third country associated to the Programme;

*Justification*

*This formulation seeks to exclude third countries from participating in funding for objectives relating to the new Union values strand as per Article 2(2)(-a) new.*

**Amendment 49**

**Proposal for a regulation  
Article 13 – paragraph 1**

*Text proposed by the Commission*

1. The Programme shall be **implemented** by work programmes referred to in Article 110 of Financial Regulation.

*Amendment*

1. The Programme shall be **carried out** by work programmes referred to in Article 110 of Financial Regulation.

Or. en

**Amendment 50**

**Proposal for a regulation  
Article 13 – paragraph 1 a (new)**

*Text proposed by the Commission*

*Amendment*

***1a. The Commission shall apply the partnership principle when deciding its priorities under the Programme and provide for a comprehensive involvement of stakeholders into planning, implementation, monitoring and evaluation of this Programme and its work programmes in accordance with Article 15a.***

Or. en

**Amendment 51**

**Proposal for a regulation  
Article 13 – paragraph 2**

*Text proposed by the Commission*

*Amendment*

2. The **work programme shall be adopted by the Commission by means of an implementing act. That implementing act shall be adopted in accordance with the advisory procedure referred to in Article 19.**

2. The Commission **is empowered to adopt delegated acts in accordance with Article 16 to supplement this Regulation by establishing the appropriate work programme.**

Or. en

*Justification*

*The work programmes should be adopted by means of delegated acts. This amendment proposes the appropriate wording.*

### **Amendment 52**

#### **Proposal for a regulation Article 14 – paragraph 1**

*Text proposed by the Commission*

*Amendment*

1. Indicators to report on progress of the Programme towards the achievement of the specific objectives set out in Article 2 are set out in Annex II.

1. Indicators to report on progress of the Programme towards the achievement of the specific objectives set out in Article 2 **shall, where applicable, be collected disaggregated by gender. The list of indicators** are set out in Annex II.

Or. en

### **Amendment 53**

#### **Proposal for a regulation Article 14 – paragraph 3**

*Text proposed by the Commission*

*Amendment*

3. The performance reporting system shall ensure that data for monitoring programme implementation and results are collected efficiently, effectively, and in a timely manner. To that end, proportionate reporting requirements shall be imposed on recipients of Union funds and Member

3. The performance reporting system shall ensure that data for monitoring programme implementation and results are collected efficiently, effectively, and in a timely manner. To that end, proportionate **and least burdensome** reporting requirements shall be imposed on

States.

recipients of Union funds and Member States. ***In order to facilitate reporting requirements being met, the Commission shall make available user-friendly formats and provide orientation and support programmes particularly targeted to civil society organisations, who may not always have the know-how and adequate resources and staff to meet reporting requirements.***

Or. en

## Amendment 54

### Proposal for a regulation Article 15 – paragraph 1

*Text proposed by the Commission*

1. Evaluations shall be carried out in a timely manner to feed into the decision-making process.

*Amendment*

1. Evaluations shall be ***gender mainstreamed, include a specific chapter for each strand and be*** carried out in a timely manner to feed into the decision-making process.

Or. en

## Amendment 55

### Proposal for a regulation Article 15 – paragraph 4

*Text proposed by the Commission*

4. The Commission shall communicate the conclusions of the evaluations accompanied by its observations, to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions.

*Amendment*

4. The Commission shall communicate the conclusions of the evaluations accompanied by its observations, to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions. ***The Commission shall make the evaluation public by publishing it on its website.***



**Amendment 56**

**Proposal for a regulation  
Article 15 a (new)**

*Text proposed by the Commission*

*Amendment*

**Article 15a**

**Civil Dialogue**

**1. In line with Article 11(2) TEU, the Commission shall set up a Civil Dialogue Group aimed at ensuring a regular dialogue with the beneficiaries of the Programme and other relevant stakeholders.**

**2. The Civil Dialogue Group shall carry out the following:**

**(a) Maintain a regular dialogue on all matters relating to the Programme and its planning, implementation and evaluation;**

**(b) Exchange experiences and good practices within the fields and objectives covered by the Programme;**

**(c) Contribute to the dissemination of the Programme's results;**

**(d) Contribute to the preparation and implementation of any events or activities organised under the Programme;**

**(e) Monitor and discussing policy developments in related fields.**

**3. The Civil Dialogue Group shall consist of the following organisations:**

**(a) Organisations which have been selected to receive an operating or action grant under the Programme;**

**(b) Organisations which have received an operating or action grant under the former "Europe for Citizens" Programme or "Daphne" Programme and have expressed their continued interest to take**

*part to the dialogue;*

*(c) Other organisations or stakeholders who have expressed an interest in the Programme or work in this policy area, but not necessarily supported by the Programme.*

Or. en

## **Amendment 57**

### **Proposal for a regulation Article 16 – paragraph 2**

*Text proposed by the Commission*

2. The power to adopt delegated acts referred to in **Article 14** shall be conferred on the Commission until 31 December 2027.

*Amendment*

2. The power to adopt delegated acts referred to in **Articles 13 and 14** shall be conferred on the Commission until 31 December 2027.

Or. en

### *Justification*

*The work programmes should be adopted by means of delegated acts. This amendment proposes the appropriate wording.*

## **Amendment 58**

### **Proposal for a regulation Article 16 – paragraph 3**

*Text proposed by the Commission*

3. The delegation of power referred to in **Article 14** 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 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*

3. The delegation of power referred to in **Articles 13 and 14** 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 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.

*Justification*

*The work programmes should be adopted by means of delegated acts. This amendment proposes the appropriate wording.*

**Amendment 59****Proposal for a regulation  
Article 16 – paragraph 4***Text proposed by the Commission*

4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making *of 13 April 2016*.

*Amendment*

4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement *of 13 April 2016* on Better Law-Making. *The composition of the group of experts consulted shall ensure gender balance. When preparing and drawing up delegated acts, the Commission shall ensure a timely and simultaneous transmission of all documents, including the draft acts, to the European Parliament and the Council at the same time as to Member States' experts. Where they consider this necessary, the European Parliament and the Council may each send experts to meetings of the Commission expert groups dealing with the preparation of delegated acts to which Member States' experts are invited. To that end, the European Parliament and the Council shall receive the planning for the following months and invitations for all experts meetings.*

**Amendment 60****Proposal for a regulation  
Article 16 – paragraph 5**

*Text proposed by the Commission*

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

*Amendment*

5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council. ***Based on the Interinstitutional Agreement of 13 April 2016 on Better Law-Making , citizens and other stakeholders may express their opinion on the draft text of a delegated act during a four-week period. The European Economic and Social Committee and the Committee of Regions shall be consulted on the draft text, based on the experience of NGOs and local and regional authorities with respect to the implementation of the Programme.***

Or. en

**Amendment 61**

**Proposal for a regulation  
Article 16 – paragraph 6**

*Text proposed by the Commission*

6. A delegated act adopted pursuant to **Article** 14 shall enter into force if no objection has been expressed either by the European Parliament or by 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 of the Council.

*Amendment*

6. A delegated act adopted pursuant to **Articles 13 or** 14 shall enter into force if no objection has been expressed either by the European Parliament or by 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 of the Council.

Or. en

*Justification*

*The work programmes should be adopted by means of delegated acts. This amendment proposes the appropriate wording.*

**Amendment 62**

**Proposal for a regulation  
Article 18 – paragraph 2**

*Text proposed by the Commission*

2. The Commission shall implement information and communication actions relating to the Programme, and its actions and results. ***Financial resources allocated to the Programme shall also contribute to the corporate communication of the political priorities of the Union, as far as they are related to the objectives referred to in Article 2.***

*Amendment*

2. The Commission shall implement information and communication actions relating to the Programme, and its actions and results.

Or. en

**Amendment 63**

**Proposal for a regulation  
Article 18 a (new)**

*Text proposed by the Commission*

*Amendment*

***Article 18a***

***National Contact Points***

***Each Member State shall set up an independent National Contact Point with qualified staff tasked with providing the stakeholders and beneficiaries of the Programme with guidance, practical information and assistance regarding all aspects of the Programme, including in relation to the application procedure and proposal writing, distribution of documentation, partner search, training and other formalities.***

Or. en

## Amendment 64

### Proposal for a regulation Article 19

*Text proposed by the Commission*

*Amendment*

#### *Article 19*

*deleted*

#### *Committee procedure*

- 1. The Commission shall be assisted by a committee. This committee shall be a committee within the meaning of Regulation (EU) No 182/2011.*
- 2. Where reference is made to this paragraph, Article 4 of Regulation (EU) No 182/2011 shall apply.*
- 3. The committee may meet in specific configurations to deal with the individual strands of the Programme.*

Or. en

#### *Justification*

*This article needs to be deleted since the proposal should not include any reference to implementing acts.*

## Amendment 65

### Proposal for a regulation Annex I

*Text proposed by the Commission*

*Amendment*

#### *Annex I*

*deleted*

#### *Activities of the Programme*

*The specific objectives of the Programme referred to in Article 2(2) will be pursued in particular through support to the following activities:*

- (a) awareness raising, dissemination of information to improve the knowledge of the policies and rights in the areas*

*covered by the Programme;*

*(b) mutual learning through exchange of good practices among stakeholders to improve knowledge and mutual understanding and civic and democratic engagement;*

*(c) analytical and monitoring activities<sup>31</sup> to improve the understanding of the situation in the Member States and at EU level in the areas covered by the Programme as well as to improve the implementation of EU law and policies ;*

*(d) training relevant stakeholders to improve their knowledge of the policies and rights in the fields covered;*

*(e) information and Communication Technology (ICT) tools development and maintenance;*

*(f) strengthening citizen's awareness of European culture, history and remembrance as well as their sense of belonging to the Union;*

*(g) bringing together Europeans of different nationalities and cultures by giving them the opportunity to participate in town-twinning activities;*

*(h) encouraging and facilitating active participation in the construction of a more democratic Union as well as awareness of rights and values through support to civil society organisations*

*(i) financing the technical and organisational support to implement Regulation [(EU)No 211/2011], thereby underpinning the exercise by citizens of the right to launch and support European citizens' initiatives;*

*(j) developing the capacity of European networks to promote and further develop Union law, policy goals and strategies as well as supporting civil society organisations active in the areas covered by the Programme.*

*(k) enhancing knowledge of the*

***programme and dissemination and transferability of its results and fostering citizen outreach, including by setting up and supporting programme desks/national contact network.***

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***<sup>31</sup> These activities include for instance the collection of data and statistics; the development of common methodologies and, where appropriate, indicators or benchmarks; studies, researches, analyses and surveys; evaluations; impact assessment; the elaboration and publication of guides, reports and educational material.***

Or. en

*Justification*

*Annex I has been moved to Article 9 a (new).*



## EXPLANATORY STATEMENT

On the 30th of May 2018, the European Commission published its proposal for a Regulation of the European Parliament and of the Council *establishing the Rights and Values programme* as part of the Multiannual Financial Framework (MFF) 2021-2027. The Rights and Values Programme brings together the 2014-2020 programmes “Rights, Equality and Citizenship” and “Europe for Citizens”. The proposal aims at protecting and promoting common European rights and values as enshrined in the EU Treaties and Charter of Fundamental Rights, including by supporting civil society organisations, in order to sustain open, democratic, rights-based, equal and inclusive societies. While the rapporteur welcomes the Commission’s intention to ensure the continuation of existing programmes as they play a key role in promoting and implementing EU rights and values, the proposal falls short in addressing some of the raising challenges to common European values and rights the Union is currently facing.

In the European Parliament resolution of 19 April 2018 on the *need to establish a European Values Instrument to support civil society organisations which promote fundamental values within the European Union at local and national level*, the European Parliament urged the Commission to propose a European Values Instrument as part of the MFF 2021-2027, designed to provide financial support for civil society on local and national level to counter the backlash against democracy, rule of law and fundamental rights in the EU. The instrument would be complementary to already existing programmes and have a funding level corresponding to EUs spending on value-promotion in third countries.

Against this background, the rapporteur proposes several changes in her draft report in order to reflect these concerns and make the Programme more effective in view of protecting and promoting these values within the Union.

### Scope

In order to align the programme objectives with the shared values laid down in Article 2 TEU, on which the European Union is founded, the rapporteur proposes to expand the scope of the proposal by referring specifically to democracy, the rule of law and fundamental rights as enshrined in Article 2 TEU in the general objective of the Programme. In times when democracy and rule of law in Europe are facing challenges, the rapporteur considers that there is an urgent need for this instrument to be adequately funded and easily accessible for supporting citizens engaged in promoting these most endangered European values. Respect for the rule of law within the Union is a prerequisite for the protection of fundamental rights, as well as for upholding all rights and obligations deriving from the Treaties. The way in which the rule of law is implemented in the Member States plays a key role in ensuring mutual trust among Member States and in their legal systems.

Therefore, the rapporteur suggests adding a new specific objective (the Union values strand) referring to democracy, fundamental rights and the rule of law that will fund corresponding actions at local, regional, national and transnational levels.

Within the framework of this new specific objective the rapporteur considers that the programme should focus on protecting and promoting democracy and the rule of law, including ensuring the independence of the judiciary, effective judicial protection by

independent courts, including of fundamental rights, transparency and non-arbitrariness by public authorities and law enforcement, providing support for independent human rights defenders and civil society organisations undertaking monitoring compliance with the rule of law, whistleblower defence and support initiatives that promote transparency, accountability, integrity and absence of corruption.

As respect and protection of fundamental rights represents the basis of a democratic society, the rapporteur considers that specific attention should be given also to strengthening freedom of expression, peaceful assembly or association, media freedom and pluralism of the media, academic freedom, freedom of religion or belief and the right to privacy and family life.

Against this background, the rapporteur welcomes equally the emphasis put on the principle of equality and non-discrimination, as well on the need to combat all forms of violence in Article 3 and 5 of the proposal. Article 21(1) of the Charter of Fundamental Rights clearly prohibits any discrimination based on ground such as sex, race, colour, ethnic or social origin, genetic features, languages or membership of a national minority. According to the second European Union Minorities and Discrimination Survey of the European Union agency for Fundamental Rights, violence, harassment, threats and xenophobic speech targeting especially LGBTBI people, people belonging to ethnic or religious minorities, as well as asylum seekers and migrants remained pervasive and grave across the European Union in 2017.

Within the general objective of protecting and promoting democracy and the rule of law, the rapporteur suggests that the Daphne strand promotes greater access to justice and to mechanisms for reporting crime for all victims of violence. (This includes journalists and other media actors who face multiple attacks, threats and pressures from state and non-state actors across the EU).

The rapporteur proposes also that certain activities eligible for funding in Annex I should be brought into an article in the proposal text to facilitate the understanding and use of the Programme. Several changes are proposed to the activities list in order to clarify some of the eligible activities under the new strand on Union values as well as to highlight that advocacy, capacity building and awareness raising activities are also supported via this Programme.

## **Budget**

Given the changed political landscape in the Union and raising challenges to European values that EU is currently facing, the rapporteur considers that the proposed seven-year budget of 642 million EUR (divided into 409 million EUR for the “Equality and Rights” and 233 million EUR for the “Citizens engagement and participation” strand) is insufficient and cannot respond to the needs of EU citizens to strengthen and protect EU values, as part of pluralist, democratic, open and inclusive society.

Having regard to the repeated calls by civil society organisations for an increase in the budget of existing programmes as well as the extended scope proposed, including the new strand dedicated to Union values, the rapporteur is putting forward the following budget allocation based on the Parliament resolution from April 2018; in total 1.974.457 million EUR in current prices, divided as follows, 1 billion EUR for the new Union values strand, 474,457 million EUR for the “Equality and Rights” and 500 million EUR for “Citizens engagement and participation” strand. These amounts represent a significant increase in comparison with the proposed budget by the Commission, nonetheless, the rapporteur is of the opinion that a

substantial increase is both crucial and necessary in order to respond effectively to today's challenges to European values.

In order to ensure that civil society originations can properly benefit from the Programme funding, the rapporteur also proposes that at least 40% of the funding within each objective shall be earmarked for non-government organisations.

The rapporteur considers that mechanisms to ensure a link between Union funding policies and the values of the Union should be further refined, allowing the Commission to make a proposal to the Council to transfer resources allocated to a Member State under shared management to the Programme where that Member State is subject to procedures related to the Union values. Specific provisions have been proposed by the rapporteur as regards a limited list of situations when resources allocated to a Member State under shared management may be transferred to the Programme, the procedure to be followed and as regards rights of scrutiny of the European Parliament.

### **Access to funding**

The rapporteur considers that more support should be given to grassroots projects promoting European values as defined in Article 2 of the EU Treaty - particularly democratic standards, rule of law and fundamental rights – as prerequisite for an open and inclusive society. This is in line with the opinion also expressed by FRA in its study on *Challenges facing civil society organisations working on human rights in the EU*, published in January 2018 where it is clearly mentioned that "EU institutions and Member States are encouraged to ensure that funding is made available for CSOs working on the protection and promotion of the EU's foundational values of fundamental rights, democracy and the rule of law; including for small grassroots organisations. Such funding should cover, as appropriate, the variety of activities of CSOs such as service provision, watchdog activities, advocacy, litigation, campaigning, human rights and civic education and awareness raising."

The draft report as proposed by the rapporteur responds to the general goal that the EU should provide targeted financial support to CSOs which are active at local, regional and national level in promoting and protecting the values on which the EU is founded. Consequently, specific amendments have been put forward in order to underline the attention given throughout the Programme to organisations operating on local, regional and national level. While actions on transnational level plays an important role, many challenges to European values have local origins and needs to be addresses both at local and European level.

Simplification of procedures and easier access to funding is also one of the main objectives of the rapporteur for this programme. Therefore, the text includes references to simplified cost options, fast and flexible grant-making procedures and user-friendly applications such as multiannual operating grants, lump sums, flat rates, unit costs, cascading grants and co-funding in kind. Equally the rapporteur proposes that reporting procedures should be operationalised and further strengthened as part of the implementation of this Programme The rapporteur also believes that the participation of civil society organisations is crucial to the planning, implementation and evaluation of the Programme. Hence, the Commission should ensure a regular dialogue with the beneficiaries of the Programme and other relevant stakeholders through the establishment of a Civil Dialogue Group.

### **Input from stakeholders**

In preparation of her draft, the rapporteur has collected input from a number of NGO representatives through organised roundtable discussions in Brussels and Stockholm, as well as bilateral meetings on several occasions. The rapporteur has also advised with representatives of other European agencies and stakeholders. The full list can be found in the annex.

**ANNEX: LIST OF ENTITIES OR PERSONS  
FROM WHOM THE RAPPOREUR HAS RECEIVED INPUT**

The following list is drawn up on a purely voluntary basis under the exclusive responsibility of the rapporteur. The rapporteur has received input from the following entities or persons in the preparation of the draft report:

<b>Entity and/or person</b>
European Economic and Social Committee
Committee of the Regions
FRA (Fundamental Rights Agency)
EQUINET (European Network of Equality Bodies)
Stefan Batory Foundation
Civil Liberties Union for European Parliament
National Contact Points, e.g. Germany and France
Council of European Municipalities and Regions
European Humanist Federation
Civil Society Europe
DEF Europe
European Foundation Centre
AGE Platform Europa
LLL Platform lifelong learning
European Volunteer Centre
European Civic forum
European Youth Forum
International planned parenthood Federation,
Front line defenders
The Foundation for Lifelong Learning PERITIA
IPPF European Network
Swedish Agency for Youth and Civil Society (MUCF)
The Swedish Youth/Student Association of International Affairs (UF Sverige)
Sverok
National council for Swedish Youth Organisations (LSU)
PEN Sweden
Diakonia
Swedish Women's Lobby