

Opinion of the European Economic and Social Committee on the 'Proposal for a Regulation of the European Parliament and of the Council establishing for the period 2014 to 2020 the Rights and Citizenship Programme'

COM(2011) 758 final — 2011/0344 (COD)

(2012/C 191/19)

Rapporteur-general: **Mr BOLAND**

On 9 February 2012 the Council decided to consult the European Economic and Social Committee, under Article 304 of the Treaty on the Functioning of the European Union, on the

Proposal for a Regulation of the European Parliament and of the Council establishing for the period 2014 to 2020 the Rights and Citizenship Programme

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On 29 February 2012 the Committee Bureau instructed the Section for Employment, Social Affairs and Citizenship to prepare the Committee's work on the subject.

Given the urgent nature of the work, the European Economic and Social Committee appointed Mr BOLAND as rapporteur-general at its 480th plenary session, held on 25 and 26 April 2012 (meeting of 26 April), and adopted the following opinion by 127 votes, with 4 abstentions.

1. Conclusions and recommendations

1.1 The European Economic and Social Committee welcomes the proposal to continue the rights and citizenship programme and recommends that it receive the fullest support from all of the stakeholders involved in its implementation.

1.2 It recommends that the title of the programme should include the word 'equality'. This will ensure that the programme protects the rights of people affected by discrimination due to inequality. It is also recommended that the objectives of the programme should include combating violence, particularly domestic violence.

1.3 The Committee recommends that the programme include in its objectives a stronger, specific mention of issues of equality, gender equality, combating violence and implementation of the UN Convention on the Rights of Persons with Disabilities.

1.4 The EESC welcomes the fact that a budget is proposed for this programme. However it strongly recommends a realistic increase in that budget to an amount that reflects the additional aspects added to the programme.

1.5 The Committee recommends that DG Justice ensure that it has the information necessary to measure impacts accurately and that it develops fair and objective sets of indicators that will allow proper analysis of the programme.

1.6 The Committee notes the change in administration of the programme from DG Employment, Social Affairs and Inclusion to DG Justice. While this is done for good reasons, it should be understood that there could be risks in relation to overall management associated with this change. The

Committee recommends that a proper risk analysis be done so that difficulties arising from the switch from Employment to Justice are minimised.

1.7 The Committee recommends that the programme be implemented across the European Union in a manner that is consistent with the Charter of Fundamental Rights.

1.8 The Committee is of the view that each of the programmes implemented is properly supported in each of the annual plans. In this regard, the Committee recommends that funds be earmarked so that no programme is disadvantaged. The Committee recommends that a sentence be added to the Commission proposal that ensures that each annual work programme provides for an appropriate and fair distribution of funds between areas and that sufficient funding levels are maintained for all areas.

1.9 The addition of the consumer strand to the programme is of huge concern to stakeholders. The concern is mainly that it may displace existing programmes and/or weaken their funding support. While the Committee understands the need to include the consumer strand based on the fact that it is the responsibility of DG Justice, it strongly recommends that the budget allocated to the programme should not be reduced as a result of including this additional strand.

1.10 In this regard, it is important to note that programmes which aim to improve the situation of people affected by discrimination in terms of equality and human rights are in many cases dealing with instances of poverty. The Committee accepts that other programmes are also in place to fight poverty and exclusion; but it strongly believes that this programme should fully take into account the role played by poverty in causing discrimination.

1.11 There is concern that adherence to a strict definition of citizenship could exclude some of the 'persons' referred to in the objectives of the programme. The EESC believes that this concern would be reduced if the implementation programmes were encouraged to support inclusion principles in their plans. It is recommended that it be made clear to applicants that the use of the term 'persons' in the general objectives is designed to ensure full inclusion.

1.12 The EESC strongly supports the work done by existing networks that support and direct information programmes which help grant recipients and policy makers at national and EU level. It is vitally important that networks applying for funding under the new programme should not be disadvantaged by disregarding their experience of human rights and equality work. The Committee also believes that proper evaluation of this work is being done, so that learning from the programme is available for future work in equality and human rights.

1.13 There is widespread concern that any gap between the end of the current programme for 2007-2013 and the new programme for 2014-2020 would be detrimental to the overall programme and would lose vital learning. The Committee is clear that such gaps must be avoided.

2. Background

2.1 The Commission proposal for a Regulation of the European Parliament and of the Council establishing for the period 2014 to 2020 the Rights and Citizenship Programme⁽¹⁾ was adopted on 15 November 2011. The proposal sets out the changes proposed for the new programme based on the learning outcomes of the current programme for the period 2007-2013.

2.2 Following adoption of the proposal, the European Economic and Social Committee was asked to draw up an opinion to be adopted at its 480th plenary session, to be held on 25 and 26 April 2012.

2.3 The proposal is based on Articles 19(2), 21(2), 114, 168, 169 and 197 of the Treaty on the Functioning of the European Union.

2.4 The financial envelope for the implementation of the Rights and Citizenship Programme for the period 1 January 2014 to 31 December 2020 is to be EUR 439 million (at current prices).

2.5 It is available in all EU countries.

2.6 The participation of third countries is limited to EEA, accession and candidate countries and potential candidates. Other third countries, particularly countries where the European Neighbourhood Policy applies, may also benefit.

2.7 All of the stakeholders are of the view that the new programme should not be delayed and should be fully operational at the beginning of 2014.

3. The Commission's proposal

3.1 The Commission's proposal gives a detailed outline of the proposed programme for the period 2014-2020.

3.2 It sets out a framework which aims to simplify and rationalise the Rights and Citizenship Programme, which is to be the successor of three current programmes.

3.3 Those three programmes are: (a) Fundamental Rights and Citizenship (b) Daphne III (c) the 'Anti-discrimination and Diversity' and 'Gender Equality' sections of the Programme for Employment and Social Solidarity (PROGRESS).

3.4 Following an impact assessment of the current programme for the period 2007-2013, the Commission decided to merge the current six programmes into two. This will allow for a comprehensive funding approach and a more efficiently managed programme.

3.4.1 The aim of the programme is to contribute to the development of an area, where the rights of persons, as enshrined in the Treaty on the Functioning of the European Union and the Charter of Fundamental Rights of the European Union, are promoted and protected.

3.4.2 It has five specific objectives, which are:

- to enhance rights deriving from citizenship of the European Union;
- to promote effective implementation of the principle of non-discrimination on the grounds of sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation, including equality between women and men and the rights of persons with disabilities and of the elderly;
- to ensure a high level of protection of personal data;
- to enhance respect for the rights of the child;
- to empower consumers and businesses to trade and purchase with confidence within the internal market.

⁽¹⁾ COM(2011) 758 final – 2011/0344 (COD).

3.5 The proposal gives details of the mid-term evaluation and recommends improvements.

4. General comments

4.1 The EESC shares the Commission's view that the development of an area of freedom, security and justice remains a priority for the European Union. However it also is concerned that there is uneven implementation of the Charter of Fundamental Rights across the European Union.

4.2 The new programme is essentially concerned with the provision of funding in the amount of EUR 439 million over the period 2014-2020. This represents a slight reduction in the previous budget and it is the view of the EESC that this represents a weakening of the European Union's commitment to improving the situation of people experiencing discrimination.

4.3 The Committee is concerned that the growth of 'extremist tendencies' may harm the implementation of basic human rights⁽²⁾ and it is therefore important that adequate resources be made available to groups working to improve this situation. While it is true that a budget is available to continue this work, the Committee is very clear that the budget proposed is below the level of support needed to maintain continuity of the work set out in the previous programme.

4.4 The Committee is concerned that the prioritisation of annual programmes adopted by the Commission in line with Article 8 of the Commission's proposal may disadvantage certain elements or strands of the project. This could be corrected by ensuring that all work programmes are funded to the level necessary for ongoing work to continue.

4.5 There is a need to maintain high visibility of programmes, so that they are seen to be effective in the promotion of anti-discrimination in all of the areas covered.

4.6 The Committee is concerned that the ability of DG Justice to measure impacts is undermined by its statement that it does not have enough information.

4.7 The Committee is concerned that the additional strand regarding consumer rights could put unnecessary extra pressures on the programme. These include the displacement of programmes that directly deal with basic human rights and the danger that valuable funding will be diverted from human rights and justice programmes.

4.8 The Committee is concerned that the title of the programme does not represent the full content of the programme. In particular, it views the absence of the word 'equality' in the title as weakening programmes on equal rights.

4.9 The EESC is concerned that the objectives of the programme should include combating violence, particularly domestic violence.

4.10 The Committee is concerned that the definition of citizenship as outlined in one of the five specific objectives of the programme will exclude people living in the EU, but who may not have citizenship. The fact that the general objectives of the programme refer to 'persons' is welcome. However the EESC would ask that the objectives be strengthened, so that the programme is fully inclusive.

4.11 There is widespread concern that existing networks involved in the support and provision of information concerning the programme should not be disadvantaged in applying for participation in the new programme. The Committee accepts that they have a high level of experience of human rights and equality work. It equally accepts that the role of networks should be properly evaluated, as with all parts of the programme.

4.12 The need to adapt programmes based on learning from other experiences, such as the Good Friday Agreement, in terms of re-evaluating rights with a view to their improvement in changing circumstances, should play an essential part in the development of the programme.

4.13 The EESC notes that there is always a balance to be struck in pursuing rights and equality, so that the rights of the general community are recognised. It is equally clear that everyone should have access to processes that ensure that discrimination is never practised.

Brussels, 26 April 2012.

The President
of the European Economic and Social Committee
Staffan NILSSON

⁽²⁾ Staffan Nilsson, 'Europe's snail syndrome', 10 May 2011; <http://www.eesc.europa.eu/?i=portal.en.news.18276>.