



22 February 2012

AGE, EDF, ENAR, EWL, ILGA-EUROPE, AE, EBU, ENIL, IF, Inclusion Europe, IGLYO, MHE and TGEU<sup>1</sup> amendments to the European Commission's proposal for the 'Rights and Citizenship Programme' 2014-2020<sup>2</sup>

The 12 European equality networks, who currently receive EU core funding for their work on issues covered by the future Rights and Citizenship Programme 2014-2020, express their great concern as regards the focus, annual predictability and level of funding in the EC proposal and would like to see:

1. Stronger and specific mentions of issues of **equality, gender equality and combating violence, and the implementation of the UN Convention on the rights of persons with disabilities in the objectives of the programme** (see amendments from p.2 below).
2. An **increase of the budget** of the programme to an amount that reflects the current share of EU funding in the field of Justice for the issues covered by the programme, that is, **€530 millions**.
3. **Earmarking of funds for the different objectives of the programme**. As an indication of the current distribution of funds for the issues covered by the programme, you will find below data for the year 2011:<sup>3</sup>

Themes	Millions EUR (2011)	%
EU citizenship and (fundamental) rights, including the Rights of the Child <sup>4</sup>	12.5	18.2%
Non discrimination	20.5	30%
Gender equality	13	19%
Violence against women, children and young people	20.5	30%
Data protection	1.5	2.2%
Consumer law	0.5	0.6%
Total (2011)	68.5	

4. Given the deterioration of the social environment in the EU, which is impacting on the rights of people living in Europe, **maintain at least the same level of core funding for European networks** representing rights holders and working on equality and gender equality, as for the 2007-2013 period, taking into account inflation.

<sup>1</sup> AGE Platform Europe (AGE), European Disability Forum (EDF), European Network against Racism (ENAR), European Women's Lobby (EWL), ILGA-Europe, Autism Europe, European Blind Union (EBU), European Network on Independent Living (ENIL), Inclusion Europe, International Federation for Spina Bifida and Hydrocephalus (IFSBH), International LGBTQ Youth and Student Organisation (IGLYO), Mental Health Europe (MHE) and Transgender Europe (TGEU).

<sup>2</sup> Proposal for the Rights and Citizenship Programme (COM(2011) 758)

<sup>3</sup> Figures 2011, EC Public consultation - Future funding activities in the area of Justice, Fundamental Rights and Equality after 2013.

<sup>4</sup> Based on available data it is not possible to distinguish between funding for children's rights and other funding for fundamental rights.

## Main amendments proposed

Amendment 1 Name of the programme	
<b>Text proposed by the Commission</b>	<b>Amended text</b>
Rights and Citizenship Programme	<b>Equality</b> , Rights and Citizenship Programme
<b>Justification</b>	
The title of the programme must acknowledge that the gender equality and non-discrimination sections of the PROGRESS programme are a significant part of the new programme.	
Amendment 2 Article 3 General Objectives	
<b>Text proposed by the Commission</b>	<b>Amended text</b>
The general objective of the Programme shall be to contribute to the creation of an area, where the rights of persons, as enshrined in the Treaty on the Functioning of the European Union <b>and</b> the Charter of Fundamental Rights of the European Union, are promoted and protected.	The general objective of the Programme shall be to contribute to the creation of an area, where the rights of persons, <b>equality, equality between women and men and the principle of non-discrimination</b> , as enshrined in the Treaty on the Functioning of the European Union, the Charter of Fundamental Rights of the European Union <b>and the United Nations Convention on the Rights of Persons with Disabilities</b> , are promoted and protected.
<b>Justification</b>	
The proposal for the general objective of the Programme is too narrowly based on an individual approach. Equality, equality between women and men and non-discrimination are fundamental rights, they require action that goes beyond promoting “rights of persons” and imply changing the structures of the society through various policy initiatives to progress towards <i>de facto</i> equality for all and equality between women and men. Further, all EU policies having to comply with the terms of the Fundamental Rights Charter, the remit of actions supported by the Rights and Citizenship Programme should not be limited to the Union area but expand potentially to the actual remit of EU competencies.	
Amendment 3 Article 4 Specific objectives	
<b>Text proposed by the Commission</b>	<b>Amended text</b>
(b) to promote the effective implementation of the principles of non discrimination on the grounds of sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation, <b>including equality between women and men and</b> the rights of persons with disabilities <b>and</b> of the elderly;	(b) to promote <b>equality for all and</b> the effective implementation of the principles of non discrimination on the grounds of sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation, and the rights of persons with disabilities, of the elderly, <b>of racial and ethnic minorities, of religious and beliefs minorities and of lesbian, gay, bisexual, intersex and trans people, including through equality mainstreaming;</b>  <b>(new b1) to promote equality between women and men, including through combating violence against women, children and other vulnerable persons, and ensuring that a gender equality perspective is taken into account in defining and implementing of all</b>

	<b>the policies and activities of the Union;</b>
<b>Justification</b>	
<p>The future programme's objectives must be formulated so as to go beyond non-discrimination and include promotion of equality and fundamental rights, including the rights the rights of LGBTI people and racial and ethnic minorities.</p> <p>The promotion of equality between women and men has to be considered as an independent policy priority of the programme, and combating violence must be mentioned in its objectives. Women are not a discriminated group but half of European citizens. Promoting equality for all and promoting equality between women and men are complementary goals that are backed up by different sets of EU legislation and policy responses. Promoting gender equality and combating violence will also benefit the many persons living in the EU that face multiple forms of discrimination.</p>	
<b>Amendment 4 Article 5 Actions</b>	
<b>Text proposed by the Commission</b>	<b>Amended text</b>
<p>(d) Support for main actors, such as support for Member States when implementing Union law and policies; support for <b>key</b> European level networks whose activities <b>are linked</b> to the implementation of the objectives of the Programme; networking among specialised bodies and organisations, national, regional and local authorities at European level; funding of experts' networks; funding of European level observatories.</p>	<p>(d) Support for main actors, such as support for Member States when implementing Union law and policies; support for <b>the running costs</b> of <b>representative</b> European level networks of <b>rights holders</b> whose activities <b>contribute</b> to the implementation of the objectives of the Programme, <b>support to the activities of NGOs pursuing the objectives of the programme</b>; networking among specialised bodies and organisations, national, regional and local authorities at European level; funding of experts' networks; funding of European level observatories.</p>
<b>Justification</b>	
<p>European networks representing rights holders and working on equality, gender equality and non-discrimination have demonstrated their effectiveness and the European added value of their work over the years they received core funding from the anti discrimination strand of the PROGRESS programme. They play a crucial role in inputting to European policy making processes, monitoring the effectiveness and implementation of European policies, sharing good practice and relaying information and knowledge. The proposed wording on supporting the running costs is similar to that in the <a href="#">proposed regulation of the Social Change and Innovation Programme</a>, which will fund European networks working on social justice and would ensure coherence between the two programmes.</p> <p>In addition, the Rights and Citizenship Programme should follow the successful example of DAPHNE programmes, which have provided action grants and operational grants to smaller NGOs. Civil society organisations at all levels have proven themselves as indispensable partners of the EU in combating violence against women. The proposed wording on support of the activities of NGOs comes from the EP and Council decision of 20 June 2007 to establish DAPHNE III programme</p>	
<b>Amendment 5 Article 7 Budget</b>	
<b>Text proposed by the Commission</b>	<b>Amended text</b>
<p>1. The financial envelope for the implementation of the Programme shall be EUR <b>439</b> million.</p>	<p>1. The financial envelope for the implementation of the Programme shall be EUR <b>530</b> million.</p>
<b>Justification</b>	

The Rights and Citizenship programme should receive at least the same share of the overall funding available in the field of Justice than the three programmes integrated into it currently receive, namely 58,2%, that is €530 million. Given that the overall budget allocated to the field of Justice is foreseen to increase by €120 million (from €791 million to € 911 million), it is deplorable that funding for fundamental rights, equality and combating violence is foreseen to decrease from the current level (€460 million).<sup>5</sup>

The proposed cut is not justifiable, given that promotion of equality between women and men is crucial for attaining the targets of the EU 2020 Strategy and tackling the demographic challenges and that the recent entry into force of the Charter of Fundamental Rights that enhances the EU's responsibilities to promote equality of all. The proposed cut also neglects the results of the EC public consultation on Justice funding: most stakeholders considered gender equality, non-discrimination, combating violence and fundamental rights asked funding for these objectives to be increased.

Amendment 6	
Article 8 Implementing measures	
Text proposed by the Commission	Amended text
2. In order to implement the Programme, the Commission shall adopt annual work programmes in the form of implementing acts. Those implementing acts shall be adopted in accordance with the advisory procedure referred to in Article 9(2).	2. In order to implement the Programme, the Commission shall adopt annual work programmes, <b>which shall include activities regarding all the specific objectives of the Programme referred to in Article 4 and the actions referred to in Article 5</b> , in the form of implementing acts. Those implementing acts shall be adopted in accordance with the advisory procedure referred to in Article 9(2).
<b>Justification</b>	
The proposed regulation does not include information on how the funding will be allocated to the different priorities and actions across the year and it does not provide guarantees that the levels of funding for the specific objectives of the programme will be predictable each year. Promoting equality of all, implementing the principle of non-discrimination, promoting equality between women and men and combating violence against women, children and other vulnerable persons require sustainable and predictable funding every year. In addition, European Networks working on those topics require sustainable and predictable funding to be able to continue their work with their members in an effective manner. The legal text of the Programme must provide some indication that funding for activities in these fields will be available every year.	
Amendments to recitals	
Amendment 7	
Recital 3	
Text proposed by the Commission	Amended text
(3) Citizens should be able to exercise fully the rights deriving from the citizenship of the Union. They should be able to exercise their right to move and reside freely in the Union, their right to vote for and stand as a candidate in European Parliament and municipal elections, their right to consular protection and their right to petition the European Parliament. They should feel at ease about living, travelling and working in another member State,	(3) Citizens should be able to exercise fully the rights deriving from the citizenship of the Union <b>and from international Conventions that the EU has acceded to</b> . They should be able to exercise their right to move and reside freely in the Union, their right to vote for and stand as a candidate in European Parliament and municipal elections, their right to consular protection and their right to petition the European Parliament. They should feel at ease about

<sup>5</sup> DAPHNE III €121,43 million, Fundamental Rights and Citizenship €97,4 million, gender equality and non-discrimination sections of PROGRESS approximately € 241,5 million [http://ec.europa.eu/justice/news/consulting\\_public/0010/background\\_questionnaire\\_en.pdf](http://ec.europa.eu/justice/news/consulting_public/0010/background_questionnaire_en.pdf)

<p>trusting that their rights are protected, no matter where in the Union they happen to be.</p>	<p>living, travelling and working in another member State, trusting that their rights are protected, no matter where in the Union they happen to be, <b>and that access for persons with disabilities on an equal basis with others is ensured.</b></p>
--	---

**Justification**

The programme covers also the rights of persons as outlined in the general objectives. It is therefore important to mention human rights obligations on the EU derived from accession to International Treaties. Access for persons with disabilities on an equal basis with others is a right derived from the UN Convention on the rights of persons with disabilities.

**Amendment 8  
Recital 5**

Text proposed by the Commission	Amended text
<p>(5) <b>Non-discrimination based on sex, racial or ethnic origin religion or belief, disability, age or sexual orientation and equality between women and men are values</b> common to the Member States. Combating all forms of discrimination is an ongoing goal which requires coordinated action, including by the allocation of funding.</p>	<p>(5) Pursuant to the Articles 10 and 19 of the TFEU, the Union has the legal basis and shall aim to combat discrimination based on sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation and mainstream equality. Non-discrimination is also enshrined in Article 21 of the Charter of Fundamental Rights of the European Union. Combating all forms of discrimination and the protection of the rights of persons with disabilities derived from the accession of the EU to the UN Convention on the rights of persons with disabilities are on-going goals which require coordinated action, including by the allocation of funding.</p> <p>(new) (5a) Pursuant to Articles 2 and 3 (3) of the Treaty of the European Union and Article 8 of TFEU, equality between women and men is a fundamental value and objective of the EU and the EU should promote gender equality in all its activities. Equality between women and men is also enshrined in Article 23 of the Charter of Fundamental Rights of the European Union Promoting gender equality across the EU is done through a dual approach of specific actions and effective gender mainstreaming in both policies and budgetary allocations.</p>

**Justification**

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

needed for this double strategy.	
<b>Amendment 9</b> <b>Recital 7</b>	
<b>Text proposed by the Commission</b>	<b>Amended text</b>
Violence against women in all its forms constitutes a violation of fundamental rights and a serious health scourge. Such violence is present throughout the Union and coordinated action is necessary in order to address it. Taking action to combat violence against women contributes to the promotion of equality between women and men.	Violence against women in all its forms is a <b>structural phenomenon linked to the unequal distribution of power between women and men in our society and</b> constitutes a violation of fundamental rights and a serious health scourge. Violence against women, children and other vulnerable persons is present throughout the Union and coordinated action <b>that builds on the methods and results of the previous DAPHNE programmes</b> is necessary in order to address it. Taking action to combat violence against women contributes to the promotion of equality between women and men.
<b>Justification</b>	
The Rights and Citizenship Programme must build on the successes of DAPHNE I, II and III programmes and continue their working methods, which involve support for grass roots level projects. The DAPHNE programmes have been key in helping the exchange of good practices and information between actors in the different Member States. In the framework of the next DAPHNE programme, the findings from previous DAPHNE projects should be used for the development of legislation and action against violence against women.	
<b>Amendment 10</b> <b>Recital 8a (new)</b>	
	<b>(8a) Many non-governmental organisations (NGOs) active at various levels can make an important contribution at European level through European representative networks of rights holders which assist in developing policy orientations relating to the general objectives of the Programme.</b>
<b>Justification</b>	
The new programme must recognise the role of NGOs in policy shaping as in the Progress programme and the DAPHNE Programme.	
<b>Amendment 11</b> <b>Recital 8b (new)</b>	
	<b>The requirement to promote a high level of employment, a guarantee of adequate social protection and the fight against social exclusion are promoted by Article 9 of the Treaty. Actions under this programme should promote synergies between the fight against poverty and social exclusion and the promotion of gender equality and equality for all and fight against discrimination.</b>
<b>Justification</b>	
The coordination between policies to promote greater equality and fight discrimination and the policies to	

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

**Amendment 12**  
**Recital 10**

**Text proposed by the Commission**

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

**Amended text**

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

**Justification**

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