



Important provisions for social cohesion, economic growth employment and poverty reduction under threat in Council discussions on the Structural Funds legislative package for 2014-2020

Brussels, 22 April 2012

Representing a coalition of European NGOs, ***we call upon the Council of the European Union to uphold the general ex-ante conditionalities regarding non-discrimination, gender equality and disability under Annex IV of the Commission proposal for the Common Provisions Regulation.***

We regret to hear that the Danish Presidency has put forward a compromise text on ex-ante conditionalities that removes the general conditionalities dealing with non-discrimination, gender equality and disability. These ex-ante conditionalities are necessary to remain coherent with the EU Treaties and legal framework. To fulfill its legal obligation, the Union should step up efforts to eliminate inequalities and promote equality between men and women, as well as to combat discrimination based on sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation, at all stages of the implementation of the Structural Funds. These principles are recognized in Article 2 of the Treaty on European Union, Article 10 of the Treaty on the Functioning of the European Union, and Article 21 of the Charter of Fundamental Rights. The European Union and the majority of Member States are also party to the United Nations Convention on the Rights of Persons with Disabilities, 17 have already ratified the Convention while the remaining Member States are in the process of doing so. A decision to remove the general Ex-Ante conditionality will be in breach to these fundamental Treaties.

In addition this would be a decision undermining the impact of the Structural Funds on employment, economic and social inclusion. Women, persons with disabilities and people experiencing discrimination and poverty face large barriers in society, in particular amid the current challenging economic context and the increased incidence of poverty and social exclusion in the EU.

Vital to its implementation, the EU Structural Funds are capable of activating the full participation of the most vulnerable people living in Europe, in particular those at risk of discrimination, poverty and social exclusion, to bring the EU closer to the Europe 2020 goals. It is of utmost importance that the Funds continue to promote social cohesion, on an equal footing to economic and territorial cohesion, across all EU regions, if the EU 2020 Strategy is to achieve its targets.

The increased use of conditionality, alongside the proposed 20% ring-fenced funds for social inclusion and poverty reduction, are a major step forward in cohesion policy as these help creating strong incentives for Member States to deliver Europe 2020 objectives and targets. Non-discrimination, gender equality and equal opportunities for disadvantage groups, including women and persons with disabilities, are sine qua non conditions for the effective implementation of EU funds.

Therefore the European Women's Lobby, the European Antipoverty Network, the European Foundation Centre and the European Disability Forum call on Member States to:

- **Maintain the General Ex-Ante Conditionality in the Annex IV of the proposal On the General regulation COM (2011) 615 final**
- **Remove the current Presidency proposal for article 101.3 to exclude paragraph e) from the obligations regarding the content of the annual implementation reports**
- **To back the proposed 20% ring-fenced funds for social inclusion and poverty reduction**

The EDF, EWL, EAPN, EFC, ENAR, Age Platform Europe, ILGA-Europe remind Member States that the EU has legal obligation that apply to all its action, including the Structural Funds and that in today's social and economic context it is in their common interest that the Structural Funds are used to support the fundamental rights of citizens and social cohesion across the EU.

European citizens will not accept that important social, economic and employment provisions are either jeopardized or lost in the current Council discussions. We therefore call on the Council to uphold the conditionalities relating to non-discrimination, gender equality and disability.



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Equality for lesbian, gay, bisexual,
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