Basic information

2005/0038(CNS) CNS - Consultation procedure Decision	Procedure completed
General Programme "Fundamental rights and justice": specific programme "Fundamental rights and citizenship", 2007-2013 **Subject** 1 European citizenship 1.10 Fundamental rights in the EU, Charter	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
LIBE Civil Liberties, Justice and Home Affairs	SEGELSTRÖM Inger (PSE)	06/06/2005

Committee for opinion	Rapporteur for opinion	Appointed
BUDG Budgets	GILL Neena (PSE)	09/06/2005
CULT Culture and Education	GUARDANS CAMBÓ Ignasi (ALDE)	16/06/2005

Council of the European Union

Council configuration	Meetings	Date
Justice and Home Affairs (JHA)	2652	2005-04-14
Justice and Home Affairs (JHA)	2794	2007-04-19
Agriculture and Fisheries	2774	2006-12-19
Education, Youth, Culture and Sport	2762	2006-11-13

European Commission

Commission DG	Commissioner
Justice and Consumers	FRATTINI Franco

Key events

Date	Event	Reference	Summary
06/04/2005	Legislative proposal published	COM(2005)0122	Summary

14/04/2005	Debate in Council		Summary
06/09/2005	Committee referral announced in Parliament		
13/11/2006	Resolution/conclusions adopted by Council		Summary
22/11/2006	Vote in committee		
13/12/2006	Committee report tabled for plenary, 1st reading/single reading	A6-0465/2006	
14/12/2006	Decision by Parliament	T6-0594/2006	Summary
14/12/2006	Results of vote in Parliament		
19/12/2006	Debate in Council		Summary
19/04/2007	Act adopted by Council after consultation of Parliament		Summary
19/04/2007	End of procedure in Parliament		
27/04/2007	Final act published in Official Journal		

Technical information

Procedure reference	2005/0038(CNS)
Procedure type	CNS - Consultation procedure
Procedure subtype	Legislation
Legislative instrument	Decision
Legal basis	EC Treaty (after Amsterdam) EC 308
Stage reached in procedure	Procedure completed
Committee dossier	LIBE/6/27669

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee opinion	CULT	PE364.820	26/01/2006	
Committee draft report		PE364.788	14/02/2006	
Amendments tabled in committee		PE370.309	15/03/2006	
Committee report tabled for plenary, 1st reading/single reading		A6-0465/2006	13/12/2006	
Text adopted by Parliament, 1st reading/single reading		T6-0594/2006	14/12/2006	Summary

European Commission

Document type	Reference	Date	Summary
Legislative proposal	COM(2005)0122	06/04/2005	Summary
Document attached to the procedure	SEC(2005)0434	06/04/2005	

Commission response to text adopted in plenary	SP(2007)0303	24/01/2007	
Follow-up document	COM(2011)0249	05/05/2011	Summary
Follow-up document	COM(2017)0069	13/02/2017	Summary

National parliaments

Document type	Parliament /Chamber	Reference	Date	Summary
Contribution	PT_PARLIAMENT	COM(2011)0249	08/05/2012	

Other institutions and bodies

Institution/body	Document type	Reference	Date	Summary
EESC	Economic and Social Committee: opinion, report	CES0032/2006 OJ C 069 21.03.2006, p. 0001-0005	19/01/2006	

Additional information

Source	Document	Date
National parliaments	IPEX	
European Commission	EUR-Lex	

Final act

Decision 2007/0252
OJ L 110 27.04.2007, p. 0033 Summary

General Programme "Fundamental rights and justice": specific programme "Fundamental rights and citizenship", 2007-2013

2005/0038(CNS) - 19/04/2007 - Final act

PURPOSE: in the context of the framework programme on “Fundamental Rights and Justice” 2007-2013, to adopt a specific programme on "Fundamental rights and citizenship".

LEGISLATIVE ACT: Council Decision 2007/252/JHA establishing for the period 2007-2013 the specific programme "Fundamental rights and citizenship" as part of the General programme "Fundamental Rights and Justice".

BACKGROUND: the framework programmes in the area of Justice, Freedom and Security, under the new Financial Perspectives 2007-2013 have been established to provide coherent support to an area of freedom, security and justice under the financial perspectives 2007 - 2013. The three key objectives of freedom, security and justice are to be developed in parallel and to the same degree of intensity, thus allowing for a balanced approach, based on the principles of democracy, respect for fundamental rights and freedoms and the rule of law. Each of the three key objectives is supported by a Framework programme underpinning and linking each policy area. This structure represents a major simplification and rationalisation of existing financial support.

The three framework programmes are:

1) “Fundamental rights and Justice” which includes 5 specific measures: i) “Fundamental rights and citizenship”; ii) “Civil justice”. Iii) “Criminal justice”; iv) “Daphne III”; v) “Drugs prevention and information”;

2) “Security and safeguarding Liberties” comprising of 2 specific programmes : i) the programme on prevention of terrorism; ii) the specific programme on the “Prevention and the fight against crime”;

3) “Solidarity and Management of Migration Flows” includes 4 specific funds: i) the European Fund for the Integration of Third-country nationals; ii) External Borders Fund; iii) Refugee Fund; iv) Return Fund.

Each of these framework programmes have been given an overall financial envelope covering the 2007-2013 period which will be broken between each specific programme, except for the Funds which have individual budgets.

The ‘Fundamental Rights and Justice’ Framework Programme has several specific objectives. They are:

- to promote the development of a European society based on the European Union citizenship and respectful of the fundamental rights provided for in the Charter of Fundamental Rights; to fight anti-Semitism, racism and xenophobia and to strengthen civil society in the field of fundamental rights;
- to combat all forms of public or private violence against children, young people and women;
- to contribute to the setting-up of an area of freedom, security and justice by providing information on and preventing the use of drugs;
- to promote judicial cooperation with the aim of contributing to the creation of a genuine European area of justice in civil and commercial matters;
- to promote judicial cooperation with the aim of contributing to the creation of a genuine European area of justice in criminal matters.

As these objectives have **different legal bases in the Treaties**, the programme is composed of several separate legislative instruments. The grouping together of these complementary policy areas under the same Framework programme will not only enhance their overall coherence but will also ensure a better response to citizens’ needs. It will enable new, unexpected problems to be tackled with increased flexibility.

CONTENT: based on Article 308 of the TEC, this Decision establishes the programme "Fundamental Rights and Citizenship", as part of the general programme "Fundamental Rights and Justice", covering the period from 1 January 2007 to 31 December 2013.

General objectives: these are the following:

- to promote the development of a European society based on respect for fundamental rights as recognised in Article 6(2) of the Treaty on European Union, including rights derived from citizenship of the Union;
- to strengthen civil society and to encourage an open, transparent and regular dialogue with it in respect of fundamental rights;
- to fight against racism, xenophobia and anti-Semitism and to promote a better interfaith and intercultural understanding and improved tolerance throughout the EU;
- to improve the contacts, exchange of information and networking between legal, judicial and administrative authorities and the legal professions, including by way of support to judicial training, with the aim of better mutual understanding among such authorities and professionals.

These general objectives of the programme are complementary to the objectives pursued by the European Union Agency for Fundamental Rights (see CNS/2005/0124) established by Regulation (EC) No 168/2007.

Specific objectives: these are the following

- to promote fundamental rights and to inform all persons of their rights including those derived from citizenship of the Union, in order to encourage Union citizens to participate actively in the democratic life of the Union;
- to examine, where necessary, respect for specific fundamental rights in the EU and its Member States when implementing Community law, and to obtain opinions on specific questions related to fundamental rights within this scope;
- to support NGOs and other bodies from civil society in order to enhance their capability to participate actively in the promotion of fundamental rights, the rule of law and democracy;
- to create relevant structures in order to foster an interfaith and multicultural dialogue at the level of the EU.

Actions: the programme will support the following types of actions:

a) specific actions taken by the Commission, such as studies and research, opinion polls and surveys, formulation of indicators and common methodologies, dissemination of data and statistics, seminars, conferences and expert meetings, organisation of public campaigns and events; development and maintenance of websites, preparation and dissemination of information material, support for networks of national experts, analytical, monitoring and evaluation activities;

b) specific trans-national projects of Community interest involving at least two Member States or at least one Member State and one other state which may either be an acceding country or a candidate country, under the conditions set out in the annual work programmes;

c) support to the activities of NGOs under the conditions set out in the annual work programmes;

d) operating grants to co-finance expenditure associated with the permanent work programme of the Conference of the European Constitutional Courts and the Association of the Councils of State and Supreme Administrative Jurisdictions of the EU, which maintains certain databases providing for a European-wide collection of national judgments relating to the implementation of Community law.

Access to the programme: this is open to, inter alia, to institutions and public or private organisations, universities, research institutes, NGOs, national, regional and local authorities, international organisations and other not-for-profit organisations established in the EU or in one of the countries participating, as defined. The programme will permit joint activities with international organisations competent in the field of fundamental rights, such as the Council of Europe, on the basis of joint contributions and in accordance with the various rules prevailing in each institution or organisation.

Complementarity: synergies and complementarity with other Community instruments shall be sought, particularly the Framework programmes "Security and Safeguarding Liberties" and "Solidarity and Management of Migration Flows", as well as the programme "Progress". Complementarity with the European Union Agency for Fundamental Rights shall be secured. The statistical element of information on fundamental rights and citizenship shall be developed in collaboration with Member States, on the basis of available data using as necessary the Community Statistical Programme. The programme may share resources with other Community instruments, in particular the general programmes "Security and Safeguarding Liberties" and "Solidarity and Management of Migration Flows", in order to implement actions meeting the objectives of all programmes.

Community funding may take the form of grants or public procurement contracts. The programme may share resources with other Community instruments, in particular the general programmes "Security and Safeguarding Liberties" and "Solidarity and Management of Migration Flows", in order to implement actions meeting the objectives of all programmes.

Evaluation: the Commission shall ensure the regular, independent and external evaluation of the programme, and submit the following to the European Parliament and the Council:

-an annual presentation on the implementation of the programme;

-an interim evaluation report on the results obtained and the qualitative and quantitative aspects of the implementation of the programme, including on the work carried out by the beneficiaries of operating grants referred to in Article 4(d), (i.e)operating grants to co-finance expenditure associated with the permanent work programme of the Conference of the European Constitutional Courts and the Association of the Councils of State and Supreme Administrative Jurisdictions of the EU as above) not later than 31 March 2011;

- a Communication on the continuation of the programme not later than 30 August 2012;

- an ex post evaluation report not later than 31 December 2014.

ENTRY INTO FORCE: the Decision shall take effect on 28/04/2007. It shall apply from 01/01/2007.

General Programme "Fundamental rights and justice": specific programme "Fundamental rights and citizenship", 2007-2013

2005/0038(CNS) - 19/04/2007

The Council adopted the decision establishing for the period from 2007-2013 the specific programme "**Fundamental rights and citizenship**" as part of the general programme "Fundamental Rights and Justice". (See Council document: *16505/06*).

The main objectives of the programme will be:

- to promote the development of a European society based on respect for fundamental rights;

- to strengthen civil society and to encourage an open transparent and regular dialogue with it in respect of fundamental rights;

- to fight against racism, xenophobia and anti-Semitism;

- to promote a better interfaith and intercultural understanding and improved tolerance throughout the European Union.

The programme will be implemented within the scope of application of Community law.

The general objectives of the programme will contribute to the development and implementation of Community policies in full compliance with fundamental rights and they are complementary to the objectives pursued by the European Union Agency for Fundamental Rights.

General Programme "Fundamental rights and justice": specific programme "Fundamental rights and citizenship", 2007-2013

2005/0038(CNS) - 13/11/2006

The Council adopted a resolution on European citizenship. It states that the opinions and concerns of young people should be taken into account through both bottom-up and top-down dialogue processes, in order to ensure the inclusion of those aspects of young people's lives which they themselves consider relevant. It suggests that an informal forum composed of representatives of young people, the current and future Council Presidencies, the European Parliament and the Commission should be set up and should meet regularly, in order to ensure consistency and continuity between agendas in the youth field. The priority themes to be discussed until 2009 within this structured dialogue are social inclusion and diversity in

2007, intercultural dialogue in 2008 and perspectives for continued cooperation in the youth field in 2009. These issues should be discussed in parallel with the priority themes tackled under the Youth OMC and the European Youth Pact, as well as with horizontal priorities agreed upon in the youth field, such as antidiscrimination and health. These themes would be further defined by the Presidencies in accordance with their particular agendas.

For their part, the Member States are invited to:

- identify, by the end of March 2007, those lines of action for participation and information on which they intend to concentrate and to define concrete measures and/or action plans for their implementation;
- set up preparatory and follow-up mechanisms to ensure the effective implementation of the common objectives in cooperation with the relevant actors, inter alia young people, youth organisations, youth researchers and local and regional authorities;
- promote the common objectives for participation and information amongst regional and local authorities, youth organisations and young people and closely cooperate with regional and local authorities in order to ensure the fullest possible implementation of those objectives;
- indicate, when reporting on the common objectives for greater knowledge and understanding of youth at the end of 2008, how the identified lines of action for the common objectives for participation by and information for young people have been implemented.

The Council takes note that the Commission intends to launch a youth-specific Eurobarometer; mobilise European youth information networks1 to support the structured dialogue; further develop the European Youth Portal; organise together with relevant partners in the participating countries, and on a regular basis, a European Youth week with the participation of Commissioners and representatives of the other European institutions, preceded by a European youth portal consultation whenever possible;

arrange encounters with young people who do not usually have contacts with the European institutions.

The Council invites the Member States and the Commission to:

- ensure that the process of the open method of coordination remains open and transparent and that the best possible use is made of the information provided by that process;
- develop and support a continuous and structured dialogue aimed at ensuring a timely and effective contribution by young people and other relevant actors in the youth field towards the formulation of policies relevant to young people's lives;
- collaborate with the relevant actors, inter alia local and regional authorities, as well as with educational institutions and non-governmental organisations, in setting up this structured dialogue;
- endeavour to ensure that the structured dialogue brings together those involved in youth issues either directly or indirectly, in order to develop a more coherent and cross-sectoral approach to such issues;
- encourage an inclusive approach to this dialogue involving young people engaged in various and innovative forms of active citizenship, non-organised young people and young people with fewer opportunities and create conditions for the equal participation of all young people;
- encourage peer learning activities on information for and participation by young people, where appropriate involving European countries which are not members of the EU;
- set up on a voluntary basis a working group at European level to consider practical means of assessing the impact of implementation of the common objectives for participation by and information for young people. The Commission is invited to report back to the Council on the results achieved by this working group;
- make the best use of the 2007 – 2013 "Youth in Action" programme to support this structured dialogue;
- discuss the implementation of this structured dialogue at national and European level in the context of the evaluation of the framework of European cooperation in the youth field in 2009.

General Programme "Fundamental rights and justice": specific programme "Fundamental rights and citizenship", 2007-2013

2005/0038(CNS) - 19/12/2006

Pending the European Parliament's opinion, the Council agreed on a general approach regarding the specific programme "Fundamental rights and citizenship" as part of the general programme "Fundamental Rights and Justice" for the 2007-2013 period.

The main objectives of the programme are the support to civil society associations, combat racism, xenophobia and anti-Semitism, the protection of Fundamental Rights and protect fundamental rights and the rights of the citizen, through an interfaith and multicultural dialogue. Those objectives complement those of the European Union Agency for Fundamental Rights and will focus on those areas where European added-value can be generated.

General Programme "Fundamental rights and justice": specific programme "Fundamental rights and citizenship", 2007-2013

2005/0038(CNS) - 06/04/2005 - Legislative proposal

PURPOSE: to present a specific programme "Fundamental rights and citizenship" for the period 2007-2013.

PROPOSED ACT: Decision of the Council.

CONTEXT: The Communication establishing a 'Fundamental Rights and Justice' Framework Programme forms part of a coherent set of legislative proposals. The purpose of these proposals is to offer support to the development of an area of freedom, security, and justice within the context of the upcoming financial perspective, 2007-2013. For that reason, the European Council in November 2004 adopted what is known as the Hague Programme. Building upon the results of the 1999 Tampere programme, the programme adopted in The Hague presents a new agenda to enable the Union to build upon past achievements as well as being well placed to meet new challenges. It also emphasizes that the creation of a Europe for citizens requires not only the full respect of Fundamental Rights, but, in addition, the active promotion of those rights. The 'Fundamental Rights and Justice' Framework Programme has several specific objectives. They are:

– To promote the development of a European society based on the European Union citizenship and respectful of the fundamental rights provided for in the Charter of Fundamental Rights; to fight anti-Semitism, racism and xenophobia and to strengthen civil society in the field of fundamental rights.

– To combat all forms of public or private violence against children, young people and women.

– To contribute to the setting-up of an area of freedom, security and justice by providing information on and preventing the use of drugs.

– To promote judicial cooperation with the aim of contributing to the creation of a genuine European area of justice in civil and commercial matters.

– To promote judicial cooperation with the aim of contributing to the creation of a genuine European area of justice in criminal matters.

As these objectives have different legal bases in the Treaties, the programme is composed of several separate legislative instruments. Political coherence will be ensured, as each specific programme reflects the objectives of a policy which, in association with the three others, will allow for the development of European citizenship and a genuine area of Justice. Furthermore, the grouping together of these complementary policy areas under the same Framework programme will not only enhance their overall coherence but will also ensure a better response to citizens' needs. It will enable new, unexpected problems to be tackled with increased flexibility.

A key objective of the 'Fundamental Rights and Justice' Framework programme is to simplify and rationalise instruments both in legal and management terms, to streamline the budget structure, to increase coherence and consistency between programmes and to avoid duplication of instruments. It will be managed directly by the Commission. The cost of the Framework Programme for the period 2007-2013 is EUR 543 million.

CONTENT: The aim of this specific programme of the general programme "Fundamental Rights and Justice" is to develop significantly the two existing preparatory actions (promotion of fundamental rights and support of civil society) introducing new objectives such as the fight against racism, xenophobia and anti-Semitism namely through the promotion of an inter-faith and a multicultural dialogue at EU level.

The support of civil society in respect of fundamental rights will be enlarged to cover all Member States while the present preparatory action only covers the ten new Member States. A special focus will be put on the rights deriving from citizenship of the Union, recognised as fundamental rights by the Charter, namely to encourage democratic participation. A significant increase in the financial envelope is planned to reflect the increasing importance of these issues and to respond positively to civil society actors.

This specific programme within the general "Fundamental Rights and Justice" programme is based on Article 308 of the Treaty establishing the European Community which foresees that an action by the Community is possible even if no powers are specifically envisaged in the Treaty if the action concerned is necessary to attain one of the objectives of the Community.

The objectives of this programme do not have a specific legal basis in the Treaty, since they concern promotion of the fundamental rights of the Charter generally and not merely promotion of the few specific fundamental rights for which specific legal bases exist. They will nevertheless contribute to the definition and implementation of EU competencies and policies by raising awareness among everyone in the European Union of their fundamental rights under Community law.

A series of actions under this specific "Fundamental Rights and Justice" programme are envisaged including:

– specific actions taken by the Commission, such as, studies and research, opinion polls and surveys, formulation of indicators and common methodologies, collection, development and dissemination of data and statistics, seminars, conferences and expert meetings, organisation of public campaigns and events, development and maintenance of websites, preparation and dissemination of information material, support for and management of networks of national experts, analytical, monitoring and evaluation activities;

– actions providing financial support for specific projects of Community interest under the conditions set out in the annual work programmes;

– actions providing financial support for the activities of non-governmental organisations or other entities under the conditions set our in the annual work programmes;

– an operating grant to the Association of the Council of States and Supreme Administrative Jurisdictions of the European Union which pursues an objective of general European interest by promoting exchanges of views and experience on matters concerning the jurisprudence, organisation and functioning of its Members in the performance of their judicial and/or advisory functions, particularly with regard to Community Law.

Community funding may take the following legal forms: grants and public procurement contracts.

Access to this programme shall be open, *inter alia*, to institutions and public or private organisations, universities, research institutes, non-governmental organisations, national, regional and local authorities, international organisations and other not-for-profit organisations established in the

European Union. The programme shall permit joint activities with international organisations competent in the field of fundamental rights, such as the Council of Europe, on the basis of joint contributions and in accordance with the various rules prevailing in each institution or organisation, for the achievement of the objectives of this programme.

The Commission will ensure that, when actions financed under the present Decision are implemented, the financial interests of the Community are protected by the application of preventive measures against fraud, corruption and any other illegal activities, by effective checks and by the recovery of the amounts unduly paid and, if irregularities are detected, by effective, proportional and dissuasive penalties. It will ensure regular, external and independent evaluation of the programme. It will submit to the other institutions an interim evaluation report on the results obtained and on the qualitative and quantitative aspects of the implementation of the programme not later than 31/03/2011; a Communication on the continuation of the programme not later than 30/08/2012 and an ex-post evaluation report not later than 31/12/2014. It is intended that the programme's activities cover the period 1 January 2007 – 31 December 2013.

Synergies and complementarity with other Community instruments will be sought, particularly the general programmes "Security and Safeguarding Liberties" and "Solidarity and Management of Migration Flows", as well as the "Progress" programme. Complementarity with the Fundamental Rights Agency, built upon the European Monitoring Centre on Racism and Xenophobia will be actively pursued. The statistical element of information on fundamental rights and citizenship will be developed in collaboration with Member States, using as necessary the Community Statistical Programme. The programme may share resources with other Community instruments, in particular the general programmes "Security and Safeguards Liberties" and "Solidarity and Management of Migration Flows" in order to implement actions meeting the objectives of all programmes.

This programme does not attempt to intervene in the areas that are cover by national programmes developed by national authorities in each Member State but to focus on areas where European added-value can be engendered. To this extent, the great majority of the activities supported by the programme can be viewed as complementary to national actions and as attempting to exploit as far as possible the synergy from actions implemented at international and regional level.

The new programme proposal has been designed to incorporate the maximum possible simplification in terms not only of the form of the action – the definitions of actions in the legislative text are kept as generic as possible – but also in terms of the administrative and financial requirements that will apply to their implementation.

This specific programme will be allocated EUR 96.5 million over the 2007-2013 period.

FINANCIAL IMPACT:

- Budget lines: Financial Perspectives 2007-2013: Heading 3.

  – 1804 – Citizenship and Fundamental Rights,

  – 1806 – Establishing a genuine European area in criminal in civil matters and

  – 1807 – Coordination in the field of drugs.

- Period of application: 2007-2013.

- Financial resources 2007-2013: EUR 543 million (current prices). In addition, covering the same period, an amount of EUR 164.9 million is foreseen for the Fundamental Rights Agency, an amount of EUR 110.6 is foreseen for the European Monitoring Centre for Drugs and Drugs Addiction, while the amount foreseen for Eurojust is EUR 133.4 million.

- The EUR 543 million figure is broken down as follows:

  – Specific programmes 'Fight against violence (Daphne)' and 'Drugs prevention and information' for the period 2007-2013 will be allocated EUR 135,4 million (please refer to procedure reference 2005/0037A and B (COD)).

  – Specific programme 'Criminal justice' (2007-2013): EUR 196.2 million.

  – Specific programme 'Civil justice' (2007-2013): EUR 106.5 million;

  – Specific programme 'Fundamental Rights & Citizenship': EUR 93.8 million, which is broken down as follows: EUR 32,25 million for actions in the field of promoting European citizenship, EUR 26,4 for actions in the field of promoting civil dialogue and EUR 24,4 million for actions in the field of fighting racism and xenophobia.

  – Technical and administrative assistance: EUR 11.1 million.

Plus administrative expenditure not included within the reference amount comprising EUR 35.424 million for human resources and associated expenditure and EUR 5.316 million for administrative costs other than human resources and associated costs, not included in the reference amount.

Staff to be assigned to management of the action using existing and/or additional resources (number of posts/FTEs): total staff in 2007 will be 37.5 rising to 54 by 2013.

General Programme "Fundamental rights and justice": specific programme "Fundamental rights and citizenship", 2007-2013

2005/0038(CNS) - 14/04/2005

The Commission submitted to the Council its new proposals promoting liberty, security and justice under the next financial framework for the period from 2007 to 2013.

The Council will return to this point at one of its forthcoming meetings. The Commission's approach towards achieving this objective is based on three framework programmes which will replace the plethora of instruments which the Commission is currently administering in this area.

In order to implement fully the concept of European citizenship, the Commission proposes establishing the framework programme on fundamental rights and justice. The incorporation of the Charter of Fundamental Rights into the Constitutional Treaty means that the Union is legally obliged to ensure not only respect for fundamental rights, but also the active promotion of such rights. The right to physical integrity should also be guaranteed by combating violence. For the purposes of public health protection, information on drugs and the prevention of narcotics consumption also play an important role.

The programme will enable actions to be developed which would be less effective at national level, (e.g. judicial cooperation in both civil and criminal matters), allow private individuals and undertakings to assert their civil and commercial interests in other Member States and guarantee that crime and criminals will never go unpunished. The framework programme on solidarity and migration management will support national measures aiming in particular to:

– improve the effectiveness of controls at the EU's external borders, while ensuring that *bona fide* travellers can cross the borders without hindrance;

– finance civic orientation courses, provide cross-cultural training and manuals for newcomers and (local) governments and facilitate the integration process;

– ensure appropriate reception conditions for persons seeking international protection in the EU and a fair and efficient examination of their applications for asylum;

– advise asylum applicants whose applications have been refused and illegal immigrants so that they can return with dignity to their country of origin.

The proposed framework programme on security and protection of freedoms pursues the following main objectives:

– to promote and develop prevention of crime (whether organised or not) and measures to combat this phenomenon, in particular terrorism, trafficking in human beings and crimes against children, drugs trafficking, arms trafficking, corruption and fraud;

– to protect citizens, their freedoms and society against terrorist attacks, and to protect the EU by promoting and developing the prevention of, preparation for and management of the consequences of terrorist attacks.

The budget proposed by the Commission for the area of justice, security and freedom is EUR 8,3 billion in 2004 prices (or EUR 9,5 billion if inflation projections are taken into account). This represents an increase of 228% between 2006 (the final year of budgetary programming) and 2013.

General Programme "Fundamental rights and justice": specific programme "Fundamental rights and citizenship", 2007-2013

2005/0038(CNS) - 05/05/2011 - Follow-up document

This document presents the main findings and recommendations of the interim evaluation of the "Fundamental Rights and Citizenship" Programme 2007-2013 as well as the conclusions drawn from these by the Commission.

Effectiveness of the Programme: at the stage of the interim evaluation any far-reaching conclusions regarding whether the programme is reaching its objectives would be somewhat premature. Furthermore, the programme, due to its structure, varied priorities, and thematic fields, range of target groups and breadth of stakeholders makes the setting of meaningful and useable indicators complex and the extraction of revealing information somewhat illusive.

It is nevertheless clear from the evaluation carried out that the type of projects having been funded as well as the initiatives taken by the Commission, have all fallen under the objectives and priorities of the programme. However, the funding available is a factor which clearly limits achievement of the programme objectives, especially on a European scale. With an **upper limit of EUR 1 million per 2 year project with an average of 4 partners**, this leaves a maximum amount of just over EUR 125 000 per year per partner, which does not enable projects to show a true European dimension and added value.

Overall, beneficiaries did not identify any major obstacles that would be considered a detriment to progress in implementing the activities. The level of funding of up to 80% was considered as adequate, and the general setup such as the duration and partnership requirements were deemed appropriate for action grants. In the case of operating grants a longer-term funding extending beyond the current annual setup was suggested by some beneficiaries to ensure a greater impact. The focus on balanced partnerships and equal attribution of tasks and participation in the project, regulated by a balanced distribution of funding, have resulted in healthy participative management of the projects and a fertile breeding ground for establishing and exchanging best practices. It is evident that the projects have led to the deepening of collaboration between existing partners as to the creation of new partnerships.

On the other hand, the disproportionate participation of some countries (Italian applications representing over one third of the total received under the 2009-2010 call for action grants) and in some cases total absence of others should be considered a weakness that may need to be redressed.

Conclusions: the Interim evaluation confirms the importance of the programme. The growing interest not only in its funding opportunities, but also the increasing visibility of its projects and the recent addition of well-known and respected international organisations as its direct beneficiaries, are all strong indicators of the relevance and added value of the programme. Although the evaluation also highlighted some challenges in the implementation of the FRC programme and identified a number of improvements that could be made, there is no denying the intrinsic quality of the programme, its relevance to current European policy priorities, to the needs of its chosen target groups and stake-holders, as well as its added value.

The Commission considers that certain improvements are necessary in order to increase the impact and effectiveness of the programme. These are as follows:

Improved focus of EU policy priorities: a narrowing of the scope of the programme may help to increase its impact. In this respect, the number of annual priorities could be streamlined and significantly reduced. With a view to the next generation of programmes, consideration should be given to focussing the programme's project funding on strengthening its policy areas of fundamental rights, including **data protection and union citizenship**. Accompanied by appropriate support for the development of Commission initiatives, this would increase the impact of policy development and avoid overlaps with existing programmes that have significantly higher budgets for this type of direct funding.

Concentration of projects with a strong European dimension: in order to increase the effectiveness of the programme the currently limited funding should concentrate on projects with a stronger European dimension. Larger-scale projects receiving more funding would increase the visibility of the programme and ensure that projects achieve a wider impact not limited to local or regional level. The Commission will examine further if the impact that operating grants have on reaching the programme's objectives are sufficient to uphold this type of funding.

Balanced participation: in order to remedy a situation which shows a preponderance of beneficiaries form certain Member States (such as Italy) the Commission will seek to target information campaigns at organisations in certain Member States and increase its contacts with the relevant national and regional authorities so to overcome the limitations set by the funding available.

More efficient management of the programme: further efforts are needed to streamline the processes that govern the life-cycle of projects. The Commission will take further steps to streamline the system's user-friendliness, efficiency and speed and to strive to ensure that it will be an integrated tool that will serve both applicants/beneficiaries and the Commission in the efficient management of projects throughout their entire life-cycle.

A further consideration should be to address the delays caused by the obligation to consult the programme committee on the outcome of selections and to asses whether the administrative burden of this procedure is warranted by the very limited funding involved.

Dissemination of results: lastly, the Commission will use a more output and results-based approach both in the selection and in the management of projects. In combination with the targeting of priorities this will further ensure a stronger correlation between policy initiatives carried out by the Commission directly and through the projects and will therefore result in a more synergies between these two funding mechanisms of the programme.

Further measures to highlight the results of the programme may be envisaged, with a more elaborate and dynamic online dissemination as well as through specific events to single out successful projects as a means to illustrate the added value of the programme.

General Programme "Fundamental rights and justice": specific programme "Fundamental rights and citizenship", 2007-2013

2005/0038(CNS) - 14/12/2006 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted the resolution drafted by Inger **SEGELSTRÖM** (PES, SV), by 476 votes for, 41 against and 30 abstentions. It largely approved the position taken by its competent committee on the “Fundamental rights and justice” specific programme, whilst bearing in mind the deliberations in Council. Parliament approved a series of amendments seeking to clarify the proposal. In its consolidated version, the following amendments are integrated into the text:

- the Programme must be implemented within the scope of application of Community law;

Parliament emphasised that the aims include strengthening civil society and encouraging an open, transparent and regular dialogue with it in respect of fundamental rights;

- specific objectives now include: to create relevant structures in order to foster an interfaith and multicultural dialogue at the level of European Union;

- operating grants may co-finance expenditure associated with the permanent work programme of the Conference of the European Constitutional Courts and the Association of the Councils of State and Supreme Administrative Jurisdictions of the EU, insofar as the expenditure is incurred in pursuing an objective of general European interest by promoting exchanges of views and experience;

- the objectives of the programme should be complementary to those of the European Union Agency for Fundamental Rights and should focus on those areas where European added-value can be engendered;

- any duplication between the actions supported by this programme and the activities of international organisations competent in the field of Fundamental Rights, such as the Council of Europe, should be avoided, while permitting joint activities for the achievement of the objectives of this programme. Appropriate co-ordination should be undertaken to these ends;

- participating countries include the Western Balkan countries included in the stabilisation and association process, in accordance with the conditions laid down in the association agreements.

- Parliament clarified certain provisions relating to comitology;

- it insisted on better monitoring by the Commission at all levels of implementation.

Lastly, the programme may support specific trans-national projects of Community interest presented by an authority or any other body of a Member State, an international or non-governmental organisation, and involving in any case at least two Member States (and not three, as the Commission had suggested) or at least one Member State and one other state which may either be an acceding or a candidate country, under the conditions set out in the annual work programmes.

General Programme "Fundamental rights and justice": specific programme "Fundamental rights and citizenship", 2007-2013

2005/0038(CNS) - 13/02/2017 - Follow-up document

This report to the European Parliament and the Council concerns the *ex-post* evaluation of the Fundamental Rights and Citizenship Programme (2007-2013).

This evaluation was carried out by an independent external evaluator assisted by Commission staff.

The main elements evaluated are:

- relevance;
- coherence and complementarity;
- effectiveness;
- impact and sustainability;
- efficiency and scope for simplification;
- European added value.

As a reminder, the programme pursues four general objectives:

1. to promote the development of a European society based on respect for fundamental rights, including rights derived from citizenship of the Union;

2. to strengthen civil society and encourage an open, transparent and regular dialogue with it on fundamental rights;

3.to combat racism, xenophobia and anti-Semitism and foster greater understanding and tolerance in the European Union;

4. to improve contacts, exchange of information and networking between judicial and administrative authorities and the legal professions.

The total budget allocated to the programme from January 2007 to December 2013 amounted to **EUR 94.8 million**.

Main findings:

1. Relevance of the programme

- **priorities of the calls for proposals and the actions financed were generally considered relevant to the programme objectives** and to the development and implementation of EU policies and legislation;
- calls for proposals for action grants and operating grants have met the needs and interests of the main target group. However, calls should be further clarified;
- **priorities concerning the training of the general public**, or the judicial, legal and administrative authorities and the legal professions on the EU Charter of Fundamental Rights **have not been defined consistently** during the implementation period.

2. Coherence and complementarity

- the programme is in line with other European policy initiatives and complementary with other EU funding programmes, such as Daphne III, Progress and JPEN. However, such complementarity also entails a **risk of overlap** between these programmes;
- at the project level, synergies have been created with **other programmes of international donors** with similar objectives at EU and national levels.

3. Effectiveness

- the majority of the projects were able to achieve the planned results on time reach the expected target groups. **No significant obstacles** to the implementation of project's results or objectives were identified;

- existing project monitoring mechanisms during implementation do not ensure that feedback is given to grant recipients or that lessons learned, good practices or success factors have been identified.

4. Sustainability

- the dissemination of project results by the beneficiaries has been generally effective, with some restrictions. Nevertheless, the efforts undertaken by the Commission to disseminate the results of projects have been limited. The **lack of effective means for the Commission to share information concerning the FRC programme** was already mentioned in the mid-term evaluation. This evaluation did not find any additional communication resources and measures put in place;

- overall, the FRC programme's projects generated sustainable results in terms of continuation of activities and partnership building. However, whether project activities continued depended on the type of activity and whether continuation required further funding.

5. Efficiency

- in general, funding provided to action grants and operating grants appeared to be **sufficient**. Of the total funds allocated for action grants during the period 2007-2012, some 90% were committed and of that, 88% was spent, indicating an **acceptable absorption rate**. For operating grants, only 39% of the funds allocated was committed. However, the percentage of expenditures in relation to funds committed is the same as for action grants, 88%;

- as regards scope for simplification, overall **programme management was efficient**. Nevertheless, some organisations experienced difficulties during the application and implementation process.

6. European added value

- the programme has contributed to the development and strengthening of EU actions in the areas of freedom, security and justice, and in particular has responded to the need to protect fundamental rights and to promote EU citizenship. However, it has not yet been possible to indentify and measure EU added value in terms of impacts;

- transnational partnerships resulted in specific benefits, such as broadening the knowledge base of participating organisations and improving the dissemination of good practices.

Key recommendations: among the main recommendations made by the Commission following the *ex-post* evaluation of the programme are:

- the need to **better define priorities**: the Commission must invest more time and human resources in setting priorities in order to ensure that they can be achieved in an appropriate way;

- a **more realistic risk assessment** of projects and better risk mitigation strategies are needed;

- the need to **focus on the assessment of impacts** and not just the outputs of the programme;

- improving the **uptake of project outputs**, results and best practices by other organisations, in particular those based in other Member States, including the allocation of additional resources for translation, communication and **dissemination**;

- the need to **sharpen the programme's intervention logic** and to establish make the relations between the rationale, objectives, inputs, outputs, beneficiaries, expected outcomes and impacts more articulate, precise and concrete in any future continuation of the programme.