

## Rights, Equality and Citizenship

### In a nutshell

The Rights, Equality and Citizenship Programme aims to protect equality and the rights of persons, as enshrined in the Treaty on the Functioning of the European Union, the Charter of Fundamental Rights of the European Union (EU) and the international human rights conventions to which the European Union has acceded. The programme has nine specific objectives, ranging from the promotion of non-discrimination to the enforcement of consumers' rights, and funds a variety of actions, including awareness-raising and training activities, and support to key European actors involved in the protection of equality and the rights of persons (e.g. Member State authorities implementing European Union law).

### EU Multiannual Financial Framework (MFF) heading and policy area

Heading: Security and Citizenship

### 2014-2020 financial envelope (in current prices and as % of total MFF)

Commitments: €439.473 million (0.04%)

### 2014 budget (in current prices and as % of total EU budget)

Commitments: €54.7580 million (0.0384%)

Payments: €48.01 million (0.0345%)

### 2015 budget (in current prices and as % of total EU budget)

Commitments: €57.37 million (0.0354%)

Payments: €47.63 million (0.0337%)

### Methods of implementation

*Direct management (European Commission), indirect management (Agencies, bodies set up by the Communities, Joint management (with international organisations)*



### In this briefing:

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## EU role in the policy area: legal basis

The protection of human rights is a fertile field of regulation in the international legal arena. Since 1948, when the United Nations (UN) General Assembly adopted the Universal Declaration of Human Rights, an elaborate body of international human rights law has developed through state practice, the work of international courts, and agreement of multilateral treaties. Human rights law is currently enshrined in dozens of human rights treaties; it is protected by organisations as diverse as the UN, the Council of Europe or the African Union; it is addressed by vibrant political and academic debates; and, finally, it is targeted by unabated civil society activism.

Within EU borders, human rights are embedded in the EU treaties<sup>1</sup> and reinforced by the EU Charter of Fundamental Rights. These rights include protection of individual rights for EU citizens as well as promotion of equality and non-discrimination for all individuals in the EU.

The Rights, Equality and Citizenship Programme (RECP) for the period 2014-2020 was established with [Regulation \(EU\) No 1381/2013](#) of the European Parliament and the Council. The Programme replaced three Programmes in the field of security and citizenship, namely: the [Fundamental Rights and Citizenship Programme](#) – running from 2007 to 2014 and aiming to **strengthen the policy area of Freedom, Security and Justice**; the [Daphne Programmes](#) – three in total, running since 2000 and focused on assisting civil society organisations active in the field of fundamental rights and justice and disseminating information and knowledge against discrimination and violence; and the [Progress Programme](#) – running from 2007 to 2013 to support implementation of EU objectives in employment, social affairs and equal opportunities.<sup>2</sup>

## Objectives of the expenditure

The **general objective** of the RECP is to further develop an area of equality and the rights of persons as enshrined in the Treaty on the Functioning of the European Union (TFEU), the Treaty on European Union (TEU), the EU Charter of Fundamental Rights and international human rights conventions to which the EU has acceded.

A further nine specific objectives are divided in two groups. **Group I** includes the following: promotion of effective implementation and respect of the **principle of non-discrimination**; prevention and combating of all forms of **intolerance**; promotion and protection of the **rights of people with disabilities**; promotion of **gender equality** and advancement of **gender mainstreaming**.

**Group II** includes: prevention and combating of all forms of **violence** (e.g. against children, women and groups at risk); promotion and protection of the **rights of the child**; contribution to protection of **privacy** and personal data; promotion and enhancement of rights deriving from **citizenship of the Union**; and promotion and reinforcement of **consumers' rights**.

EU funds for Group I in 2014 amounted to **€31.15 million**. In 2015, Group I funding was approximately **€32.11 million**. Taken together, the 2014-2015 funds for Group I amount to **14.37%** of the total funding in the 2014-2020 period. Group II funding in 2014 was **€23 million**. In 2015, it received over **€24 million** in financial support. Taken together, the 2014-2015 funds for Group II amount to **10.73%** of the funding for 2014-2020.<sup>3</sup>

The specific RECP objectives are pursued by means of **four lines of action**, namely: **disseminating-knowledge** of the EU's underpinning values; **enhanced enforcement and monitoring** of EU law instruments at the Member State level; **cross-border cooperation**

and mutual knowledge; and **improvement of knowledge** and understanding of the exercise of rights enshrined in primary and secondary EU law.

### Funded actions

With a financial envelope set at **€439.473 million**, the RECP establishes **four main financing actions**. First are **analytical activities** – these include the collection and elaboration of data, as well as the publication of data, reports and other informative materials. Second are **training activities** – these include workshops and all online/offline tools for training purposes. Third is **cooperation and awareness-raising** – the broadest of the four actions. It includes actions as diverse as the exchange of good practices, the organisation of conferences and media campaigns, and the publication of informative materials. The fourth, and final financing action, is **support for main actors** involved in the Programme – this include support in areas/actions different from those in the first three; main actors include both actors from civil society, namely non-governmental organisations (NGOs), and actors from the public sector (Member States, regional and local authorities).

### The flexibility margin

All actions aimed at supporting Group I activities on the specific objectives share **57%** of the financial envelope, whereas actions included in Group II share **43%**. The European Commission, however, may exceed up to five percentage points for each group of specific objectives. Modifications above 5% (and within the 10% limit) are also possible, but can be empowered only through delegated acts of the European Commission to which the European Parliament and Council have no objection.

Furthermore, according to Article 9 of Regulation (EU) No 381/2013, the annual implementing measures should guarantee an appropriate and fair distribution of financial support across all areas – i.e. taking into account the funds allocated under the previous 2007-2013 Programmes, thus ensuring continuity of the actions funded.

### Grants and public procurement

The RECP is implemented through grants and public procurement. In 2014, **€38.76 million (71.57%** of the 2014 Programme funds) were awarded through grants and **€15.398 million (28.43%** of the 2014 Programme funds) were channelled through public procurement. In 2015, **€39.039 million** was awarded through grants (**69.31%** of the 2015 Programme funds) and **€17.284 million** was channelled through public procurement (**30.69%** of the 2015 Programme funds).

### Assessment of expenditure

Assessment of RECP expenditure is carried out by the European Commission, the EU Court of Auditors and the European Anti-Fraud Office (OLAF). Assessment activities include ex ante and ex post audits, investigations and inspections.

The RECP has not yet undergone major assessment of its expenditure. The European Commission carries out an **interim evaluation**, due in 2018. This is intended to monitor the implementation of the funded actions and how gender equality, non-discrimination and child protection issues have been addressed across the RECP actions. This interim evaluation is based on **eight indicators**, ranging from the number of persons and groups reached by activities funded by the RECP, cases of cross-border cooperation, geographical coverage and the number of applications and grants awarded.

Assessments exist for the funding programmes that were replaced by the RECP. The results of these assessments could be summarised in two streams. The majority of the assessments encouraged simplification of the existing programmes. In 2011, for

instance, the European Commission Directorate General for Justice published an [overall assessment](#) on the existing programmes in the field of justice and rights, putting forward proposals for further simplification to help build an EU area of justice. Other assessments point to the need to reduce the margin of error in administrative activities related to the funds. In 2009, for instance, the EU Court of Auditors [reported](#) a **10% error rate** in declared costs related to the Daphne II programme.

### Other EU Programmes and action in the same field

The EU has set in place a vast number of programmes aiming to fund actions related to the promotion and protection of human rights.<sup>4</sup> An example is the case of the **European Instrument for Democracy and Human Rights** (EIDHR), established with Regulation (EU) No 235/2014.<sup>5</sup> As in the case of the RECP, the EIDHR builds on previous programmes in the field, namely: the European Initiative for Democracy and Human Rights, running from 2000 to 2006, and the 2007-2013 EIDHR.

Although the RECP, and other EU programmes focused on the field of human rights and fundamental freedoms, may occasionally overlap in terms of field of action, they differ because of the range of intervention. The RECP is focused on the EU, whereas other EU Programmes are aimed at promoting democracy, the rule of law and respect for human rights outside EU borders.

Another example of an EU programme with a scope similar to that of the RECP is **Europe for Citizens**.<sup>6</sup> This aims to foster understanding of the EU's history and diversity, as well as encouraging citizens' direct participation in EU policies, and promoting dialogue between the EU institutions, civil society organisations and municipalities.

### Endnotes

<sup>1</sup> See, for instance, Article 19 of the Treaty on the Functioning of the European Union (TFEU) and Article 21 of the Charter of Fundamental Rights of the EU, concerning non-discrimination. The EU is also committed to promote the rights of the child, while combating discrimination (Article 3(3) of the TFEU).

<sup>2</sup> Two strands of the Progress Programme linked to individual rights: the Anti-discrimination and the Gender Equality strands.

<sup>3</sup> European Commission, 2014 [Annex I to the Commission Implementing Decision](#) concerning the adoption of the work programme for 2014 and the financing of the implementation of the Rights, Equality and Citizenship Programme; [2015 Overview](#) of the implementation of the Rights, Equality and Citizenship Programme.

<sup>4</sup> Article 21 TEU stipulates that the EU's action on the international scene shall be guided by the principles which have inspired its own creation, development and enlargement, including human rights and fundamental freedoms. [Regulation \(EU\) No 236/2014](#) aims to ensure the integration and consistency of all EU external action programmes.

<sup>5</sup> See A. Dobрева, [How the EU budget is spent: European Instrument for Democracy and Human Rights](#), European Parliamentary Research Service, European Parliament, 2015.

<sup>6</sup> See G. Sgueo, [How the EU budget is spent: Europe for Citizens](#), European Parliamentary Research Service, European Parliament, 2015.

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