

SENATE OF THE REPUBLIC

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RESOLUTION OF THE 1st STANDING COMMITTEE

(Constitutional affairs, affairs of the Prime Minister's office and home affairs, general legal system of the State and the civil service)

(Rapporteur MIRABELLI)

approved at the session of 6 July 2017

ON THE

Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL laying down the legal framework of the European Solidarity Corps and amending Regulations (EU) No 1288/2013, (EU) No 1293/2013, (EU) No 1303/2013, (EU) No 1305/2013, (EU) No 1306/2013 and Decision No 1313/2013/EU (COM (2017) 262 final)

pursuant to Article 144(1) and (6) of the Rules of Procedure

Sent to the President's Office on 10 July 2017

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The Committee,

having examined the Proposal for a Regulation pursuant to Article 144(1) and (6) of the Rules of Procedure,

whereas,

EU document COM (2017) 262 final contains a proposal for a Regulation laying down the legal framework for the European Solidarity Corps, created by the Commission on 7 December 2016 to reinforce cohesion and enhance solidarity in Europe by involving young people aged between 18 and 30 in solidarity activities, voluntary work and the development of their own skills by means of traineeships and jobs,

whereas:

the aim of the European Solidarity Corps is to provide young people with easily accessible opportunities for engagement in solidarity activities while improving their skills and competences for personal, educational, social, civic and professional development, as well as their employability and facilitating the transition to the labour market. The aim is also to ensure that the solidarity activities that are offered to the European Solidarity Corps participants contribute to addressing concrete, unmet societal needs and strengthening communities, are of high quality and properly validated;

in order to achieve these objectives, the European Solidarity Corps will organise solidarity placements, in the form of a volunteering activity, traineeship or job, as well as solidarity projects and network activities for individuals and organisations participating in the Corps. Secondly, measures to ensure the quality of these placements will be organised, including training and support (for example language or administrative support), and measures to create, maintain and keep up-to-date the European Solidarity Corps portal and other relevant online services;

the budget for the implementation of the European Solidarity Corps for the period from 1 January 2018 to 31 December 2020 will be EUR 341.5 million, three quarters of which will be funded by the reallocation of funds from existing programmes;

the criteria for the participation of the various countries, individuals and organisations are set out in the Proposal. The Proposal states in particular that the participating countries are the EU Member States and possibly other

countries on the basis of bilateral agreements. With regard to participation by organisations, the European Solidarity Corps will be open to the participation of public or private entities or an international organisation that carries out solidarity activities in the participating countries, provided that they have received a quality label certifying their adherence to the requirements of the European Solidarity Corps;

the Proposal states that the Commission, in cooperation with the participating countries, should regularly monitor the performance of the European Solidarity Corps towards achieving its objectives. In 2020, the Commission should publish a report taking stock of progress made. Moreover, four years after the date of application of the Regulation, the Commission should carry out an independent evaluation and present a report on the main findings to the European Parliament, the Council, the Committee of the Regions and the European Economic and Social Committee;

with regard to the management and audit system, the methodology proposed is a combination of direct management by the Commission, also using an executive agency on the basis of a cost/benefit analysis, and indirect management by the national agencies of the participating countries, on the basis of the existing Erasmus+ structures;

the proposal sets out the principles of the control system and establishes that the Commission will adopt the necessary measures to ensure that the protection of the financial interests of the Union is duly taken into account when actions financed under the European Solidarity Corps Regulation are implemented;

as part of the implementing provisions, the Commission has been delegated the power to adopt work programmes which contain a description of the actions to be financed, an indication of the amount allocated to each action, an indication of the distribution of funds between the participating countries for the actions to be managed through the national agencies and an indicative implementation timetable. For the adoption of the implementing acts, the Commission will be assisted by the committee established by Article 36 of Regulation (EU) No 1288/2013 of the European Parliament and of the Council establishing the Erasmus+ Programme,

also given that:

the proposal appears to comply with the subsidiarity principle, as its objective, namely to establish a European Solidarity Corps, cannot be sufficiently achieved by the Member States alone but can rather, by reason of its scale and effects, be better achieved at Union level;

in accordance with the principle of proportionality, the Proposal does not go beyond what is necessary in order to achieve its objectives,

issues a favourable opinion, pointing out the need to ensure that the action of the European Solidarity Corps is intended mainly to support those countries most exposed to emergency situations.

OPINION OF THE 14TH STANDING COMMITTEE

(EUROPEAN UNION POLICIES)
(Rapporteur: GINETTI)

6 July 2017

The Committee,

considering that the Proposal sets out a legal framework for the European Solidarity Corps and makes available for its implementation a total budget of EUR 341 500 000 for the period 1 January 2018 to 31 December 2020;

recalling that:

- the European Solidarity Corps was created by European Commission Communication COM(2016) 942 of 7 December 2016, with the aim of reinforcing cohesion and enhancing solidarity in Europe by involving more young people in voluntary work and work experience, on the basis of the conviction that “Solidarity is the glue that keeps our Union together” (Jean-Claude Juncker, State of the Union address on 14 September 2016);

- the European Solidarity Corps is based on a series of fundamental principles which must be acknowledged by the young participants and which refer, among other things, to respect for human dignity and human rights, the promotion of a fair and equal society, contribution to society, respect for the norms and practices which regulate the participating organisations and the voluntary choice of a young person to participate;

- the European Solidarity Corps comprises two complementary strands: the volunteering strand and the occupational strand. The first is intended to enhance the existing European Voluntary Service (EVS), financed by the Erasmus+ programme which, over the past 20 years, has involved some 100 000 young people. Other volunteering activities are financed by existing programmes such as LIFE, Europe for Citizens, the Asylum, Migration and Integration Fund, the European Agricultural Fund for Rural Development, the European Regional Development Fund and the Health programme. The occupational strand offers young people work, placement and apprenticeship opportunities, full time or part-time, in many sectors engaged in solidarity activities in their own country or abroad;

whereas the Proposal for a Regulation comprises 32 Articles in nine chapters. Specifically:

- Chapter I – “General Provisions” sets out the subject-matter, the definitions, the general and specific objectives of the European Solidarity Corps activities as well as the coherence and complementarity of Union action;

- Chapter II – “Actions of the European Solidarity Corps” provides a description of the activities envisaged for the achievement of the objectives of the proposed Regulation, including: solidarity placements in the form of

volunteering, traineeships or jobs; solidarity projects and networking activities; measures aimed at ensuring the quality of solidarity placements; support activities, such as the European Solidarity Corps portal;

- Chapter III – “Financial Provisions” sets out the budgetary envelope of the European Solidarity Corps for the 2018-2020 period, establishing it at EUR 341 500 000, and the envisaged forms of Union funding;

- Chapter IV – “Participation in the European Solidarity Corps” specifies criteria for the participating countries, individuals and organisations. Specifically, young people aged between 17 and 30 years, nationals of either Member States or other countries participating on the basis of bilateral agreements, may register on the portal. The organisations that may offer solidarity placements or activities to registered individuals are any public or private entity, or an international organisation that carries out solidarity activities in the participating countries, provided that they have received a quality label certifying their adherence to the requirements of the European Solidarity Corps;

- Chapter V – “Performance, Results and Dissemination” includes provisions for the Commission and the participating countries to ensure regular monitoring, reporting and evaluation of the performance of the European Solidarity Corps as well as to ensure the dissemination of information, publicity and follow-up with regard to all actions supported by the European Solidarity Corps.

- Chapter VI – “Management and Audit System” proposes a combined management model at national and European levels, with the national authorities designated to manage the Erasmus+ programme also serving as national authorities and national agencies for the European Solidarity Corps. The Commission will have to define the requirements for the work programme of the national agencies, while the norms to be applied to the relations between the Commission and the national agencies will have to be defined in a relevant document. The European Commission, partially also via the Education, Audiovisual and Culture Executive Agency, will manage actions to provide horizontal services to the European Solidarity Corps participants (e.g. the portal, online training, online linguistic support, insurance) as well as some of the actions, such as the quality label, placements (for certain types of organisations or placements) and networking activities (for European level activities);

- Chapter VII – “Control System” defines the principles of the supervisory system to ensure that the protection of the financial interests of the Union is duly taken into account when actions financed under the European Solidarity Corps Regulation are implemented;

- Chapter VIII – “Implementing Provisions” confers on the Commission the power to adopt work programmes by way of implementing acts, under the supervision of the committee of delegates of the Member States operating in the context of Erasmus+;

- Chapter IX – “Amending and final provisions” provides the necessary amendments to the basic acts of those programmes which redirect funds from their respective 2014-2020 financial envelopes to the European Solidarity Corps. The date of entry into force of the Regulation is set at 1 January 2018,

comments favourably, within its area of responsibility, with the following observations:

the legal basis has been correctly identified as Articles 165(4) and 166(4) TFEU, which provide for the ordinary legislative procedure for the adoption of measures intended, among other things at “encouraging the development of youth exchanges” and “encouraging the participation of young people in democratic life in Europe”, "improving initial and continuing vocational training in order to facilitate vocational integration and reintegration into the labour market" and "facilitating access to vocational training and encouraging mobility”, without providing for measures for the harmonisation of the legislative and regulatory provisions of the Member States.

the principle of subsidiarity is complied with as the objective of increasing young people’s participation in solidarity activities in the form of voluntary work and work experience by creating a European-level legal framework to enhance the tradition of solidarity present in the various European countries and exploit potential cross-border synergies, overcoming the current fragmentation, cannot be achieved by the Member States on their own;

the principle of proportionality is complied with as the Proposal restricts itself to the measures necessary to achieve the above-mentioned outcomes. The Proposal does not appear to represent an excessive administrative, procedural or financial burden on the State.

