

**STANDARD FORM OF EXPLANATORY MEMORANDUM FOR EUROPEAN UNION
LEGISLATION AND DOCUMENTS**

9993/18 REV1
COM(2018) 440 final

**Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND
OF THE COUNCIL establishing the European Solidarity Corps programme
and repealing [European Solidarity Corps Regulation] and Regulation (EU)
No 375/2014**

9993/18 ADD1
COM(2018) 440 annex

**ANNEX to the Proposal for a REGULATION OF THE EUROPEAN
PARLIAMENT AND OF THE COUNCIL establishing the European
Solidarity Corps programme and repealing [European Solidarity Corps
Regulation] and Regulation (EU) No 375/2014**

9993/18 ADD2
SWD(2018) 317 final

**COMMISSION STAFF WORKING DOCUMENT EX-ANTE EVALUATION
Accompanying the document Proposal for a REGULATION OF THE
EUROPEAN PARLIAMENT AND OF THE COUNCIL establishing the
European Solidarity Corps programme and repealing [European Solidarity
Corps Regulation] and Regulation (EU) No 375/2014**

9993/18 ADD3
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**COMMISSION STAFF WORKING DOCUMENT EXECUTIVE SUMMARY
OF THE EX-ANTE EVALUATION Accompanying the document Proposal
for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE
COUNCIL establishing the European Solidarity Corps programme and
repealing [European Solidarity Corps Regulation] and Regulation (EU) No
375/2014**

9993/18 ADD4
SWD(2018) 319 final

COMMISSION STAFF WORKING DOCUMENT CONCEPT NOTE - MAIN ACTIONS IMPLEMENTING THE EUROPEAN SOLIDARITY CORPS
Accompanying the document Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL establishing the European Solidarity Corps programme and repealing [European Solidarity Corps Regulation] and Regulation (EU) No 375/2014

Submitted by the Department for Digital Culture Media and Sport on 27th June 2018.

SUBJECT MATTER

1. The document outlines the Commission's initial proposal for the European Solidarity Corps in the next budget programming period 2021-27. The Draft Regulation included will form the basis of a Regulation to be adopted by the European Parliament and the Council. The first accompanying document (9993/18 ADD1) sets out the indicators for monitoring and reporting on the programme, the second and third (9993/18 ADD2, 9993/18 ADD3) outline the evaluation that was undertaken of the current programmes to inform the proposed programme and the fourth (9993/18 ADD4) summarises the strands of activities that will be offered under the Solidarity Corps in more detail.
2. The proposal largely represents continuity with the previous European Solidarity Corps Regulation which DCMS have previously submitted an Explanatory Memorandum on. The programme will offer young people the opportunity to take part in volunteering placements, traineeships and or jobs, to develop their own grass roots solidarity projects and to engage in networking opportunities. There will continue to be a focus on support for young people with fewer opportunities to access the programme and build their skills and facilitate their transition to the labour market.
3. The major proposed change will be the merging of the European Solidarity Corps with the EU Aid Volunteers (EUAV) initiative to create a new strand of volunteering activity under the Corps with a specifically humanitarian focus.
4. This change is designed to bring all EU level volunteering and other solidarity activity under one programme to create a 'one stop shop' for volunteering or one major EU level volunteering programme for young people. EU added value will be achieved through the centralised management of a global EU volunteering scheme.
5. There will be a single brand, communication activities and web platform for the scheme, and a single implementation mechanism through national agencies. This should lead to cost savings through the reduction of management costs and the use of national agencies with a track record of coordinating volunteering placements for young people under Erasmus+. It should also increase the speed at which young people are deployed to take part in humanitarian activities.

6. A common inclusion strategy to attract young people with fewer opportunities will also underpin the regulation.
7. To stop the dilution of the aspirations of the EU Aid Volunteer initiative, there is a separate chapter in the proposed regulation to outline particularities of humanitarian aid deployments.
8. In sum, the proposed regulation is designed *to enhance the engagement of young people and organisations in accessible and high quality solidarity activities as a means to contribute to strengthening cohesion, solidarity and democracy in Europe **and abroad** addressing societal **and humanitarian** challenges on the ground, with particular effort to promote social inclusion.* The emboldened elements are additions based on the incorporation of the EUAV initiative.
9. The other main changes based on evaluation are as follows:
 - a. **Wider geographical scope:** The current programme is just for member states. However, as per the Council General Approach December 2017, this proposal for the successor programme widens the geographical scope for the volunteering, networking activities and quality and support measures. These elements will be open to participation by members of the European Free Trade Association, which are members of the European Economic Area (EEA), acceding countries, candidates and potential candidates, countries covered by European Neighbourhood Policy and other third countries. The occupational strand will remain only available in the European Union due to Union market regulations which make it simpler and more transparent to have such placements in Member States.
 - b. **Inter-generational component:** The Commission notes that for the current two programs, there is limited alumni engagement. This proposals includes provision to ensure that there is an active alumni network and continued involvement in the Corps post participation for ESC participants in a mentoring and knowledge sharing capacity.
 - c. **Simplification:** The proposal includes changes to make it simpler for organisations to apply and young people to know what they are applying to. It would consider all participants under a common roster, improving the transparency and speed of the recruitment process and organisations and projects would use the same e-form to apply for the quality label and funding. This would simplify procedures for the organisations and reduce the overall management cost.

SCRUTINY HISTORY

10. An Explanatory Memorandum was submitted by the Department for Culture Media and Sport on 30/06/2017 on the proposal 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

11. The legal base for the current programme has not yet been ratified and is still being debated by the three institutions. We expect adoption to take place later this month, at which point we will write to the Scrutiny committees outlining the main changes in the regulation since our previous correspondence.

MINISTERIAL RESPONSIBILITY

12. The Minister for Sport and Civil Society in the Department for Digital, Culture Media and Sport has responsibility for this policy area.

INTEREST OF THE DEVOLVED ADMINISTRATIONS

13. Youth policy is a devolved matter and the Devolved Administrations have been consulted on the preparation of this EM.

LEGAL AND PROCEDURAL ISSUES

i. Legal basis

The current European Solidarity Corps is based on articles 165 and 166 of the Treaty on the Functioning of the European Union, while the EU Aid Volunteers is based on article 214.

ii. European Parliament Procedure

The Regulation will be implemented using the Ordinary Legislative Procedure

iii. Voting procedure

The Regulation will be considered under qualified majority voting in the Council.

iv. Impact on United Kingdom Law

If the UK were to negotiate to participate in the programme following EU Exit, we would need to fulfil certain obligations (e.g. on accounting, audit etc.) but these obligations would not necessarily need to impact on UK law.

v. Application to Gibraltar

This measure does apply to Gibraltar.

vi. Fundamental rights analysis

No fundamental rights issues arise as a result of this proposed regulation. The proposal states that it is full consistent with the Charter of Fundamental Rights of the EU, which acknowledges that solidarity is one of the universal values on which the EU is founded.

APPLICATION TO THE EUROPEAN ECONOMIC AREA

14. The volunteering, networking activities and quality and support measures set out in the proposed regulation are open to members of the European Free Trade Association, which are members of the European Economic Area (EEA) in accordance with the conditions laid down in the European Economic Area agreement.

SUBSIDIARITY

15. In line with the subsidiarity principle, the proposal respects Member States' overall responsibility for youth policy, the European Solidarity Corps does not compete with or replace similar actions by Member States but will serve to complement and support them.

POLICY IMPLICATIONS (including Exit implications where appropriate)

16. On 23 June 2016, the EU referendum was held and the people of the United Kingdom voted to leave the European Union. The Government respected the result and triggered Article 50 of the Treaty on European Union on 29th March 2017 to begin the process of exit. Until exit negotiations are concluded, the UK remains a full member of the European Union and all the rights and obligations of EU membership remain in force. During this period the Government will also continue to negotiate, implement and apply EU legislation. .
17. The Joint Report of 8 December 2017^[1] on progress during phase 1 of negotiations sets out the principles regarding the UK's rights and obligations in respect of the EU budget following its withdrawal. In the context of the wider Article 50 negotiations, these principles will become legally binding through a Withdrawal Agreement.
18. Negotiations on EU programmes starting in the next Multiannual Financial Framework are primarily a matter for the 27 remaining member states, as the UK will no longer be a member state of the European Union when it begins in 2021.
19. As the Prime Minister made clear in Florence and in subsequent speeches, the UK will want to continue working with the EU in ways that promote the long-term economic development of our continent. This includes continuing to

take part in those specific policies and programmes which are greatly to the UK and the EU's joint advantage.

20. As the Prime Minister has also made clear, in relation to any UK participation in policies and programmes in the next MFF, the UK would obviously want to make an ongoing contribution to cover our fair share of the costs involved and the exact terms would be subject to negotiation.
21. The large degree of continuity reflected in the proposed regulation means that there are limited policy implications were we to take part in the new programme. We would continue to work to ensure that the European Solidarity Corps complemented national programmes such as the National Citizen Service and that it was seen as an extension opportunity to previous participants of social action programmes and part of the continuous social action journey that the UK is committed to encouraging.
22. However, implementation of the regulation would involve closer working between the Department for Digital Culture Media and Sport and the Department for International Development to ensure that the humanitarian aspect of the programme is properly incorporated into the Corps and that seamlessly branded, promoted and coordinated opportunities are offered to young people and participating organisations via the UK national agency.
23. The humanitarian strand of volunteering will have to comply with the age range specified for the current European Solidarity Corps, which is for young people aged 18-30. The EU Aid Volunteers initiative is for anyone over the age of 18. 60% of EUAV placements already comply with these age ranges, and the Commission are confident that positions can be easily filled through participants within the 18-30 age bracket.
24. The widened geographical scope for the networking and volunteering activities would also mean that the UK national agency would have to work with an increased global network of partner organisations to deliver the Corps. This change is in line with the UK's commitment to sharing best practice and engaging with countries across the globe to exchange best practice.

CONSULTATION

25. The Commission has consulted with a range of stakeholders to design the next iteration of the programme. A meeting with key stakeholders was held on 30th January 2018 and gave parties an opportunity to feedback on the design and implementation of the Solidarity Corps.
26. An open public consultation launched by the Commission in January ran up until 9th March 2018. This exercise collected views on the performance of current programmes, the future direction of these programmes and insights on how to make the most of EU funding. 7% of these responses were concerning the European Solidarity Corps and the EU Aid Volunteers initiative. These insights are reflected in the ex ante evaluation of the two programmes.

IMPACT ASSESSMENT

27. Given that the content of the proposal is consistent with the existing European Solidarity Corps the Commission have not carried out an impact assessment. The Commission have compiled an *ex ante* evaluation which outlines the lessons learnt from previous programmes, the objectives for and structure of the future programme, future delivery mechanisms and how performance will be monitored and evaluated.

FINANCIAL IMPLICATIONS

28. The current proposal sets out an attached budget for the Solidarity Corps of EUR 1 260 000 000.
29. There are no direct financial implications for the UK from these proposals. As set out above, where it would be in the mutual interest of the UK and the EU for the UK to participate in an EU programme, the UK would make an ongoing contribution to cover our fair share of the costs involved in any participation. The exact terms would be subject to negotiation.

TIMETABLE

30. The proposal will be discussed at Council Youth Working Parties under the incoming Austrian Presidency. It is not clear how long it will take before the proposed Regulation proceeds to the legislative procedure, and we await a more detailed timeline for discussion and adoption from the Austrian presidency.

MINISTERIAL NAME AND SIGNATURE



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