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Subject: 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 (First reading)
- *General approach*

Delegations will find attached the text of the general approach that was agreed at the Education, Youth, Culture and Sport Council on 20 November 2017.¹

¹ The text was supported by all delegations with the exception of Italy. The Commission also maintained a reservation on the budgetary provisions.

**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**

**CHAPTER I
GENERAL PROVISIONS**

Article 1

Subject-matter

1. This Regulation lays down the legal framework for the European Solidarity Corps, which shall enhance engagement of young people and organisations in accessible and high-quality solidarity activities with a view to contribute to strengthening cohesion, solidarity and democracy in Europe, with particular effort to promote social inclusion.²
2. The European Solidarity Corps shall pursue its objectives through volunteering, traineeships, jobs, solidarity projects, networking activities as well as through quality and support measures. These solidarity activities shall be implemented in accordance with specific requirements set for each type of activity carried out in the framework of the European Solidarity Corps as well as with applicable regulatory frameworks in participating countries.

² Recital 4a to be included, explaining that this Regulation includes the establishment of a programme for Union action called the European Solidarity Corps as a basis for effecting positive societal change through support to communities of individuals and entities committed to enhancing solidarity across Europe. It thus provides a financial instrument of Union action established with a view to enter into force from (date tbc) on continuous basis and also lays the basis for Corps as community, as a source for inspiration for a stronger spirit of solidarity in Europe through the wider impact of activities of the European Solidarity Corps.

3. The European Solidarity Corps shall support those solidarity activities which present a clear European added value, for example through their:
- a) transnational character, particularly with regard to learning mobility and cooperation;
 - b) ability to complement with other programmes and policies at local, regional, national, Union and international level;
 - c) European dimension regarding the topics, aims, approaches, expected outcomes and other aspects of these solidarity activities;
 - d) approach to involve young people from different backgrounds;
 - e) contribution to the effective use of Union transparency and recognition tools.

Article 2

Definitions

For the purposes of this Regulation, the following definitions shall apply:

- (1) “*solidarity activity*” means a high-quality temporary activity contributing to the achievement of the objectives of the European Solidarity Corps. Such activities may take the form of volunteering, traineeships, jobs, solidarity projects and networking activities in various fields, ensuring the European added value and compliance with health and safety regulations. Such solidarity activities include a solid learning and training dimension through relevant activities that can be offered to participants before, during and after the solidarity activity. However, the following activities cannot be considered as solidarity activities in the context of the European Solidarity Corps: activities that are part of curricula in formal education, vocational education and training systems and activities for emergency response. Such solidarity activities must not interfere with the functioning of the labour market;
- (1a) “*registered candidate*” means an individual aged between 17 and 30 years, who is legally residing in participating country and has registered in the European Solidarity Corps Portal to express the interest to get engaged in a solidarity activity but is not yet participating in such activity;

- (2) “participant” means an individual aged between 18 and 30 years, who is legally residing in participating country, has registered in the European Solidarity Corps Portal and takes part in a solidarity activity under the European Solidarity Corps;
- (3) “*young people with fewer opportunities*” means individuals who need additional support due to their disadvantage compared to their peers because of various obstacles, for example disability, educational and learning difficulties, economic obstacles, cultural differences, health problems, social obstacles or geographical obstacles;
- (4) “*participating organisation*” means any public or private entity, whether local, regional, national or international, that has been attributed the European Solidarity Corps quality label, ensuring that this organisation is able to implement the high-quality solidarity activities in accordance with the objectives of the European Solidarity Corps. Based on this, participating organisation offers a volunteering, traineeship or job opportunity to a participant in the European Solidarity Corps or implements other activities in the framework of the European Solidarity Corps as a host and/or in a support function;
- (5) [...]
- (6) “*volunteering*” means a solidarity activity as referred to in paragraph 1, taking place as voluntary unpaid³ activity for a period of up to twelve months. This provides young people with the opportunity to contribute to the daily work of organisations in solidarity activities to the ultimate benefit of the communities within which the activities are carried out, either in a country other than the country of residence of the participant (cross-border) or in the country of residence of the participant (in-country). Such volunteering must not substitute traineeships and/or jobs and must be based on written volunteering agreement;

³ Recital to be included explaining that in the context of volunteering and solidarity projects the term „unpaid“ refers to the principle that the expenditures arising from participating in such solidarity activities are to be financially compensated, but not meant to provide salaries and economic benefit to participants of such solidarity activities.

- (7) “activities by volunteering teams” means solidarity activities as referred to in paragraphs 1 and 6, allowing teams of European Solidarity Corps participants from different participating countries to volunteer together for a period between two weeks and two months. Such solidarity activities could especially contribute to the inclusion of young people with fewer opportunities in the European Solidarity Corps and/or be justified due to the specific aims of the solidarity activities;
- (8) “*traineeship*” means a solidarity activity as referred to in paragraph 1, for a period from two to twelve months that is offered and paid by the participating organisation hosting the European Solidarity Corps participant, either in a country other than the country of residence of the participant (cross-border) or in the country of residence of the participant (in-country). Such traineeships shall include a learning and training component and be based on a written traineeship agreement in accordance with the applicable regulatory framework of the country where the traineeship takes place, as appropriate, and taking into account the principles of the Quality Framework for Traineeships (2014/C 88/01). Such traineeships must not substitute jobs;
- (9) “*job*” means a solidarity activity as referred to in paragraph 1, for a period from two to twelve months, paid by the participating organisation employing the European Solidarity Corps participant, either in a country other than the country of residence of the participant (cross-border) or in the country of residence of the participant (in-country). Such jobs shall include a learning and training component and be based on an employment contract in accordance with the national regulatory framework of the participating country where the job is being carried out;

- (10) “solidarity project” means an unpaid⁴ in-country solidarity activity as referred to in paragraph 1, for a period of up to twelve months. Such solidarity projects are carried out by groups of at least five European Solidarity Corps participants, with a view to addressing key challenges within their communities while presenting a clear European added value. Such solidarity projects must not substitute traineeships and/or jobs;
- (10a) “*networking activities*” means an in-country or cross-border solidarity activity as referred to in paragraph 1, aimed at reinforcing the capacities of the participating organisations to offer good quality projects to an increasing number of European Solidarity Corps participants, aim to attract newcomers - both young people and participating organisations - and provide opportunities to give feedback on solidarity activities. Such networking activities may also contribute to exchange of experiences and strengthening the sense of belonging among the individuals and entities participating in the European Solidarity Corps and thus support its wider positive impact.
- (11) “*quality label*” means the certification attributed to a participating organisation willing to provide solidarity activities under the European Solidarity Corps, in the role of a host and/or in a support function. The quality label certifies that participating organisation is able to ensure the quality of solidarity activities in accordance with the objectives of the European Solidarity Corps. Specific requirements to receive such a quality label may vary depending on the type of solidarity activity and/or the type of the participating organisation;
- (12) [...]
- (13) “*European Solidarity Corps Resource Center*” means the additional functions performed by a designated national agency to support the development, implementation and quality of activities under the European Solidarity Corps as well as the identification of the competences acquired by the participants through their solidarity activities;

⁴ Recital to be included explaining that in the context of volunteering and solidarity projects the term "unpaid" refers to the principle that the expenditures arising from participating in such solidarity activities are to be financially compensated, but not meant to provide salaries and economic benefit to participants of such solidarity activities.

(14) "European Solidarity Corps Portal" means a web-based tool managed under the responsibility of the European Commission that provides relevant online services to support the quality implementation of the European Solidarity Corps, including providing information about the European Solidarity Corps, registering participants, searching for participants, advertising and searching for solidarity activities, searching for potential project partners, support contact making and offers for solidarity activities, training, communication and networking activities, informing and notifying about opportunities, as well as other relevant developments related to the European Solidarity Corps.

(14a) "*Union transparency and recognition tools*" means instruments that help stakeholders to understand, appreciate and, as appropriate, recognise non-formal and informal learning outcomes throughout the Union.

Article 3

General objective

The general objective of the European Solidarity Corps is 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, while also responding to societal challenges, with particular effort to promote social inclusion. It will thus also contribute to European cooperation relevant to young people.

Article 4

Specific objectives

The European Solidarity Corps shall pursue the following specific objectives:

- (a) to provide young people, with the support of participating organisations, with easily accessible opportunities for engagement in solidarity activities effecting positive societal change while improving their competences for personal, educational, social, civic and professional development as well as facilitating their active citizenship, employability and transition into the labour market;

- (b) to ensure that the solidarity activities that are offered to the European Solidarity Corps participants are properly validated;
- (c) to ensure that particular efforts are made to promote social inclusion and equal opportunities, in particular for the participation of young people with fewer opportunities through a range of special measures⁵;
- (d) to contribute to European cooperation relevant to young people and raising awareness of its positive impact.

Article 5

Complementarity of Union action

1. The actions of the European Solidarity Corps shall be consistent with and complementary to the relevant Union level policies, programmes, instruments as well as existing Union level networks pertinent to the activities of the European Solidarity Corps.
2. The actions of the European Solidarity Corps shall also be consistent with and complementary to the relevant national level policies, programmes and instruments in the participating countries. To this end, the Commission, national authorities and national agencies shall exchange information on existing national schemes and priorities related to solidarity and youth, on the one hand, and actions under the European Solidarity Corps, on the other hand, with a view to build on relevant good practices and achieve efficiency and effectiveness.⁶
3. Other Union programmes may also contribute to the objectives of the European Solidarity Corps by supporting activities within its scope. This contribution shall be financed in accordance with their respective basic acts.

⁵ Recital 24 to be amended by adding “Special attention should be paid to ensuring that the activities supported by the European Solidarity Corps are accessible to all young people, notably to the ones with fewer opportunities. Special measures like additional training, mentoring, special financial support, etc. should therefore be put in place”

⁶ Recital 6 to be amended to highlight the need to foster coherence between the EU and participating countries with a view to enhance and enrich the impacts and qualities of already existing policies, instruments, schemes, etc., and the European Solidarity Corps and to foster loyal cooperation between the existing national solidarity schemes and the European Solidarity Corps.

CHAPTER II

ACTIONS OF THE EUROPEAN SOLIDARITY CORPS

Article 6

Actions of the European Solidarity Corps

The European Solidarity Corps shall pursue its objectives through the following types of actions:

- (a) volunteering, traineeships, jobs, solidarity projects and networking activities
- (b) quality and support measures.

Article 7

Volunteering, traineeships, jobs, solidarity projects and networking activities

1. This Action shall support:
 - a) volunteering, traineeships, jobs. These would include both individual cross-border and in-country activities. For volunteering also activities involving teams of participants from different participating countries shall be supported;
 - b) solidarity projects at the initiative of European Solidarity Corps participants;
 - c) networking activities for individuals and organisations participating in the European Solidarity Corps.

2. Volunteering activities under the European Voluntary Service will continue to be carried out both under Regulation 1288/2013 and under the European Solidarity Corps, as appropriate. References to the European Voluntary Service in EU legislation in particular Directive 2016/801 shall be read as including voluntary activities under both Regulation 1288/2013 and this Regulation⁷.

⁷ Last sentence of Recital 9 to be amended as follows: With respect to the interpretation of Union legislation (Directive 2016/801)*, both crossborder volunteering activities under the European Solidarity Corps and the volunteering activities under Regulation 1288/2013 should replace the European Voluntary Service.

*Directive 2016/801 applies only to Member States bound by that Directive.

Article 8

Quality and support measures

This Action shall support:

- (a) measures aimed at ensuring the quality of volunteering, traineeships or jobs, including training, language support, administrative support for participants and participating organisations, complementary insurance, support before and/or after the solidarity activity as well as the development of a certificate that identifies and documents the competences acquired during the solidarity activities⁸;
- (b) the development and maintenance of a quality label for entities willing to provide solidarity activities for the European Solidarity Corps;
- (c) the activities of a European Solidarity Corps Resource Centre to support and raise the quality of the implementation of the actions of the European Solidarity Corps and enhance the validation of their outcomes;
- (d) the establishment, maintenance and updating of the European Solidarity Corps Portal and other relevant online services as well as the necessary IT support systems and web-based tools.

⁸ Recital 14 to be amended so that, as appropriate and as much as possible, the use of existing instruments such as Youthpass, should be taken into account.

[CHAPTER III]

FINANCIAL PROVISIONS

Article 9

Budget

1. The overall budget available for the implementation of the European Solidarity Corps is set at EUR 433 500 000⁹ in current prices, for the period from 1 January 2018 until 31 December 2020.
2. The financing of the amount referred to in paragraph 1¹⁰ is limited to redeployments under Heading 1a of the Multiannual Financial Framework 2014-2020¹¹.
3. The financial support to solidarity activities referred to in paragraphs (a) and (b) of Article 7(1) shall indicatively be 80% for volunteering and solidarity projects; and 20% for either traineeships and/or jobs or both¹² with a maximum of 20% for in-country activities.
4. The financial allocation may also cover expenses pertaining to preparatory, monitoring, control, audit and evaluation activities which are required for the management of the European Solidarity Corps and the achievement of its objectives, in particular, studies, meetings of experts and information and communication actions, expenses linked to the establishment, maintenance and updating of the European Solidarity Corps Portal and the necessary IT support systems, and all other technical and administrative assistance expenses incurred by the Commission for the management of the European Solidarity Corps.
5. If necessary, appropriations may be entered in the budget beyond 2020 to cover similar expenses, in order to enable the management of actions not yet completed by 31 December 2020.

⁹ With the expansion of the geographical scope as agreed unanimously by the delegations, the overall budget for the ESC will be approximately 433 500 000 euros (exact figure to be verified).

¹⁰ This financial envelope constitutes the *prime reference amount* within the meaning of point 17 of the Interinstitutional Agreement (2013/C 373/01) between the European Parliament, the Council and the Commission on budgetary discipline, on cooperation in budgetary matters and on sound financial management.

¹¹ (EU) No 1311/2013

¹² In the light of the verification of the final budget amount, the percentages will also be verified.

6. A participating country may make national funding available to beneficiaries to be managed in accordance with the rules of the European Solidarity Corps and, to this end, use the decentralised structures of the European Solidarity Corps, as long as it ensures the complementary pro rata funding of these structures.

Article 10

Forms of Union funding

1. European Solidarity Corps funding may be provided in one or more of the forms laid down in Regulation (EU, Euratom) No 966/2012, in particular grants, procurement and prizes.
2. The Commission may implement the European Solidarity Corps indirectly in accordance with Article 58(1)(c) of Regulation (EU, Euratom) No 966/2012.

CHAPTER IV

PARTICIPATION IN THE EUROPEAN SOLIDARITY CORPS

Article 11

Participating countries

1. The European Solidarity Corps shall be open to the participation of the following countries (the 'Participating countries') as follows:
 - 1.1. Volunteering, traineeships, jobs, solidarity projects and networking activities as referred to in Article 2 shall be open to the participation of the Member States.
 - 1.2. Volunteering and networking activities as referred to in Article 2 shall be open to the participation of:
 - (a) the Member States
 - (b) the acceding countries, candidate countries and potential candidates benefiting from a pre-accession strategy, in accordance with the general principles and general terms and conditions for the participation of those countries in Union programmes established in the respective framework agreements, Association Council decisions or similar agreements;

- (c) those EFTA countries that are party to the EEA Agreement, in accordance with the provisions of that agreement;
- (d) the Swiss Confederation, on the basis of a bilateral agreement to be concluded with that country;
- (e) those countries covered by the European neighbourhood policy which have concluded agreements with the Union providing for the possibility of their participation in the Union's programmes, subject to the conclusion of a bilateral agreement with the Union on the conditions of their participation in the Programme.

1a. The countries referred to in Article 11 (1.2) shall be subject to all the obligations, and shall fulfil all the tasks set out in this Regulation in relation to Member States.

1b. The European Solidarity Corps shall support cooperation with partner countries, in particular neighbourhood countries, in activities as referred to in Articles 2 (6) and 2 (11).

2. [...]

Article 12

Participation of individuals

1. Young people aged 17 to 30 years willing to participate in the European Solidarity Corps shall register in the European Solidarity Corps Portal. However, at the moment of commencing volunteering, traineeship, job or a solidarity project a young person shall be at least 18 years of age and not older than 30.

2. [...]

Article 13

Participating organisations

1. The European Solidarity Corps shall be open to the participation of public or private entities, provided that they have received a European Solidarity Corps quality label.
2. An application from an entity to become a European Solidarity Corps participating organisation shall be assessed by the competent implementing body of the European Solidarity Corps in order to ascertain that its activities adhere to the requirements of the European Solidarity Corps.
3. As a result of the assessment the entity may be attributed the European Solidarity Corps quality label. The obtained label shall be re-assessed periodically and may be revoked.
4. Any entity which has received the European Solidarity Corps quality label shall be given access to the European Solidarity Corps Portal in the role of a host and/or in a support function, and make offers for solidarity activities to registered individuals.
5. The European Solidarity Corps quality label shall not automatically lead to funding under the European Solidarity Corps.
6. The solidarity activities and related quality and support measures offered by a participating organisation may receive funding under the European Solidarity Corps or under another Union programme autonomously contributing to the objectives of the European Solidarity Corps and respecting its requirements or from other funding sources which do not depend on the Union budget.

Article 14

Access to the European Solidarity Corps funding

Any public or private entity established in a participating country as well as international organisations carrying out solidarity activities in the participating countries may apply for funding under the European Solidarity Corps. In the case of the activities referred to in point (a) of Article 7(1), a quality label shall be obtained by the participating organisation as a pre-condition for receiving funding under the European Solidarity Corps. In the case of the solidarity projects referred to in point (b) of Article 7(1), natural persons may also apply for funding on behalf of informal groups of European Solidarity Corps participants.

CHAPTER V

PERFORMANCE, RESULTS AND DISSEMINATION

Article 15

Monitoring and evaluation of performance and results

1. The Commission, in cooperation with the national authorities and national agencies in Member States, shall regularly monitor the performance of the European Solidarity Corps towards achieving its general and specific objectives.
2. Based on the minimum framework of indicators set up in the Annex to this Regulation, at the latest six months after the entry into force of this Regulation, the Commission in cooperation with Member States shall establish a detailed programme for monitoring the outputs, results and impacts of the European Solidarity Corps, which shall include an extended set of qualitative and quantitative indicators for that purpose, as well as timeline and methodology for such monitoring. This shall be done by way of an implementing act adopted in accordance to the examination procedure referred to in Article 25.2.
3. In 2020 the Commission shall publish a report taking stock of the progress made towards achieving the objectives of the European Solidarity Corps.
4. Four years after the date of application of this Regulation the Commission shall carry out an independent evaluation of this Regulation 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.

Article 16

Communication and dissemination

1. The Commission, in cooperation with national authorities and national agencies in Member States shall ensure the dissemination of information, publicity and follow-up with regard to all actions supported in the framework of the European Solidarity Corps.
2. The national agencies referred to in Article 20 shall develop policies with regard to effective outreach as well as dissemination and exploitation of results of activities supported under the actions they manage.
3. Communication activities shall also contribute to the corporate communication of the political priorities of the Union, provided that they are related to the general objective of this Regulation.
4. Participating organisations shall use the brand name “European Solidarity Corps” for the purposes of communication and dissemination of information.

CHAPTER VI

MANAGEMENT AND AUDIT SYSTEM

Article 17

Implementing bodies

This Regulation shall be implemented in a consistent manner by:

- (a) the Commission at Union level;
- (b) the national agencies at national level in the participating countries.

Article 18

National authority

In each country participating in the European Solidarity Corps, the national authorities designated for the management of actions referred to in Chapter III of Regulation (EU) No 1288/2013 shall also act as national authorities in the framework of the European Solidarity Corps. Paragraphs 1¹³, 3, 8, 9, 11, 12, 13, 14, 15 and 16 of Article 27 of that Regulation shall apply to the European Solidarity Corps by analogy.

¹³ Recital to be included explaining that the national authorities, as designated for the management of actions in Chapter III of Regulation (EU) No 1288/2013, shall also act as national authorities in the context of the European Solidarity Corps. It does not, however, prevent the designation of more than one national authority in accordance with national law and practice (based on Article 27(1) of Regulation (EU) No 1288/2013). It goes without saying that should the participating country wish to replace the national authority during the course of the Programme's lifetime, the procedures apply as referred to in Article 27(2) of that Regulation.

Article 19

Independent audit body

1. The national authority shall designate an independent audit body. The independent audit body shall issue an audit opinion on the yearly management declaration referred to in Article 60(5) of Regulation (EU, Euratom) No 966/2012.
2. The independent audit body shall
 - (a) have the necessary professional competence to carry out public sector audits;
 - (b) ensure that its audits take account of internationally accepted audit standards;
 - (c) not be in a position of conflict of interest with regard to the legal entity of which the national agency referred to in Article 20 forms part and be independent, in terms of its functions, of the legal entity of which the national agency forms part.
3. The independent audit body shall give the Commission and its representatives, as well as the Court of Auditors, full access to all documents and reports in support of the audit opinion that it issues on the national agency's yearly management declaration.

Article 20

National agency

1. In each country participating in the European Solidarity Corps, the national agencies designated for the management of the actions referred to in Chapter III of the Regulation (EU) No 1288/2013 in their respective countries shall also act as national agencies in the framework of the European Solidarity Corps.

Paragraphs 1, 2, 5, 6, 7 and 8 of Article 28 of Regulation (EU) No 1288/2013 shall apply to the European Solidarity Corps by analogy.

2. Without prejudice to Article 28(3) of Regulation (EU) No 1288/2013, the national agency shall also be responsible for managing all stages of the project lifecycle of those actions of the European Solidarity Corps listed in the implementing acts referred to in Article 24, in accordance with point (c)(v) and (vi) of Article 58(1) of Regulation (EU, Euratom) No 966/2012 and with Article 44 of Commission Delegated Regulation (EU) No 1268/2012¹⁴.
3. [...]

Article 21

European Commission

1. The rules applying to the relationship between the Commission and a national agency shall be laid down, in accordance with the rules in Article 28 of Regulation (EU) No 1288/2013, in a written document which shall:
 - (a) stipulate the internal control standards for national agencies and the rules for the management of the Union funds for grant support by the national agencies;
 - (b) include the national agency work programme comprising the management tasks of the national agency to which Union support is provided;
 - (c) specify the reporting requirements for the national agency.
2. The Commission shall each year make the following funds available to the national agency:
 - (a) funds for grant support in the participating country concerned for the actions of the European Solidarity Corps the management of which is entrusted to the national agency;
 - (b) a financial contribution in support of the management tasks of the national agency defined according to the modalities described in point (b) of Article 29(4) of Regulation (EU) No 1288/2013.

¹⁴ Commission Delegated Regulation (EU) No 1268/2012 of 29 October 2012 on the rules of application of Regulation (EU, Euratom) No 966/2012 of the European Parliament and of the Council on the financial rules applicable to the general budget of the Union, OJ L 362, 31.12.2012, p. 1.

3. The Commission shall lay down the requirements for the national agency work programme. The Commission shall not make European Solidarity Corps funds available to the national agency before having formally approved the national agency's work programme, taking into account the principles as set out in the Articles 5(2) and 24.
4. On the basis of the compliance requirements for national agencies referred to in Article 27(4) of Regulation (EU) No 1288/2013, the Commission shall review the national management and control systems, the national agency's management declaration and the opinion of the independent audit body thereon, taking due account of the information provided by the national authority on its monitoring and supervision activities with regard to the European Solidarity Corps.
5. After assessing the yearly management declaration and the opinion of the independent audit body thereon, the Commission shall address its opinion and observations to the national agency and the national authority.
6. In the event that the Commission cannot accept the yearly management declaration or the independent audit opinion thereon, or in the event of unsatisfactory implementation by the national agency of the Commission's observations, the Commission may implement any precautionary and corrective measures necessary to safeguard the Union's financial interests in accordance with Article 60(4) of Regulation (EU, Euratom) No 966/2012.
7. The Commission shall organise regular meetings and trainings with/for the network of national agencies in order to ensure coherent implementation of the European Solidarity Corps across all participating countries.

CHAPTER VII

CONTROL SYSTEM

Article 22

Principles of the control system

1. The Commission shall take appropriate measures ensuring that, when actions financed under this Regulation are implemented, the financial interests of the Union are protected by the application of measures to prevent fraud, corruption and any other illegal activities, by effective controls and, if irregularities are detected, by the recovery of the amounts wrongly paid and, where appropriate, by effective, proportionate and dissuasive penalties.
2. The Commission shall be responsible for the supervisory controls with regard to the European Solidarity Corps actions managed by the national agencies. It shall set the minimum requirements for the controls by the national agency and the independent audit body.
3. National agencies shall be responsible for the primary controls of grant beneficiaries for the actions of the European Solidarity Corps which are entrusted to them. Those controls shall give reasonable assurance that the grants awarded are used as intended and in compliance with the applicable Union rules.
4. With regard to the funds transferred to the national agencies, the Commission shall ensure proper coordination of its controls with the national authorities and the national agencies, on the basis of the single audit principle and following a risk-based analysis. This provision shall not apply to investigations carried out by the European Anti-Fraud Office (OLAF).

Article 23

Protection of the financial interests of the Union

1. The Commission or its representatives and the European Court of Auditors shall have the power to conduct audits, on the basis of documents and on the spot, in relation to all grant beneficiaries, contractors, subcontractors and other third parties who have received Union funds. They may also conduct audits and carry out controls in relation to the national agencies.
2. OLAF may carry out on-the-spot controls and inspections of economic operators concerned directly or indirectly by such funding in accordance with the procedure laid down in Council Regulation (Euratom, EC) No 2185/96¹⁵, with a view to establishing whether there has been fraud, corruption or any other illegal activity affecting the financial interests of the Union in connection with a grant agreement or grant decision or a contract concerning Union funding.
3. Without prejudice to paragraphs 1 and 2, cooperation agreements with third countries and international organisations, and grant agreements, grant decisions and contracts resulting from the implementation of this Regulation, shall expressly empower the Commission, the Court of Auditors and OLAF to conduct such audits and carry out on-the-spot controls and inspections.

¹⁵ Council Regulation (Euratom, EC) No 2185/96 of 11 November 1996 concerning on-the-spot checks and inspections carried out by the Commission in order to protect the European Communities' financial interests against fraud and other irregularities, OJ L 292, 15.11.1996, p. 2.

CHAPTER VIII

IMPLEMENTING PROVISIONS

Article 24

Implementation of the European Solidarity Corps

1. In order to implement this Regulation, the Commission shall adopt work programmes, taking into account the priorities under the national solidarity policies, where such information is transmitted to the Commission, by way of implementing acts. Each work programme shall ensure that the general and specific objectives set out in Articles 3 and 4 are implemented in a consistent manner and shall outline the expected results, the method of implementation and its total amount. The work programmes shall also 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.
 - 1.a. For the budget managed through the national agencies, the implementing act shall allow the national agencies to allocate amounts between the main in-country and cross-border actions in a manner that is coherent with the priorities identified by the national solidarity policies, in accordance with Article 9(3) and within the limits established in the work programmes.
2. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 25(2).

Article 25¹⁶

Committee procedure

1. The Commission shall be assisted by the committee established by Article 36 of Regulation (EU) No 1288/2013. That committee shall be a committee within the meaning of Regulation (EU) No 182/2011.
2. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.

¹⁶ Recital 37 to be amended to make it more clear.

CHAPTER IX

AMENDING AND FINAL PROVISIONS

Article 26

Amendment to Regulation (EU) No 1288/2013

Regulation (EU) No 1288/2013 is amended as follows:

1. Article 13 of Regulation (EU) No 1288/2013 is replaced by the following:
 1. “Learning mobility of individuals shall support:
 - (a) the mobility of young people in non-formal and informal learning activities between the Programme countries; such mobility may take the form of youth exchanges and volunteering, as well as innovative activities building on existing provisions for mobility;
 - (b) the mobility of persons active in youth work or youth organisations and youth leaders; such mobility may take the form of training and networking activities.
 2. This action shall also support the mobility of young people, including volunteering, as well as the mobility of persons active in youth work or youth organisations and youth leaders, to and from partner countries, in particular neighbourhood countries.
 3. Volunteering activities under the European Voluntary Service will continue to be carried out both under Regulation 1288/2013 and under the European Solidarity Corps, as appropriate. References to the European Voluntary Service in EU legislation in particular Directive 2016/801 shall be read as including voluntary activities under both Regulation 1288/2013 and this Regulation¹⁷.

¹⁷ Last sentence of Recital 9 to be amended as follows: With respect to the interpretation of Union legislation (Directive 2016/801)*, both crossborder volunteering activities under the European Solidarity Corps and the volunteering activities under Regulation 1288/2013 should replace the European Voluntary Service.

*Directive 2016/801 applies only to Member States bound by that Directive.

2. [In Article 18 of Regulation (EU) No 1288/2013, paragraphs 1, 2 and 3 are replaced by the following:
1. "1. The financial envelope for the implementation of the Programme as from 1 January 2014 is set at EUR 14 576 824 000 in current prices.
 2. The amount referred to in paragraph 1 shall be allocated to the actions of the Programme as follows, with a margin of flexibility not exceeding 5 % of each of the allocated amounts:
 - (a) at least 80,7 % to education and training, from which the following minimum allocations shall be assigned:
 - (i) 44,3 % to higher education, representing 35,7 % of the total budget;
 - (ii) 21,4 % to vocational education and training, representing 17,3 % of the total budget;
 - (iii) 14,6 % to school education, representing 11,8 % of the total budget;
 - (iv) 4,9 % to adult learning, representing 3,9 % of the total budget;
 - (b) 8,8 % to youth;
 - (c) up to 1,5 % to the Student Loan Guarantee Facility;
 - (d) 1,9 % to Jean Monnet;
 - (e) 1,8 % to sport, of which no more than 10 % to the activity mentioned under point (b) of Article 17(1);
 - (f) 3,5 % as operating grants to national agencies;
 - (g) 1,8 % to cover administrative expenditure.
 3. Of the allocations referred to in points (a) and (b) of paragraph 2, at least 63 % shall be allocated to learning mobility of individuals, at least 27 % to cooperation for innovation and the exchange of good practices and at least 4,2 % to support for policy reform."]¹⁸

¹⁸ Figures to be verified.

Article 27

[...]

Article 28

[...]

Article 29

[...]

Article 30

[...]

Article 31

[...]

Article 32

Entry into force

This Regulation shall enter into force on the day following that of its publication in the *Official Journal of the European Union*.

It shall apply from [1 January 2018]

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels,

For the European Parliament
The President

For the Council
The President

The European Solidarity Corps will be monitored closely to measure the extent to which the general and specific objectives have been achieved as well as to monitor its outputs, results and impacts. To that end, a minimum framework of indicators is set here, to serve as a basis and to be further developed into a common detailed programme of monitoring enabling the evaluation of the European Solidarity Corps, including an extended set of qualitative and quantitative indicators, as referred to in Article 15:

- (a) number of participants in volunteering (in-country and cross-border);
- (b) number of participants in traineeships (in-country and cross-border);
- (c) number of participants in jobs (in-country and cross-border);
- (d) number of participants in solidarity projects;
- (e) number of organisations holding a European Solidarity Corps quality label.

In addition, as appropriate, the coherence with key indicators for Youth as referred to in Annex 1 of Regulation (EU) No 1288/2013 shall be ensured.
