

EP mid term Evaluation of CERV programme 2021-2027

Joint Civil Society Proposals on Civic Engagement

1. Introduction

This document has been prepared with the contribution of several EU networks including the International Planned Parenthood Federation, the European Women's Lobby, the Centre for European Volunteering, the Young European Federalists, the Social Platform, the European Civic Forum, the European Disability Forum, and ALDA Europe.

We believe that the CERV programme gives a unique contribution to enhance civic engagement and participation from a fundamental rights perspective. It effectively combines values, civil dialogue and citizenship while also promoting gender equality and the fight against discrimination and violence. The programme is essential to address a context of shrinking civic space and challenges to the rule of law across Europe. It also contributes to addressing gaps in funding at national level. Its regranting mechanism is also key to reach out to grass root organisations at national level and contribute to an enabling civic space as well as to reinforcing democracy.

We firmly believe in the need not only to continue the programme, but also to further reinforce it, notably through improving the implementation of some of its provisions, learning from good practice and ensuring further links with other programmes, as well as reinforcing its budget, which would allow to fund further actions, facilitate access by civil society organisations at all levels, and respond to an increasing demand.

2. Scope & Rationale

The scope of the programme is far reaching and addresses key challenges in the areas of equality, participation as well as EU rights and values. The recent European Parliament report on shrinking civic space in Europe, the 2022 EC annual report on fundamental rights focusing on civic space, as well as the Council Conclusions have shown that there is a need to further enhance this dimension notably in the strand on citizens' engagement.

Beyond civic engagement we would suggest to specifically refer to civil dialogue to support a two-way process between institutions at all levels and civil society organisations, and as part of the implementation of article 11 beyond the European Citizens' initiative, promoting further the collective dimension of civic engagement, as a critical dimension of democracy and of the rule of law. Civil dialogue should be integrated throughout the programme Civil dialogue is also an important element to trust in governance. Innovative actions to support dialogue with civil society should be supported. Capacity building actions to support participation in this dialogue, including civil society watchdog role as regards the rule of law and union's values are also important notably through links with other funding schemes provided through shared management such as the technical assistance instrument. The programme should also further support actions on building the resilience of civil society. We welcome the fact that a few calls this year already support actions to enable civic space. In this context we would suggest renaming the strand referring both to citizens and civil society. Another important element is the promotion of citizenship education which should include but be wider than addressing disinformation.

3. Structure

The programme is built into a solid and meaningful structure with strands on union values, equality and rights, citizen's engagement and participation, tackling violence against women and children. All strands are crucial and should remain priorities in the next cycle, as they address important dimensions of rights and values as well as democratic participation. There could be nonetheless more flexibility between actions from the different strands in order to ensure greater synergies between the strands, as many of these issues are interlinked.

As mentioned, we think that it would be important to stress the role of civil society and the collective mention of participation within the strand on citizens' participation.

Also last year report on the implementation of the Charter on Fundamental rights, and follow up dialogues organised by the European Commission on the protection of human rights defenders in the EU have shown the need to develop action in this area. This could be done by supporting through additional funding within CERV the establishment of an ad hoc mechanism for the protection of human rights defenders on the model of what exists for human rights defenders outside the EU or the protection of journalists.

4. Implementation

4.1 Civil dialogue

The CERV regulation foresees a specific provision on **civil dialogue**, through the establishment of a Civil Dialogue Group to ensure ***“a regular, open and transparent dialogue with the beneficiaries of the Programme and other relevant stakeholders in order to exchange experiences and good practices and to discuss policy developments within the areas and objectives covered by the Programme and related areas”***. This is an important dimension of the programme which has not been implemented until now.

We call on the establishment of the Civil Dialogue Group as soon as possible

A task force should be set up to develop its functioning, and a work programme with topics for discussion. It should benefit from lessons learnt from the Europe for Citizens programme civil dialogue as well as from the multi stakeholders' dialogue organised by DG INTPA and ECHO for humanitarian assistance, for example

It would also allow the European Commission to gather important input and suggestions from civil society for the development of the work programmes for the following year, based on CSOs experiences on the ground. It would also be a tool to facilitate discussions between the European Commission and civil society with the involvement of other DGs as well as with the European Parliament on key policy developments in the areas covered by the programme.

The civil dialogue group could also gather representatives from other DGs not involved in CERV to promote a discussion on improving civil dialogue mechanisms in general.

It would be interesting to assess its implementation especially in the context of challenges to the rule of law, and how this can be replicated in other programmes, based on the lessons learnt from

the Europe for Citizens Programme. This mechanism should be part of the programming, so that we can contribute to the CERV priorities and objectives based on our experience on the ground.

4.2 Regranting

Civil Society had advocated for the introduction of such a mechanism in order to ensure that EU funding would reach civil society organisations at the grassroots level. This possibility would not have existed without the strong support and commitment of the European Parliament.

Different types of regranting mechanisms have been introduced in the programme either through specific calls in different strands, by supporting regranting organisations and also allowing NGOs beneficiaries of operating grants to regrant part of the annual grant received through CERV.

All these options are useful and as we are in the second year of implementation of the programme, we call for a specific assessment of this provision. Its effectiveness to reach out to grassroots groups promoting EU values and citizenship should be assessed and compared also as regards to other funding mechanisms. Does this tool allow us to reach out to CSOs or movements in countries with increasing shrinking civic space or where limited funding on these important topics exist? Is the mechanism flexible enough? Also, the fact that co-funding is required for EU networks and of re-granters is an obstacle.

Administrative requirements for subgrantees are still very unclear. The Grant Agreement states that subgrantees shall be submitted to the same financial responsibilities as the regranters - which, if that is the case, would significantly impede access for smaller organisations with less administrative capacities). In addition, operating grant beneficiaries can only subgrant to organisations that are officially affiliated to them (established members/partners), preventing these NGOs from funding more informal / grassroots groups or supporting individual Human Rights Defenders.

We also believe that Co-funding requirements should be removed or reduced. Co-funding is an impediment and disincentive, primarily for framework partners who are already managing the regranting scheme and bearing full financial responsibility.

In the case of specific calls and larger regranting schemes, civil society organisations are put at a disadvantage to apply for this funding, as compared to other types of organisations, despite their useful proximity, knowledge and understanding of the civil society environment of their country and sector.

As far as Operating Grant beneficiaries are concerned, developing, and organising a regranting scheme within one year, including the projects' implementation and reporting diminishes significantly the potential for an impact of the funded projects and makes it quite stressful. The current process results in a late start and an earlier end. It only allows to fund very short term activities and does not allow for a more structured and longer term approach both as regards the content of the activities or the organisations to be supported. We would suggest having at least a two-year process.

4.3 Budget and co-funding

Despite the fact that the CERV programme has been increased by the European Parliament, it already fails to respond to increasing demands. We call on the European Parliament to further reinforce the programme envelope.

- Impact of inflation on the CERV

The impact of inflation should be considered (as it was for the second year), both for real costs (e.g. salaries) and unit costs. The CERV has introduced unit costs to ensure further flexibility. However the Commission decision on the unit costs is outdated and does not take into account the impact of high inflation and increase in travel costs. Also travel by plane foresees much higher ceilings than travel by train, which is not consistent with reduction in carbon emission and does not correspond to the reality. - Impact of inflation in general costs, on salaries, services, etc should be addressed. Co-funding remains high (20%) in this context.

- co-funding

We understand that CERV provides co funding up to 80% of the grant budget, while other programmes such as ESF + (former EASI) covers up 90%, while for Erasmus + co-funding can be modulated according to the situation of the beneficiaries.

Given the type of funding provided notably in the field of rights, equality, values and civic engagement, for which other sources of funding are very difficult to find, CERV should cover a greater percentage of the grant.

- Volunteer time as co financing

This provision applies to all EU grants since the previous review of the financial regulations. Given the scope of the CERV programme, and the type of beneficiaries, this provision is particularly relevant. It would be useful to have information on how this provision has been used and best practices. At the same time, we note that it is often not possible for solely volunteers-based organisation to apply for EU funding since they cannot prove staff costs.

4.5 Other issues

- Participation of non EU citizens to CERV activities

There is still unclarity on whether non-EU civil society organisations representatives and others can have their costs covered for their participation in CERV activities. This should be possible at least for candidate or associated countries independently of their government participating in the programme.

Exchanges and participation in activities that are core impact areas of CERV are key for building the capacity of civil society organisations for civic engagement and promotion of Union values. Active engagement and commitment to European values does not start when an accession agreement is signed - it is the outcome of the long-standing work of activists and civil society organisations on promoting these notions, and supporting local activists in accession or other European countries (and beyond).

This is already happening also through the fact that many organisations built their membership also beyond EU countries, fostering these values. Therefore, as many European networks have a wider membership than the EU, limitation on participation in CERV funded activities already indirectly limits the freedom of association.

- ***Cutting red tape***

Excessive administrative burden and red tape is an issue with EU funding and CERV does not escape this situation. Some rules within the financial regulations are also interpreted differently by different officers across programmes or within the same programme.

We had positive discussions with DG JUST and EACEA, the agency responsible for the implementation of the programme, to collect all answers to questions on the implementation and reporting of the programme in a Q&A accessible to all beneficiaries, which we hope will be implemented soon.

Nonetheless, other measures would be useful to simplify overcomplicated procedures. As an illustration of this, Operating grants beneficiaries that have signed a four-year framework partnership agreement with the European Commission must undergo the same procedure for their annual application and for the reporting. This implies repeating information that has already been validated with the four-year grant.

It would be more efficient not only for applicants, but also for the European Commission and external evaluation to refocus the annual application just on the work programme and budget together with the inclusion of information concerning significant changes in the organisational framework rather than providing all the same contextual details all over again. This would allow applicants to focus our energy on the most important elements of the application.

We welcome the fact that the programme has introduced 4-year frameworks for the operating grants, as it allows longer-term vision and objectives. However, it becomes a bit difficult to translate these into 1-year projects, especially when new applications are to be done before the end of the project year (so one can't build upon previous achievements or lessons learned). In addition to drafting 1-year proposals for each year, CERV FPA beneficiaries have to report on objectives every year too, which makes it incredibly heavy on CSOs. The application and reporting process should be simplified, to make EU funds under CERV more accessible.

As a further example, while there is an effort to introduce simplification measures, at the same time their implementation is not always simplified. For instance a positive step has been the introduction of unit costs for travel and accommodation, but information required as a follow up to reporting or potential audits obliges beneficiaries to account them also as real costs.

- ***alignment of the CERV grants on Horizon Europe Platform.***

We now have the same platform for all grants within the different EU direct management programmes (Sygma), which is welcome to facilitate not only EC management, but also make life easier for organisations applying to different grants across EU programmes through more homogeneous procedures and the possibility to access all grants through the same portal.

However, this platform intended initially for the funding of research grants, is not adapted to CERV objectives and to the type of beneficiaries funded through CERV such as civil society organisations, local authorities, etc.

While there are also uncertainties in the implementation of a research project, it is possible in addition to objectives, to define more specific deliverables and milestones. In the area of fundamental rights and democracy that are much liable to policy changes on which beneficiaries do not have any control, this exercise is extremely difficult and cumbersome.

The risk is to have to do things that are no longer relevant and do in addition other things that cannot be justified in the grant. This is particularly a concern for Operating Grants. While these grants are supposed to support the functioning of the organisation, in the end they are managed just like a project with the difference that administrative costs are covered. At the same time research project grants can cover 100% of expenses including overheads....

We also realise that the definition of activities is not adapted. Awareness raising, mutual learning and capacity building, but does not include advocacy on behalf of citizens.

Finally, deliverables have to be published with a limited number of exceptions. There might nonetheless be privacy issues when it comes for instance to CSOs working in hostile contexts.

- Timeline

The timeline for the submission of annual operating grants applications within CERV has been anticipated to the first part of May of the preceding year. While this allows successful candidates to receive contracts well on time before the contractual year, this has also some negative consequences. It becomes difficult for the majority of organisations that have their annual General Assembly in June to enforce governance requirements as enforced in the statutes, which are at the core of membership-based organisations, with the risk of shifting the power from the NGO constituency to the funder. It also creates a strong administrative workload at the beginning of the year with the finalisation of reporting and the preparation of the application with an impact on the implementation of the activities. Furthermore, for organisations working on advocacy, it is difficult to anticipate policy developments so much in advance. In addition, it makes it hugely challenging to build on the lessons learnt and the results of the previous year. Opening the call earlier (May - June) and closing later (e.g. September) would be a good compromise / alternative.

- EU Survey

Participants to CERV funded activities must fill in a lengthy feedback survey which includes a lot of questions that are not relevant to the event, including on the state of democracy. Links between the participants to an event and the results of the survey can be made, making the survey not in line with GDPR requirements. We would also suggest having a discussion on the content of the survey and how it can be improved in order to ensure higher engagement rates and make the exercise more useful and fit for purpose for all concerned.