



EUROPEAN COMMISSION
SECRETARIAT-GENERAL
DIRECTORATE-GENERAL FOR EMPLOYMENT, SOCIAL AFFAIRS AND INCLUSION

The Secretary-General
The Director-General

Brussels
EMPL.G.1 [REDACTED] Ares (2022)868928

NOTE FOR THE ATTENTION OF

MR MARC LEMAÎTRE, DIRECTOR-GENERAL, DG REGIO
MS CHARLINA VITCHEVA, DIRECTOR-GENERAL, DG MARE
MS MONIQUE PARIAT, DIRECTOR-GENERAL, DG HOME
MS ANA GALLEGÓ, DIRECTOR-GENERAL, DG JUST
MR DANIEL CALLEJA CRESPO, DIRECTOR-GENERAL, DG SJ
MR WOLFGANG BURTSCHER, DIRECTOR-GENERAL, DG AGRI
MR MAARTEN VERWEY, DIRECTOR-GENERAL, DG ECFIN
MR GERT-JAN KOOPMAN, DIRECTOR-GENERAL, DG BUDG

Subject: Assessment of the fulfilment of the Charter horizontal enabling condition

The Charter of Fundamental Rights of the European Union (hereafter ‘the Charter’) reflects the core values of the EU. The Charter was introduced as one of the four horizontal enabling conditions under the Common Provisions Regulation (hereafter ‘CPR’).¹

The enabling conditions are prerequisites for the effective and efficient implementation of the Funds. Failure to fulfil an enabling condition will lead to the non-reimbursement by the Commission of the expenditure concerned.

In order to clarify the responsibilities of the relevant Commission services and ensure respect for the tight deadlines foreseen in the CPR, a specific procedure has been set out for the assessment of the fulfilment of this enabling condition. This procedure is reflected in the documents attached (flowchart and process notes).

Moreover, a checklist was developed to help guide the work of Commission services when assessing the fulfilment of the horizontal enabling condition linked to the Charter of Fundamental Rights. All programmes should be assessed against this checklist to

¹ The CPR covers the European Regional Development Fund (ERDF), the European Social Fund Plus (ESF+), the Cohesion Fund, the Just Transition Fund (JTF), the European Maritime, Fisheries and Aquaculture Fund (EMFAF), the Asylum, Migration and Integration Fund (AMIF), the Internal Security Fund (ISF) and the Instrument for Financial Support for Border Management and Visa Policy (BMVI) – collectively referred to as “the Funds”.

ensure the consistency and equal treatment of Member States. The checklist will be regularly updated to take into account the most recent experience in this area.

The documents attached are the result of an extensive consultation process. We would like to thank all the services involved for their help and commitment and we are looking forward to their input regarding the assessment of this horizontal enabling condition in all CPR programmes.

We wanted however to recall that, in light of the deadlines foreseen by the CPR (3 months to send observations and 5 months to approve the programmes), it is of utmost importance that we all adhere to the deadlines foreseen in the procedure attached. We would like to call on your cooperation to make this exercise a success.

Ilze JUHANSONE
Secretary-General

Joost KORTE
Director-General

Enclosure 1: Commission's process to approve the "programmes" for the 2021-2027 period under the Common Provisions Regulation no 2021/1060 (CPR)

Enclosure 2: Commission's internal checklist on the fulfilment of the horizontal enabling condition on the effective application and implementation of the Charter of Fundamental Rights

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