

Van Rompuy throws support behind European Foundation Statute - 1 July 2010 10:28

01 Jul 2010 10:28



EUROPE – The European foundation statute (EFS) has moved closer to reality after Herman Van Rompuy, president of the European Council, endorsed its creation in a speech at European Foundation Week earlier this month.

The event was organised by the European Foundation Centre (EFC), the principal umbrella organisation representing foundations' interests at EU level.

Van Rompuy said: "The European Foundation Centre has strongly made the case for a European foundation statute – one legal framework for public benefit

foundations in 27 member states.

"This would reduce cross-border barriers and stimulate foundation activities more generally, and it is a sensible idea."

But he reminded delegates the EFS was yet to be backed by a European Commission proposal and that the process would not be rapid.

"You would probably need at least two more years before the Foundation Statute becomes law, by a decision of the Parliament and the Council of Ministers," he said.

"It may take more time, but I hope this endeavour ultimately succeeds."

Further strong backing for the EFS has also been given by the Economic and Social Committee (EESC), the EU advisory body on economic and social affairs, which adopted an opinion in favour of the EFS on 28 April by a large majority.

Emmanuelle Faure, EU affairs senior officer at the EFC, said: "The EESC opinion is further evidence of the need to act now, both at European and national levels, and strengthens the call by the foundation sector itself for having a European statute." (*See earlier IPE article: [European Foundation Statute gets further boost](#)*)

In February and March this year, Gallup conducted a survey of MEPs, commissioned by the EFC.

The aim was to gain a better idea of MEPs' perceptions, knowledge and actual contact with foundations and to canvass their views on potential EU legislative action in the sector.

Of the 92 respondents, 81% rated the facilitation of cross-border initiatives as an important potential benefit of an EFS, while 73% of respondents said they supported the EFS.

Faure said: "This is very good news, but at the same time, we know EU member states will have the final word on the subject, as they have to take a unanimous decision.

"I trust they will agree to support, via the EFS, an enhanced European framework for foundations and philanthropy in the 21st century."

Rosa Gallego, deputy director of the 1,000-member Spanish Association of Foundations and president of DAFNE (Donors and Foundations' Networks in Europe), said: "The EFS will be an opportunity to increase international activity for foundations.

"It isn't easy at present to work in other European countries – for example, Spanish foundations trying to work in Portugal need €250,000 to set up a foundation there."

She said a legal vehicle with a European label might also help to standardise the operating framework within countries themselves.

For example, in Spain, different foundations are currently subject to different regional or national laws, which are often open to interpretation.

The next step in the legislative process toward an EFS would be to carry out an internal impact assessment, or cost-benefit analysis, which could take around two months.

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