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## REPORT

on the proposal for a Council decision establishing a Community action programme to promote active European citizenship (civic participation) (COM(2003) 276 – C5-0321/2003 – 2003/0116(CNS))

Committee on Citizens' Freedoms and Rights, Justice and Home Affairs

Rapporteur: Heide Rühle

Draftsman (\*):  
Bárbara Dührkop Dührkop, Committee on Budgets

(\*) Enhanced cooperation between committees - Rule 162a

***Symbols for procedures***

- \* Consultation procedure  
*majority of the votes cast*
- \*\*I Cooperation procedure (first reading)  
*majority of the votes cast*
- \*\*II Cooperation procedure (second reading)  
*majority of the votes cast, to approve the common position  
majority of Parliament's component Members, to reject or amend  
the common position*
- \*\*\* Assent procedure  
*majority of Parliament's component Members except in cases  
covered by Articles 105, 107, 161 and 300 of the EC Treaty and  
Article 7 of the EU Treaty*
- \*\*\*I Codecision procedure (first reading)  
*majority of the votes cast*
- \*\*\*II Codecision procedure (second reading)  
*majority of the votes cast, to approve the common position  
majority of Parliament's component Members, to reject or amend  
the common position*
- \*\*\*III Codecision procedure (third reading)  
*majority of the votes cast, to approve the joint text*

(The type of procedure depends on the legal basis proposed by the Commission)

***Amendments to a legislative text***

In amendments by Parliament, amended text is highlighted in ***bold italics***. Highlighting in *normal italics* is an indication for the relevant departments showing parts of the legislative text for which a correction is proposed, to assist preparation of the final text (for instance, obvious errors or omissions in a given language version). These suggested corrections are subject to the agreement of the departments concerned.

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(\*) Enhanced cooperation between committees - Rule 162a

## PROCEDURAL PAGE

By letter of ~~28-7 May~~ July 2003 the Council consulted Parliament, pursuant to Article ~~...~~ 308 of the EC Treaty, on the proposal for a Council decision establishing a Community action programme to promote active European citizenship (civic participation) (COM(2003) 276 – 2003/0116(CNS)).

At the sitting of ~~27-1 September~~ August 2003 the President of Parliament announced that he had referred the proposal to the Committee on Citizens' Freedoms and Rights, Justice and Home Affairs as the committee responsible and the Committee on Budgets, the Committee on Budgetary Control, the Committee on Employment and Social Affairs, the Committee on Culture, Youth, Education, the Media and Sport and to the Committee on Constitutional Affairs for their opinions (C5-0321/2003).

At the sitting of 25 September 2003 the President of Parliament announced that the Committee on Budgets, which had been asked for its opinion, would be involved in drawing up the report under Rule 162a.

The Committee on Citizens' Freedoms and Rights, Justice and Home Affairs appointed Heide Rühle rapporteur at its meeting of ~~27-9 August~~ July 2003.

The committee considered the Commission proposal and draft report at its meetings of 1 September 2003, 22 September 2003, 30 September 2003, 7 October 2003 and 4 November 2003.

At the last meeting it adopted the draft legislative resolution by ~~...~~ 30 votes to ~~...~~ 0, with ~~...~~ 1 abstention(s)/unanimously.

The following were present for the vote ~~...~~ Jorge Salvador Hernández Mollar (chairman/~~acting chair(wo)man~~), ~~...~~ Robert J.E. Evans (vice-chair(~~wo~~)man), ~~...~~ Johanna L.A. Boogerd-Quaak (vice-chair(~~wo~~)man), Giacomo Santini (vice-chairman), Heide Rühle (rapporteur), ~~...~~ Christian Ulrik von Boetticher, Alima Boumediene-Thiery, Giuseppe Brienza, Kathalijne Maria Buitenweg (for Patsy Sørensen), Carmen Cerdeira Morterero, Ozan Ceyhun, Gérard M.J. Deprez, Giuseppe Di Lello Finuoli, Bárbara Dührkop Dührkop (for ~~...~~ Martin Schulz pursuant to Rule 153(2)), Margot Keßler, Timothy Kirkhope, Eva Klamt, Alain Krivine (for Ole Krarup), Baroness Ludford, Lucio Manisco (for Fodé Sylla), Hartmut Nassauer, Bill Newton Dunn, Marcelino Oreja Arburúa, Elena Ornella Paciotti, Hubert Pirker, Martine Roure, Francesco Rutelli, Miet Smet (for ~~...~~ Bernd Posselt), Joke Swiebel, Anna Terrón i Cusí and Maurizio Turco~~...~~, ~~...~~, ~~...~~.

The opinions of the Committee on ~~...~~ Budgets, the Committee on Employment and Social Affairs and the Committee on ~~...~~ Culture, Youth, Education, the Media and Sport are attached. The Committee on Budgetary Control decided on 8 September 2003 not to deliver an opinion and the Committee on Constitutional Affairs decided on 29 September 2003 not to deliver an opinion.

The report was tabled on ~~...~~ 6 November 2003.

## DRAFT EUROPEAN PARLIAMENT LEGISLATIVE RESOLUTION

on the proposal for a Council decision establishing a Community action programme to promote active European citizenship (civic participation)  
(COM(2003) 276 – C5-0321/2003 – 2003/0116(CNS))

### (Consultation procedure)

*The European Parliament,*

- having regard to the Commission proposal to the Council (COM(2003) 276)<sup>1</sup>,
  - having regard to Article ~~...~~308 of the EC Treaty, pursuant to which the Council consulted Parliament (C5-0321/2003),
  - having regard to Rule 67 of its Rules of Procedure,
  - having regard to the report of the Committee on Citizens' Freedoms and Rights, Justice and Home Affairs and the opinions of the Committee on Budgets, ~~the Committee on Budgetary Control~~, the Committee on Employment and Social Affairs, ~~and~~ the Committee on Culture, Youth, Education, the Media and Sport ~~and the Committee on Constitutional Affairs~~ (A5-~~00000368~~/2003),
1. Approves the Commission proposal as amended;
  2. Considers that the financial statement of the Commission proposal is compatible with the ceiling of headings 3 and 5 of the financial perspectives 2000-2006;
  23. Calls on the Commission to alter its proposal accordingly, pursuant to Article 250(2) of the EC Treaty/~~Article 119, second paragraph, of the Euratom Treaty;~~
  34. Calls on the Council to notify Parliament if it intends to depart from the text approved by Parliament;
  45. Calls for initiation of the conciliation procedure under the Joint Declaration of 4 March 1975 if the Council intends to depart from the text approved by Parliament;
  56. Asks the Council to consult Parliament again if it intends to amend the Commission proposal substantially;
  67. Instructs its President to forward its position to the Council and Commission.

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<sup>1</sup> ~~OJ C ...~~/Not yet published in OJ.

~~Amendment by Carlos Coelho~~ Amendment 221

## Recital 1

(1) The Treaty establishes citizenship of the Union, which **complements and** does not replace national citizenship, and which is to be promoted with due regard for subsidiarity.

(1) The Treaty establishes citizenship of the Union, which does not replace national citizenship, **but, rather, complements and extends it by recognising a set of rights which are common to all European citizens**, and which is to be promoted with due regard for subsidiarity.

Or. pt

*Justification*

*Reference should be included to the set of rights which underlie the concept of European citizenship.*

~~Amendment by Carlos Coelho~~ Amendment 232

## Recital 1a (new)

***(1a) The establishment of European citizenship reflects the need felt by the new community of citizens to embody shared democratic values while also perceiving themselves as an integral part of the process of construction of the European Union.***

Or. pt

*Justification*

*The aim is to specify the underlying reasons for the creation of the concept of European citizenship.*

Amendment 13

## Recital 2

(2) The Community and the Member States have as their objectives the promotion of employment, improved living and working

(2) The Community and the Member States have as their objectives the promotion of employment, improved living and working

conditions, proper social protection, the development of human resources with a view to **lasting high** employment and the combating of exclusion.

conditions, proper social protection, the development of human resources with a view to **full** employment and the combating of exclusion

#### *Justification*

*Parliament traditionally favours the objective of full employment. Also the Union's objectives, Article 3 of the Convention are aiming at full employment.*

#### **Amendment 1** **Recital 3**

~~(3) Effective and uniform application of Community law is a new priority which is indispensable to the proper functioning of the internal market. Citizens, consumers and undertakings will be unable to assert all their rights under the Community legal order before any national court unless **judges** are sufficiently informed and trained in this regard. A common policy on the application of European law, including the case-law, is an essential part of the European Union's objective of gradually creating an area of freedom, security and justice.~~

(3) Effective and uniform application of Community law is a new priority which is indispensable to the proper functioning of the internal market. Citizens, consumers and undertakings will be unable to assert all their rights under the Community legal order before any national court unless **members of the judiciary** are sufficiently informed and trained in this regard. A common policy on the application of European law, including the case-law, is an essential part of the European Union's objective of gradually creating an area of freedom, security and justice.

#### *Justification*

~~*This amendment is necessary to take account of the different legal systems of the Member States.*~~

#### **Amendment by Heide Rühle** Amendment 244 **Recital 3**

Effective and uniform application of Community law is a new priority which is indispensable to the proper functioning of **the internal market**. Citizens, consumers and undertakings will be unable to assert all their rights under the Community legal order before any national court unless **judges** are sufficiently informed and trained in this regard. A common policy on the application of European law, including the case-law, is an essential part of the European Union's objective of gradually creating an area of

Effective and uniform application of Community law is a new priority which is indispensable to the proper functioning of **an area without internal frontiers**. Citizens, consumers and undertakings will be unable to assert all their rights under the Community legal order before any national court unless **members of the judiciary** are sufficiently informed and trained in this regard. A common policy on the application of European law, including the case-law, is an essential part of the European Union's

freedom, security and justice.

objective of gradually creating an area of freedom, security and justice.

Or. en

#### *Justification*

*The term "area without internal frontiers" (Art. 14 TEC) is better suited here since it does not contain the notion of economic activity.*

*The second part of the amendment is necessary to take account of the different legal systems of the Member States.*

#### **Amendment 2** **Recital 8 a (new)**

~~*(8a) The draft treaty establishing a Constitution For Europe provides for a chapter on the democratic life of the Union. According to its Article 46, the institutions shall maintain an open, transparent and regular dialogue with representative associations and civil society.*~~

#### *Justification*

~~*The draft treaty establishing a Constitution For Europe is the most relevant reference concerning civic participation. It covers for example for the first time the concept of civil dialogue.*~~

#### ~~**Amendment by Heide Rühle**~~ **Amendment 255** **Recital 8 a (new)**

*The democratic principle constitutes one of the cornerstones of the Community edifice.*

*The draft treaty establishing a Constitution For Europe provides for a chapter on the democratic life of the Union. According to its Article 46, the institutions shall maintain an open, transparent and regular dialogue with representative associations and civil society.*

Or. en



### *Justification*

*The draft treaty establishing a Constitution For Europe is the most relevant reference concerning civic participation. It covers for example for the first time the concept of civil dialogues.*

~~Amendment by Carlos Coelho, Jorge Salvador Hernández Mollar and Marcelino Oreja Arburúa~~ Amendment 266  
Recital 10a (new)

***The International European Movement, consisting of more than 30 national sections and a large number of civil society associations, has been a major force behind European integration since 1948. It has thus been pursuing the general European interest uninterruptedly for the last 55 years.***

Or-es

### *Justification*

*The International European Movement is one of the oldest and largest pro-European associations.*

Amendment 17  
Recital 10 a (new)

***10 a. The Council reaffirms its belief in the need to continue supporting town twinning schemes, given the important role that they can play in promoting civic identity and mutual understanding between the peoples of Europe; stresses that, in the context of the multi-annual programme, an appropriate budget for, and continued promotion of, town twinning schemes must be guaranteed, as the European Parliament has insisted every year in the budgetary procedure; stresses that it is essential to make the application procedure for, and administration of, town twinning schemes comprehensible and bring them closer to***

*the citizens.*

*Justification*

*Supporting town twinning schemes is one of the most important measures in promoting the development of an active body of European citizens. As part of the enlargement of the European Union, it is essential that there should be a significant increase over 2003 in the volume of appropriations made available to town twinning schemes. In the light of the wide-ranging effect of such schemes and the direct contact with the citizen they bring about, it needs to be ensured that the application procedure and the administration of the programme are brought closer to the citizens and made understandable, otherwise the involvement of the EU will achieve the opposite of this programme's desired objective.*

Amendment 28

Recital 13

(13) Civil dialogue plays an essential part in promoting cooperation with civil society in the social field, **and was supported until 2001 under budgetary heading B3-4101.** Although the activities of the Platform of European Social non-governmental organisations were financed from 2001 to 2002 under **heading** B3-4105 for preparatory measures combating and preventing exclusion, and in 2003 by joint funding under headings B3-4105 and B5-803, they are much wider-ranging than these programmes and contribute to establishing the new form of governance advocated in the Social Policy Agenda adopted at Nice.

(13) Civil dialogue plays an essential part in promoting cooperation with civil society in the social field, **in particular with charitable associations. In Declaration 23 annexed to the final act of Maastricht, the Community stressed the importance of cooperation with charitable associations in pursuing the objectives of Article 136 of the Treaty.** Although the activities of the Platform of European Social non-governmental organisations **and charitable associations** were financed from 2001 to 2002 **under budgetary headings B3-410 and in particular** B3-4105 for preparatory measures combating and preventing exclusion, and in 2003 by joint funding under headings B3-4105 and B5-803, they are much wider-ranging than these programmes and contribute to establishing the new form of governance advocated in the Social Policy Agenda adopted at Nice.

Amendment 39

Recital 15

(15) Heading A-3016 of the general budget of the European Communities for the financial year 2003 and previous financial

(15) Heading A-3016 of the general budget of the European Communities for the financial year 2003 and previous financial

years provides support for the Association of the Councils of State and Supreme Administrative Jurisdictions of the European Union. The Association's purpose is to promote exchanges of views and experience on matters concerning the case-law, organisation and functioning of its Members in the performance of their judicial and/or advisory functions. Its work is essential in order to *coordinate* and relay to the public the judicial decisions of the Councils of State with regard to Community law and to facilitate the pooling of methods of transposing and implementing European law at national level.

years provides support for the Association of the Councils of State and Supreme Administrative Jurisdictions of the European Union. The Association's purpose is to promote exchanges of views and experience on matters concerning the case-law, organisation and functioning of its Members in the performance of their judicial and/or advisory functions. Its work is essential in order to *facilitate coordination* and relay to the public the judicial decisions of the Councils of State *and Supreme Administrative Jurisdictions* with regard to Community law and to facilitate the pooling of methods of transposing and implementing European law at national level.

#### *Justification*

*This amendment seeks to make the text more precise.*

Amendment 310  
Recital 15 a (new)

*(15a) Budget item 4002 of the general budget of the European Communities for the financial year 2003 and previous financial years is for the purpose of financing information and education measures arising from the implementation of Community measures in connection with the development of the social dimension of the internal market, thereby contributing substantially to realising and transposing the European social agenda and raising the citizens' interest in the social dimension of the European internal market.*

Amendment 211  
Recital 17

The European Parliament, the Council and the Commission undertook, at the time of the adoption of the Financial Regulation, to achieve the objective of ensuring that this basic act enters into force as from the financial year 2004.

The European Parliament, the Council and the Commission undertook, at the time of the adoption of the Financial Regulation, to achieve the objective of ensuring that this basic act enters into force as from the financial year 2004 ***taking into consideration the budgetary remarks in the context of implementation.***

*Justification*

*In the negotiations of the new Financial Regulation, a common agreement was reached to preserve EP's rights to identify beneficiaries of grants through earmarking in the budget. This right has been formalised in the statement to article 108 of the Financial Regulation.*

Amendment 412  
Recital 17 a (new)

***(17a) Whereas the new Member States can fully participate in the whole programme.***

*Justification*

*Organisations from new Member States should also be able to participate in all parts of the programme.*

~~Amendment by Carlos Coelho~~ Amendment 2713  
Recital 18

(18) Provision should be made for the geographic coverage of the programme to extend to the Member States, and possibly, in the case of certain actions, to the candidate countries and the EFTA/EEA countries.

(18) Provision should be made for the geographic coverage of the programme to extend to the Member States ***and the new Member States***, and possibly, in the case of certain actions, to the candidate countries and the EFTA/EEA countries.

*Justification*

*It is desirable to differentiate clearly between the new Member States and the other candidate countries.*

~~Amendment by Carlos Coelho~~ Amendment 2814

## Article 1(1), introduction

1. This Decision establishes a Community action programme to support bodies working in the field of active European citizenship and to promote actions in this field.

The programme shall have the following objectives:

1. This Decision establishes a Community action programme to support bodies working in the field of active European citizenship and to promote actions in this field. ***The general objective of the programme shall be to reduce the democratic deficit in the European Union while increasing transparency.***

The programme shall have the following ***specific*** objectives:

*Justification*

*The key objective of the programme must entail, at one and the same time, the reduction of the democratic deficit in the EU and an increase in transparency.*

~~Amendment 5~~~~Article 1, paragraph 1, introduction~~

~~1. — This Decision establishes a Community action programme to support bodies working in the field of active European citizenship and to promote actions in this field.~~

~~The programme shall have the following objectives:~~

1. — This Decision establishes a Community action programme to support bodies working in the field of active European citizenship and to promote actions in this field. ***The programme shall have the overall objective to reduce the democratic deficit of the European Union.***

The programme shall have the following ***specific*** objectives:

*Justification*

*The programme objectives should be presented in a more coherent way : as an overriding objective the reduction of the democratic deficit should be mentioned.*

Amendment 515

Article 1, point 1, indent a

a) to promote the values and objectives of the European Union;

a) to promote **and disseminate** the values and objectives of the European Union;

~~Amendment by Baroness Ludford~~ Amendment 2916

Article 1, paragraph 1, letter c)

c) to involve citizens closely in reflection and discussion on the construction of the European Union;

c) to involve citizens closely in reflection and discussion on the construction of the European Union **through the work of think tanks, research and academic institutions that positively promote and constructively critique the development of European integration;**

~~Or. en~~

*Justification*

*A positive but balanced critique of the construction of the European Union is necessary to encourage an increased level of well-informed European citizens.*

~~Amendment by Baroness Ludford~~ Amendment 3017

Article 1, paragraph 1, letter f) (new)

**f) to strengthen the intermediate structures linking citizens with the European Union and its institutions, such as associations and federations of European interest, town-twinning schemes, NGOs and trade union organisations, academic and educational institutions.**

*Justification*

*It is worthwhile having a separate category of 'intermediate' bodies and to describe them.*

**Amendment 6**

**Article 1, paragraph 1, letter c) a (new)**

***(ca) to strengthen the intermediate structures linking citizens with the European Union and its institutions;***

*Justification*

*The specific objective of strengthening the intermediate structures should be added because—due to the limited resources available—the intermediate structures play a particular important role.*

**Amendment 718**

**Article 1, paragraph 1, letter d)**

d) to intensify links and exchanges between citizens from the countries participating in the programme, **notably** by way of town-twinning arrangements;

d) to intensify links and exchanges between citizens from the countries participating in the programme, **amongst others** by way of town-twinning arrangements;

*Justification*

*Town-twinning is the most important way to intensify links and exchanges between citizens of different Member States but not the only way. In view of the proposed part 4 of the programme, the objective should be formulated in a more open way.*

Amendment ~~819~~  
Article 1, paragraph 1, letter e) a (new)

*(ea) to promote the principle of participatory democracy including the participation of women in decision-making.*

*Justification*

*The Draft Constitution's stated aim as expressed in article 46 on the principle of participatory democracy must be added as well as the aim of women participation in decision making.*

~~Amendment by Baroness Ludford~~ Amendment ~~3120~~  
Article 1, paragraph 2

The activities supported by the programme seek to support the operation and to promote the actions of the bodies pursuing the programme's objectives in accordance with the criteria set out in *the Annex*.

The activities supported by the programme seek to support the operation and to promote the actions of the bodies pursuing the programme's objectives in accordance with the criteria set out in *Article 8a*.

~~Or. en~~

*Justification*

*The Annex is too important to be left out of the legislative body. Therefore the whole Annex has become Article 8a.*

~~Amendment by Baroness Ludford~~ Amendment ~~3221~~  
Article 2, paragraph 1

To be eligible for a Community grant for an action, bodies must satisfy the requirements set out in *the Annex*.

To be eligible for a Community grant for an action, bodies must satisfy the requirements set out in *Article 8a*.

~~Or. en~~

*Justification*

*The criteria for eligibility are too important to be in an Annex. They should be in the body of the*



legislative text and should be amendable.

**Amendment by Baroness Ludford** Amendment 3322  
Article 2, paragraph 3

To be eligible for an operating grant for the ongoing work programme of a body pursuing an aim of general European interest in the field of active citizenship or an objective forming part of the European Union's policy in this area, bodies must satisfy the requirements of *the Annex* and be so structured as to accommodate actions having a potential impact throughout the European Union.

To be eligible for an operating grant for the ongoing work programme of a body pursuing an aim of general European interest in the field of active citizenship or an objective forming part of the European Union's policy in this area, bodies must satisfy the requirements of *Article 8a* and be so structured as to accommodate actions having a potential impact throughout the European Union.

Or. en

*Justification*

*The Annex is too important to be left out of the legislative body. Therefore the whole Annex has become Article 8a.*

Amendment 323  
Article 4, paragraphs 1 et 2

***1. Operating grants for the ongoing work programme of a body pursuing an aim of general European interest in the field of active citizenship or an objective forming part of the European Union's policy in this area shall be awarded in accordance with the overall criteria laid down in the Annex.***

***Group 1: Operating grants directly awarded to the beneficiaries referred to under point 2.1.1 of the Annex Article 8a without proceeding with exclusions based on subjective criteria and shall not exclude organisations who approach the policies of the Union from differing but constructive perspectives.***

***Group 2: Operating grants awarded to beneficiaries referred to under point 2.1.2 of Article 8a ~~the Annex~~ by means of a call for proposals and operating grants awarded to the beneficiaries explicitly named in budget lines entirely pre-assigned by the budgetary authority.***

***2. Grants for actions specified in the programme shall be awarded in accordance***

***Group 3: Grants for actions specified in the programme under point 2.1.3 of***

with the overall criteria laid down in *the Annex*. Actions shall be selected by means of a call for proposals.

~~Article 8a~~ *the Annex* awarded by means of a call for proposals.

#### *Justification*

*The legal act should identify with more transparency the different awarding criteria in respect of the provisions of the Financial Regulation.*

*The Annex is too important to be left out of the legislative body. Therefore the whole Annex has become Article 8a.*

#### Amendment ~~424~~ Article 5

Grants under the different actions of the programme shall be awarded in compliance with the provisions set out in the relevant part of *the Annex*.

*1. Grants under the different actions of the programme shall be awarded in compliance with the provisions set out in the relevant part of ~~the Annex~~ Article 8a.*

*2. The principles of degressivity in real terms and cofinancing apply to all beneficiaries as follows:*

*- bodies identified by a basic act: at least 10% of cofinancing even through contributions in kind, and no degressivity;*

*- bodies explicitly named in the budget lines and bodies selected by calls for proposals: at least 20% of cofinancing even through contributions in kind, and degressivity at a rate of 2.5% from the third year onwards.*

#### *Justification*

*The legal acts should provide the opportunity to harmonise those principles with the awarding procedures foreseen by the Financial Regulation.*

*The Annex is too important to be left out of the legislative body. Therefore the whole Annex has become Article 8a.*

#### Amendment ~~9~~ Article ~~6~~

~~*1. — The financial framework for the implementation of the programme for the*~~

~~period specified in Article 1(3) is EUR 144.192.300 million.~~

~~The annual appropriations shall be authorised by the Budgetary Authority within the limits of the financial perspective.~~

**2.** — The annual appropriations shall be authorised by the Budgetary Authority within the limits of the financial perspective.

#### *Justification*

~~Due to the legal base (providing only for consultation), no reference amount is given. Since Parliament intends to treat this proposal like a codecision, a financial reference should be given. The amount is calculated on the basis of the Commission figure (113.092.000) plus an increase to take account of enlargement (12.5%; the figure usually used by the Commission to calculate the appropriations for EU-10) and to give new organisations the chance to receive funding (plus 10%). The figure also includes an increase of 5% for innovative actions (proposed part 4).~~

#### ~~Amendment by Heide Rühle~~ Amendment 3725

##### Article 6

**1.** *The financial framework for the implementation of the programme for the period specified in Article 1(3) is EUR 149.192.300 million.*

The annual appropriations shall be authorised by the Budgetary Authority within the limits of the financial perspective.

**2.** The annual appropriations shall be authorised by the Budgetary Authority within the limits of the financial perspective.

**3.** *The 2004 Budget shall be used as the basis for the level of appropriations set. The effects of enlargement must be taken into account.*

**4.** *The appropriations scheduled after the year 2006 are subject to an agreement of the budgetary authority on the financial perspective beyond 2006.*

*Justification*

*Due to the legal base (providing only for consultation), no reference amount is given. Since Parliament intends to treat this proposal like a codecision, a financial reference should be given. The amount is calculated on the basis of the Commission figure (113.092.000) plus an increase to take account of enlargement (12.5%; the figure usually used by the Commission to calculate the appropriations for EU-10) and to give new organisations the chance to receive funding (plus 10%). The figure also includes an increase of 5% for innovative actions (proposed part 4). 5 Mio. € are foreseen for the financing of the info points.*

*The Commission's proposal for a total amount of EUR 113.092 m is based on the appropriations allocated for the 2003 financial year, and is even lower than that figure. This is quite unacceptable, since the European Parliament's Committee on Culture and Committee on Budgets have already entered higher amounts for the 2004 financial year.*

*The financial perspective under the Interinstitutional Agreement covers the period 2000-2006. Appropriations after the year 2006 are subject to an agreement of the budgetary authority on the next financial framework for the year 2007 and beyond.*

Amendment 426

Article 7, paragraph –1 (new)

***(-1) The Commission shall present annually a short report on the implementation of the programme to the European Parliament, the Council, the Economic and Social Committee and the Committee of the Regions.***

*Justification*

*Parliament can only monitor implementation of the programme if it regularly receives information on it.*

Amendment ~~1027~~

Article 7, paragraph 1, subparagraph 1

No later than 31 December 2007, the Commission shall submit a report to the European Parliament **and** the Council on the achievement of the programme's objectives and shall, if appropriate, make proposals for any adjustment to be made

No later than 31 December 2007, the Commission shall submit a report to the European Parliament, the Council **and the national Parliaments** on the achievement of the programme's objectives and shall, if appropriate, make proposals for any adjustment to be made with a view to

with a view to continuing or not continuing the programme.

continuing or not continuing the programme.

#### *Justification*

*National Parliaments should be associated as closely as possible and should therefore receive this report as well. The protocol on the role of national Parliaments provides only for the transmission of communications, White and Green Books*

#### Amendment ~~1128~~

##### Article 7, paragraph 1, subparagraph 2

This report shall be based, *inter alia*, on an external evaluation report which must be available no later than the end of 2006 and which must appraise at least the overall pertinence and coherence of the programme, the effectiveness of its execution (preparation, selection, implementation of the actions) and the overall and individual effectiveness of the various actions in terms of achievement of the objectives as set out in Article 1 and in ***the Annex***.

This report shall be based, *inter alia*, ***on a consultation of the institutions and associations supported by this programme*** and on an external evaluation report which must be available no later than the end of 2006 and which must appraise at least the overall pertinence and coherence of the programme, the effectiveness of its execution (preparation, selection, implementation of the actions) and the overall and individual effectiveness of the various actions in terms of achievement of the objectives as set out in Article 1 and in ~~the Annex~~ ***Article 8a. The Commission will transmit the external evaluation report to the Council and the European Parliament***

#### *Justification*

*The whole idea of this programme is to achieve certain objectives by supporting beneficiaries. Therefore they should also report whether the programme achieves its objectives. As beneficiaries they will also have practical experiences about the operation of the programme. Their contribution could be extremely valuable for any adjustment to be made to this programme.*

*The external evaluation should be available in full to the legislative authority, so that it enters into a meaningful dialogue with the Commission about proposals for adjustments and/or prolongation.*

*The Annex is too important to be left out of the legislative body. Therefore the whole Annex has become Article 8a.*

#### ~~Amendment by Baroness Ludford~~ Amendment ~~3929~~

##### Article 7, paragraph 2, subparagraph 2

No later than 31 December 2009, the Commission shall present to the European Parliament and the Council a report on the achievement of the programme's objectives. This report shall be based, *inter alia*, on the outcome of the external evaluation and shall assess the results obtained by the beneficiaries of the programme, in particular as regards the effectiveness and efficiency of their actions, considered overall and individually, in achieving the objectives set out in Article 1 and in *the Annex*.

No later than 31 December 2009, the Commission shall present to the European Parliament and the Council a report on the achievement of the programme's objectives. This report shall be based, *inter alia*, on the outcome of the external evaluation and shall assess the results obtained by the beneficiaries of the programme, in particular as regards the effectiveness and efficiency of their actions, considered overall and individually, in achieving the objectives set out in Article 1 and in **Article 8a**.

Or. en

*Justification*

*The Annex is too important to be left out of the legislative body. Therefore the whole Annex has become Article 8a.*

~~Amendment by Baroness Ludford~~ Amendment 4030  
ANNEX, title

**ANNEX**

***Article 8a (Rules to be applied all through the text)***

Or. en

*Justification*

*The Annex is too important to be left out of the legislative body. Therefore the whole Annex has become Article 8a. Rules to be applied all through the text.*

Amendment ~~4231~~  
ANNEX, point 1, penultimate paragraph

The purpose of the Association of the Councils of State and Supreme Administrative Jurisdictions of the European Union is to *coordinate* and relay to the public the judicial decisions of the Councils of State with regard to Community law and to facilitate the pooling of methods of transposing and implementing European law at national level.

The purpose of the Association of the Councils of State and Supreme Administrative Jurisdictions of the European Union is to *facilitate coordination* and relay to the public the judicial decisions of the Councils of State *and Supreme Administrative Jurisdictions* with regard to Community law and to facilitate the pooling of methods of transposing and implementing European law at national level.

*Justification*

*This amendment seeks to make the text more precise.*

~~Amendment by Baroness Ludford~~ Amendment ~~4132~~  
ANNEX, point 2.1.1., introduction

Part 1: permanent work programmes of the *following* bodies pursuing an aim of general European interest in the field of active European citizenship:

Part 1: permanent work programmes of the bodies pursuing an aim of general European interest in the field of active European citizenship, *in a non-exhaustive list including:*

~~Or. en~~

*Justification*

*The legislative text should not mention specific organisations. These organisations must be listed in a non-exhaustive Annex. New organisations can be added to the list and organisations that are no longer eligible or do not comply with the requirements of the Financial Regulation can be removed.*

~~Amendment by Baroness Ludford~~ Amendment ~~4233~~  
ANNEX, point 2.1.1., indent 6 a (new)

*- Council of European Municipalities and Regions (CEMR)*

~~Or. en~~

### *Justification*

*The Council of European Municipalities and Regions should clearly be added to the list of bodies pursuing an aim of general European interest in the field of active European citizenship.*

~~Amendment by Carlos Coelho, Jorge Salvador Hernández Mollar and Marcelino Oreja Arburúa~~ Amendment 4334

ANNEX, point 2.1.1, indent 6b (new)

#### **- International European Movement**

Or. es

### *Justification*

*Since it has been decided to mention specific organisations, it is important not to omit the International European Movement, as one of the oldest and largest of such associations.*

~~Amendement déposé par Heide Rühle~~ Amendment 4435

ANNEX, point 2.1.1, indent 6c (new)

**- Venice Commission (Council of Europe).  
Promotion of initiatives aimed at  
strengthening relations between  
constitutional courts and European courts  
(seminars and action to promote the  
interoperability of databases and  
documentation centres dealing with  
constitutional case-law of interest to the  
European Union);**~~Centre sur la justice  
constitutionnelle de la Commission  
européenne pour la démocratie par le droit  
(Conseil de l'Europe: Commission de  
Venise);~~

Or. fr

### *Justification*

*Exchanges of information and ideas between constitutional courts and similar bodies are of major importance, both within the EU (whose founding elements include this shared heritage - see Article 6 TEU) and in its relations with neighbouring countries, notably in the Council of Europe. An exchange of this kind already exists in the context of the documentation centre created under the auspices of the Venice Commission of the Council of Europe. It would be*



*desirable for the EU to take part in its development, using as its reference markers the Union Treaties and, above all, the draft European Constitution. This could necessitate further development of the Bulletin of Constitutional Case-Law and of the CODICES database, as well as the organisation of specific initiatives relating to the EU's legal framework.*

*The Committee on Citizens' Freedoms and Rights, Justice and Home Affairs believes that the work of this Centre and Commission are of very great value, and therefore favours supporting that work.*

~~Amendment by Jorge Salvador Hernández Mollar~~ Amendment [4536](#)

ANNEX, point 2.1.1., indent 6d (new)

**- COSAC - creation of an  
'Interparliamentary Agora' website**

~~Or. fr~~

#### *Justification*

*Paragraph 12 of the EP resolution of 25 September 2003 on public access to Parliament, Council and Commission documents (implementation of Regulation (EC) No 1049/2001 in the year 2002) (2003/2022(INI) - PA\_TA-PROV(2003)0413) stresses Parliament's 'willingness to cooperate in all the areas called for by the national parliaments', and 'asks those concerned in the national parliaments to set up a virtual "forum" of European legislators via the Internet, focusing on the monitoring of EU legislative procedures'. Such a site could become a kind of 'Agora', enabling the national parliaments and the EP to exchange information and documents relating to the EU's decision-making process. In the same resolution, the EP 'proposes, as an initial theme for such an exercise, the monitoring of procedures relating to the area of freedom, security and justice, as defined in Article 2 of the TEU' (an area of great complexity on which little information is available).*

~~Amendment by Heide Rühle~~ Amendment [4637](#)

ANNEX, point 2.1.1., indent 6 b) (new)

**- the European Judicial Training Network;**

~~Or. en~~

#### *Justification*

*The European Judicial Training Network (EJTN) was founded by the schools of judges and other institutions specifically responsible for the training of the professional judiciary of all EU-Member States. Among its principal aims and objectives are 1) to promote a training programme*

for judges and public prosecutors with a genuine European dimension; 2) to co-operate with candidate countries especially in the field of judicial co-operation; and 3) to provide expertise and know-how to European, national or international institutions in all questions of judicial co-operation.

This network fills a so far existing gap. The importance the European Parliament attaches to the training of members of the judiciary should also be stressed by supporting the ongoing work programme of this network.

Amendment ~~1138~~

~~Annex~~ANNEX, point 2.1.1.a. (new)

**2.1.1.a. Organisations will be subject to periodic review.**

*Justification*

*A closed shop approach must be rejected. Eligible organisations must be subject to regular re-evaluation.*

Amendment ~~1239~~

~~Annex~~ANNEX, point 2.1.2., indent 2

**- a European multiplier network of non-profit bodies** active in the states participating in the programme and promoting the principles and policies contributing to the objectives in this area;

**- non-profit bodies with a multiplier effect** active in the states participating in the programme and promoting the principles and policies contributing to the objectives in this area;

*Justification*

*Networks should not always be considered as administrative expenditure (operating grants) but can also be considered as operational expenditure and as such be "eligible for action" grants as defined under strand 3 of the programme. Therefore the text is slightly changed so as to avoid a rigid interpretation.*

Amendment ~~1340~~

ANNEX, point 2.1.3. a)

a) actions in the field of active European citizenship, conducted in particular by non-

a) actions in the field of active European citizenship, conducted in particular by non-

governmental organisations, associations and federations of European interest or cross-industry trade unions; by way of derogation from Article 114 of Council Regulation (EC, Euratom) No 1605/2002 of 25 June 2002, cross-industry trade unions participating in the European social dialogue are eligible under this part even if they do not have legal personality;

governmental organisations, *the media*, associations and federations of European interest or cross-industry trade unions; by way of derogation from Article 114 of Council Regulation (EC, Euratom) No 1605/2002 of 25 June 2002, cross-industry trade unions participating in the European social dialogue are eligible under this part even if they do not have legal personality;

#### *Justification*

*The media plays an important role as intermediate between citizens and decision-makers and should therefore be considered in this programme.*

Amendment ~~1441~~  
ANNEX, point 2.1.3. a (new)

#### ***2.1.3. a (new) Part 4 : Innovative actions***

***Any innovative action promoting the concept of civic participation in a large sense that cannot be financed by other parts of the programme.***

#### *Justification*

*This legislative act should not only be a "legalisation" of the status quo but should also be used as an opportunity to develop the policy further. The Commission should get the possibility to finance any innovative action it considers a valuable contribution. In this way, the thoughts expressed in part IV of the explanatory memorandum can be incorporated into the programme. At the same time, it should be clear that the innovative actions should only be a small part of the programme (therefore the proposal to use 5% of the appropriations available).*

~~Änderungsantrag von Heide Rühle~~ Amendment ~~4742~~  
ANNEX, point 2.1.3. b (new)

***2.1.3. b (new) Part 5 : INFO-POINTS EUROPE (IPE) and carrefours: permanent work programme of INFO-POINTS EUROPE (IPE) and carrefours***

***INFO-POINTS EUROPE and carrefours are EU information points. Their aim is to make information about the EU accessible to the general public in the context of greater closeness to citizens and to increase citizens' involvement in European integration. The specific feature of carrefours is that they are located in rural areas and pay particular attention to rural development.***

***IPEs/carrefours are established with a promoter who is responsible for running them either alone or in partnership.***

***Mission of IPEs/carrefours:***

***IPEs/carrefours are intended to carry out a fourfold mission:***

- 1. They supply the public with basic information about the European Union, its policies and programmes;***
- 2. They help in disseminating information (answering questions) and make it possible to view official papers (documents and/or publications of EU bodies);***
- 3. Where appropriate, they point to other, more suitable sources of information. To this end, they cooperate closely with the remaining EU liaison offices at regional level, thereby enhancing their work;***
- 4. They take part in the debate on the European Union by organising seminars, meetings, discussions, etc. (in conjunction with other European liaison offices and regional information networks).***

**Or. de**

### *Justification*

*Info-Points Europe are presently financed from budget line B3-301 (new: 16 05 01). By letter of 29 September 2003 the Commission informed the existing Info-Points Europe that, under the new Financial Regulation which came into force on 1 January 2003 and its implementing provisions, it would no longer be possible to award a grant towards running costs for 2004. The new Financial Regulation lays down that budget appropriations can be used only if a basic instrument has been adopted beforehand. This information came as a complete surprise to the Info-Points Europe. Without the grant towards running costs, the staff will have to be dismissed*

at the end of the year. Even if it is possible to resume their activities in 2005, this would be an unacceptable situation bearing in mind the European elections in 2004. Furthermore, an interruption in funding would mean the end for many small offices. Adopting a specific basic instrument would be far too lengthy a process. It is therefore suggested that the 'civic participation' proposal be expanded so that it will also provide the requisite legal basis for the Info-Points Europe. The appropriations earmarked would need to be increased accordingly.

Amendment ~~1543~~

ANNEX, point 2.2, indent 2 a (new)

**- resources to be committed under part 4 of the programme shall not be less than 5% of the annual budget available for this programme.**

*Justification*

See ~~previous~~ amendment 41.

Amendment 16

~~ANNEX, point 3.1, first subparagraph~~

~~In order to award the grants under part 2 of the programme, the Commission shall publish calls for proposals. **However, the Commission may award these grants without publication of a call for proposals when the budget heading names a beneficiary explicitly. It may proceed in the same manner when the budget identifies beneficiaries and the amounts allocated to each of them, if the total amount of the budget line concerned is entirely pre-assigned by budgetary authority. In both cases, all other requirements of the Financial Regulation, its Implementing Rules and the basic act apply.**~~

~~In order to award the grants under part 2 of the programme, the Commission shall publish calls for proposals. **The Commission shall ensure that the call for proposals is "customer friendly" and does not represent an insurmountable bureaucratic burden. Wherever appropriate the call for proposals shall be organised in two steps with the first step requiring only the submission of limited documentation strictly necessary for the assessment of the proposal.**~~

### *Justification*

~~Many organisations receiving funds from the EU budget complain about overcomplicated bureaucratic procedures to apply for funding, excessive reporting requirements, and late payments by the Commission. Efforts should therefore be undertaken to limit procedures to the necessary wherever possible.~~

~~This amendment deletes the possibility of earmarking organisations within strand 2 of the programme. In this way, transparency and competition can be ensured.~~

-Amendment ~~1544~~  
~~Annex~~ANNEX, point 3.1.1. (new)

***The Commission shall inform the European Parliament of its intention to proceed with a call for proposals, stating its priorities, if any, as regards themes and kinds of activities envisaged.***

### *Justification*

*The European Parliament must be able to establish a constructive dialogue with the Commission for purposes of monitoring the priorities set by the latter.*

Amendment ~~1745~~  
ANNEX, point 3.2

The bodies receiving grants under **part 3** of the programme shall be selected on the basis of calls for proposals. As regards cross-industry trade unions participating in the European social dialogue, the call for proposals may take the form of a restricted invitation.

The bodies receiving grants under **parts 3, 4 and part 45** of the programme shall be selected on the basis of calls for proposals. ***The Commission shall ensure that the call for proposals is "customer friendly" and does not represent an insurmountable bureaucratic burden. Wherever appropriate the call for proposals shall be organised in two steps with the first step requiring only the submission of limited documentation strictly necessary for the assessment of the proposal.*** As regards cross-industry trade unions participating in the European social dialogue, the call for proposals may take the form of a restricted invitation.

### *Justification*

*The reference to part 4 has to be added here to ensure the coherence with other amendments.*

*Many organisations receiving funds from the EU budget complain about overcomplicated bureaucratic procedures to apply for funding, excessive reporting requirements, and late payments by the Commission. Efforts should therefore be undertaken to limit procedures to the necessary wherever possible.*

Amendment ~~2146~~  
~~Annex~~ANNEX, point 6

***In the light of a cost/benefit analysis, the Commission may decide to entrust all or part of the tasks of managing the programme to an executive agency, in conformity with Article 55 of the Financial Regulation applicable to the general budget of the European Communities; it may also have recourse to experts and incur any other expenditure on technical and administrative assistance, not involving the exercise of public authority, outsourced under ad hoc service contracts. It may also finance studies and organise meetings of experts likely to facilitate the implementation of the programme, and undertake information, publication and dissemination actions directly linked to the achievement of the programme's objective.*** *deleted*

### *Justification*

*Article 6 of the Annex is deleted, because it does not seem necessary to retain the possibility of using an executive agency to manage the programme. The reference to an executive agency should thus also disappear from the financial statement. The Commission is also asked to justify the number of officials necessary to manage the programme (by ways of comparison: only 5,5 FTE staff will manage The Daphne programme).*

Amendment 18  
ANNEX, point 6

~~*In the light of a cost/benefit analysis, the Commission may decide to entrust all or part of the tasks of managing the programme to an executive agency, in conformity with Article 55 of the Financial Regulation applicable to the general budget of the European Communities; it may also have recourse to experts and incur any other expenditure on technical and administrative assistance, not involving the exercise of public authority, outsourced under ad hoc service contracts. It may also finance studies and organise meetings of experts likely to facilitate the implementation of the programme, and undertake information, publication and dissemination actions directly linked to the achievement of the programme's objective.*~~

~~*The Commission may have recourse to experts and incur any other expenditure on technical and administrative assistance, not involving the exercise of public authority, outsourced under ad hoc service contracts. It may also finance studies and organise meetings of experts likely to facilitate the implementation of the programme, and undertake information, publication and dissemination actions directly linked to the achievement of the programme's objective.*~~

#### *Justification*

~~*It is not clear why the Commission might want to create an executive agency for this programme. In light of the persisting control problems, it might be better to keep the management of the programme in-house.*~~

Amendment [1947](#)  
ANNEX, point 6, paragraph 2 (new)

***The Commission shall have a regular exchange of views with representatives of current and potential beneficiaries of the action programme on the design, implementation and follow-up of the programme.***

#### *Justification*

*Currently, there seems to be an overrigid implementation of the new financial regulation by the Commission's services. This reaction is understandable if one looks at the obligations put on officials by the new financial regulation. A regular meeting could help to create mutual trust.*



Amendment ~~2048~~  
ANNEX, point 6 a) (new)

***Acknowledgement of Funding***

***Any institution, association or activity receiving a grant from this programme has the obligation to acknowledge the support received by the European Union. To this end the Commission shall lay down detailed visibility guidelines.***

*Justification*

*Financial support from the EU should always be acknowledged. This is a matter of transparency as well as an important tool to communicate the Union's efforts. The Commission has already elaborated detailed visibility guidelines for external aid ([http://europa.eu.int/comm/europeaid/visibility/index\\_en.htm](http://europa.eu.int/comm/europeaid/visibility/index_en.htm)) that could be used as a general model.*

Amendment ~~2149~~  
ANNEX, point 6 b) (new)

***Dissemination of Results***

***In order to facilitate the dissemination of results as many of the products as possible financed by this programme shall be made available electronically free of charge.***

*Justification*

*This would facilitate the dissemination of results which is often one of the objectives of a programme. It is also a matter of principle in the sense that a product was paid for by public money with the objective of serving the public.*

Amendment ~~2250~~  
~~Annex~~ANNEX, point 7.5 a) (new)

***7.5a. Organisations benefiting from an operating grand under this regulation may participate in call for proposals for other programmes and projects, however without any preferential treatment over those organisations whose operating***

***grants are not financed by the EU Budget.***

*Justification*

*On the one hand it should be excluded that organisations that receive EU operating grants are being given preferential treatment over organisations that do not receive such grants; on the other hand it is also the case that organisations that receive operating grants but which grants are being reduced are often not taken into consideration for action grants (e.g. semi statutory organisations).*

## EXPLANATORY STATEMENT

### I. Background of the proposal

Over the years, a number of grants primarily for organisations "promoting Europe" have been financed on the basis of appropriations entered in part A (administrative appropriations) of the Commission section of the general budget (section III). The so-called A-30 lines were located in that section because there were no basic acts allowing them to be classified as operational appropriations (part B). Their inclusion in part A means that they may be regarded as Commission administrative expenditure, which does not require basic acts for its implementation.

The new Financial Regulation adopted last year<sup>1</sup> provides for the presentation of the budget on the basis of activities (Activity-based Budgeting (ABB)) thereby giving up the separation between part A (administrative expenditure) and part B (operational expenditure) of the budget. It also provides that, with the exception of institutional prerogatives, pilot projects, preparatory measures and the administrative appropriations for each institution, all operational expenditure requires a basic act in order to be implemented (Article 49(2)).

It was therefore necessary to propose legal bases for the grants currently in Part A.

On 27 May 2003, the Commission adopted proposals for seven different basic acts (some co-decision, some consultation) as well as a communication as a general introduction.<sup>2</sup>

### II. Proposal for a Council decision establishing a Community action programme to promote active European citizenship (civic participation)<sup>3</sup>

According to Article 1 of the proposal, the programme seeks to support bodies working in the field of active European citizenship and to promote actions in this field. It shall have as its objectives, amongst others, to promote the values and objectives of the European Union, to bring citizens closer to the European Union and its institutions, to involve citizens closely in observation and discussion on the construction of the European Union, and, to stimulate initiatives by the bodies engaged in the promotion of active and participatory citizenship.

The proposal "civic participation" includes among others the following budget lines:

15.06.01.02 (ex-A-3020) "Our Europe" Association

15.06.01.03 (ex-A-3021) European think tanks and organisations advancing the idea of Europe

15.06.01.04 (ex-A-3024) Associations and federations of European interest

15.06.01.05 (ex-A-3026) European think tanks

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<sup>1</sup> Council Regulation (EC, Euratom) No 1605/2002 of 25 June 2002 on the Financial Regulation applicable to the general budget of the European Communities.

<sup>2</sup> Proposal for basic acts for grants currently covered by the Commission's administrative autonomy (part A of the budget) or its institutional prerogatives: general introduction; COM (2003) 274

<sup>3</sup> COM (2003) 276

15.06.01.06 (ex-A-3036) Jean Monnet House and Robert Schuman House

15.06.01.07 (ex-A-321) Town-twinning schemes in the European Union

15.01.04.18 Town-twinning schemes in the European Union – expenditure on administrative management

all these lines pertaining to the activity "Dialogue with citizens" and covered by heading 5 of the financial perspective up to 2006

18.06.03 (ex-A-3016) Association of the Councils of State and Supreme Administrative Jurisdictions of the European Union

18.03.01 (ex-A-3030) European Council on Refugees and Exiles

line pertaining to the area "Justice and home affairs" and covered by heading 5 of the financial perspective up to 2006

15.06.01.01 (ex-B3-305 in part) Measures for civil society; line pertaining to the activity "Dialogue with citizens" and covered by heading 3 of the financial perspective up to 2006

15.01.04.12 (ex-B3-305A in part) Measures for civil society and visits to the Commission – Expenditure on administrative management; line pertaining to the activity "Dialogue with citizens" and covered by heading 3 of the financial perspective up to 2006

04.04.09 (ex-B3-4105 and ex-B5-803, in part) Support for the running costs of the Platform of European Social NGOs, line pertaining to the activity "Promoting an inclusive society" and covered by heading 3 of the financial perspective up to 2006.

### III. General concerns of the Committee on Citizens' Freedoms and Rights, Justice and Home Affairs

The proposals for the legal basis also provide an opportunity to restate certain "classical" demands that have previously been voiced:

- Organisations receiving financial support from the EU should state this clearly - by indicating the amount received - in their publications, websites etc. An analysis of the websites of the organisations mentioned above reveals that most of them say somewhere that they receive or could receive EU funds. However, on occasion this information is abstruse. The organisations also use different expressions like "from the EU"; "of the European institutions", "of the European Commission". No organisation gives a figure.

Financial support from the EU should always be acknowledged. It should be in a "prominent" place (for example, the start page on a website; annual reports etc) and in a consistent manner. This is a matter of transparency as well as an important tool to communicate the Union's efforts. To this end the Commission shall lay down detailed visibility guidelines based on the ones already developed for external aid.

- To facilitate the dissemination of results, which is often one of the objectives of a programme, as many of the products financed by this programme should be electronically available free of charge. It is also a matter of principle in the sense that a product was paid for by public money with the objective of serving the public.

- Many organisations receiving funds from the EU budget complain about overcomplicated bureaucratic procedures to apply for funding, excessive reporting requirements, and late payments by the Commission. The rapporteur considers sound financial management to be of the greatest importance. This should, however, not lead to excessive bureaucracy. Steps should be undertaken to limit procedures to the absolute necessity. The rapporteur urges the Commission to organise call for proposals in a "customer-friendly" way and to use two-step procedures wherever appropriate.

These ideas are of a more general nature and apply to all organisations, e.g. to the seven legislative proposals. The rapporteur would welcome their insertion into all seven reports in the Parliament.

#### **IV. The proposal civic participation**

The new financial regulation created the obligation to adopt legal acts to continue to finance the activities previously covered by the A-30 chapter. To this end the Commission had to find appropriate articles in the treaty on which to base their proposals. The proposal "civic participation" which is based on Article 308 TEC gives the impression that it contains all the lines for which no other treaty article could have been invoked. Since an obligation exists to adopt a legal act as soon as possible this approach is perfectly understandable and acceptable.

At the same time it would be an opportunity missed. Years of discussions on 'democratic deficit', 'European governance' or 'citizenship' would have been ignored. Your rapporteur believes that the current situation is also a window of opportunity that should be used. To advance on this question only when the proposed programme ends - in 2008 - seems to be too far away when looking at the challenges European institutions face today.

Therefore the action programme should be given a more coherent vision of the concept of citizenship and civic participation.

The objective should not be to develop the concept of European citizenship in a strictly legal sense which means that European citizens enjoy the rights as expressed in the Treaty like the rights to free movement, to vote, to petition or to diplomatic representation. One should take rather a more political view:

One should first of all state clearly that the overriding objective should be a reduction of the democratic deficit. The EU will never be like a nation state but it has problems in its relations with citizens and they should be tackled. If for example paragraph 1 point b) of the programme objectives (Article 1) expresses that citizens should be brought closer to the EU and its institutions one has to ask how this could be done.

There are at least three general ways how this could be achieved: The first approach would be to engage citizens directly into dialogue with the EU and its institutions (Here one can think of the information and communication policy, questions of transparency and access to documents etc.). The second way is to strengthen the intermediate structures between institutions and citizens (In this context one has to think at the media, especially audio-visual media like for example Euronews, at the rule of law which leads to the topic of the training of members of the judiciary,

at the role of national parliaments etc.). The third possibility would be to facilitate the dialogue between citizens about political objectives of the EU and the means to achieve them (notably by creating opportunities for discussion).

To give some impetus to these ideas it is proposed that the programme contains a new part 4 for innovative actions promoting the concept of civic participation in a large sense. 5 % of the annual budget of the programme should be reserved for this purpose.

3 November 2003

## **OPINION OF THE COMMITTEE ON BUDGETS**

for the Committee on Citizens' Freedoms and Rights, Justice and Home Affairs

on the proposal for a Council decision on establishing a Community action programme to promote active European citizenship (civic participation)

(COM(2003) 276 – C5-0321/2003 – 2003/0116(CNS))

Draftsman: Bárbara Dührkop Dührkop

PA\_Leg

### **PROCEDURE**

The Committee on Budgets appointed Bárbara Dührkop Dührkop draftsman at its meeting of 10 July 2003.

It considered the draft opinion at its meetings of 3 November 2003.

At the meeting it adopted the following amendments unanimously.

The following were present for the vote: Terence Wynn (chairwoman), Reimer Böge (vice-chairman), Anne Elisabet Jensen (vice-chairwoman), Franz Turchi (vice-chairman), Bárbara Dührkop Dührkop (draftswoman), Ioannis Averoff, Joan Colom i Naval, James E.M. Elles, Salvador Garriga Polledo, Neena Gill, Catherine Guy-Quint, María Esther Herranz García, John Joseph McCartin, Juan Andrés Naranjo Escobar, Giovanni Pittella and Ralf Walter.

## SHORT JUSTIFICATION

### *Content*

Following the entry into force of the new Financial Regulation which requires a basic act for the actions covered by the subsidies of former chapter A-30 (plus subsidies provided under some B lines), the Commission has presented seven proposals establishing action programmes. The subsidies have been grouped according to the articles of the Treaty they refer to. All of them will become multiannual programmes with a financial amount (reference amount for codecisions).

Nevertheless, the rapporteur underlines that four proposals fall under the codecision procedure and three under the conciliation procedure.

Concerning the timetable, the following declaration was agreed at the conciliation of 16 July:

*"The European Parliament and the Council will attempt to finalise their respective positions in the relevant legislative procedures **before the end of November 2003**, and to keep each other and the Commission informed of the progress of these works.*

*The three institutions agree to convene a trialogue before the Council's second reading of the budget, with the objective to reach a common approach and, if possible, to **finally adopt the legal bases before the end of the year 2003.**"*

The rapporteur therefore regrets Commission's late adoption of this proposal, which was only at the end of May 2003, and draws attention to the possible difficulties of completing the procedure within the agreed timetable, not to mention possible difficulties during the conciliation procedure with Council.

In view of a possible delay, the Commission in its Communication which accompanies the package of proposals to replace the current A-lines states the following: *"In the event of failure to achieve that objective, the Commission will propose transitional derogations enabling grants to be awarded in 2004, pending adoption of the basic acts"*.

Consequently, the rapporteur considers that the Commission should be prepared to put the transitional provisions in place, if needed.

At its meeting of 25 September, the Conference of Presidents decided that article 162a) of the rules of procedure, enhanced Cupertino, should apply to all aspects resulting from the provisions of the Financial Regulation and that article 63a) would apply to the aspects relating to the financial framework.

The rapporteur will have to look at the coherence of the proposals in close cooperation and the agreement with the specialised committees as required by this article.

Moreover, the rapporteur cannot avoid mentioning that these proposals intend to give a legal response to an old contentious item in the EU budget and therefore is convinced that the responsibility of Parliament as a co-legislator, adopting a solid legal framework for the future, should prevail over the necessity of the limitation of a timetable.



## ***Contents of the proposals in respect of the provisions of the Financial Regulation***

The new Financial Regulation contains a specific title while ruling the scope, the awarding procedure, the payment and the implementation provisions of grants financed by the budget (title VI, articles 108 to 110 and articles 162 to 168 of the implementing rules).

Article 110, paragraph 1<sup>1</sup> of the Financial Regulation foresees that all types of grants are submitted to the rule of call for proposals "save in duly substantiated exceptional cases of urgency or where the characteristics of the beneficiary leave no other choice for a given action".

Article 168, paragraph 1<sup>2</sup> of the implementing rules clarifies the exceptions and in particular the case of organisations identified in a special legal act.

The rapporteur recalls that these provisions directly result from the negotiations with the Commission and the Council on the Financial Regulation. In fact, the Commission proposals legitimate specific and limited exceptions to the general rules of the Financial Regulation. As a consequence, differentiated awarding conditions are set up between three groups of "bodies" who may be eligible for a subsidy according to different awarding procedures as described below:

Group 1: organisations pre-assigned in the legal act itself for the support of operating grants: **awarded without a call for proposals** on the condition that it respects the criteria laid down in the annex of the regulation and general principles of the Financial Regulation (case of the College of Bruges).

Group 2: the general rule is the **call for proposal**.

However two exceptions are admitted in the field of culture and citizenship only (Com (2003) 275 and Com (2003) 276). Operating grants, allocated to beneficiaries explicitly named in the budget remarks of budget lines entirely pre-assigned, can be allocated **without a call for proposal** in accordance with the criteria laid down in the annex (former budget lines A-3021, A-3026 and A-3042).

Group 3: organisations eligible for a EU subsidy on a specific activity **awarded with a call for proposals** in accordance with the overall criteria laid down in the annex (other cases).

Not all of the seven basic acts contain the three strands. The conditions for the call for tender

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<sup>1</sup> Grants shall be subject to an annual programme, to be published at the start of the year, with the exception of crisis management aid and humanitarian aid operations.

This work programme shall be implemented through the publication of calls for proposals save in duly substantiated exceptional cases of urgency or where the characteristics of the beneficiary leave no other choice for a given action

<sup>2</sup> Grants may be awarded without a call for proposals only in the following cases:

- (a) for the purposes of humanitarian aid, within the meaning of Council Regulation No 1257/96 and aid for crisis situations within the meaning of paragraph 2;
- (b) in other exceptional and duly substantiated emergencies;
- (c) to bodies with a *de jure* or *de facto* monopoly, duly substantiated in the Commission's award decision;
- (d) to bodies identified by a basic act as recipients of a grant.

are defined in the annex of each of the seven proposals for regulation.

The rapporteur recognises the efforts made by the Commission to respect Parliament's prerogatives through the budget; however she considers that the exceptions should remain limited and that the calls for proposals should remain the general rule.

The rapporteur is of the opinion that group 2 (ear-marking) is dubious from a legal point of view.

#### *Degressivity and co-financing*

In accordance with article 113, paragraph 1 of the new Financial Regulation, the grant may not finance the entire costs of the action, subject to Title IV of part two, nor the entire operating expenditure of the beneficiary body.

In accordance with article 113, paragraph 2 of the new Financial Regulation, degressivity should apply to all operating grants except those bodies pursuing an objective of general European interest. However, article 113 foresees the exception of legal acts which provide for different measures.

The proposals of the Commission do not present a homogeneous approach with respect to the different organisations in these two aspects.

The rapporteur is in favour of harmonising the provisions on a more equal manner.

#### *Annual Report*

The Commission will publish an annual report with the list of beneficiaries and the amounts received. The rapporteur agrees on this transparency provision.

#### *Implementation*

All the programmes contained in the legal acts (except relations between EU and third countries and organisations working for equality between men and women), will be managed through an executive agency. The others will be managed internally.

The rapporteur supports the Commission's intention to delegate executive tasks to the new executive agencies however she is of the opinion that any attempt at introducing committology should be rejected.

#### ***Budgetary Aspects***

##### *Duration of the Programmes*

The proposals foresee different durations.

The rapporteur proposes a similar duration for all the programmes until 2008 in order to harmonise the length of the programmes, on the basis of a mid term evaluation, to maintain more coherence between them and to facilitate the budgetary forecasts.

#### *Financial framework*

Particularly in the case of codecisions, the rapporteur stresses the advantage of a global decision in the negotiations with Council.

The Commission has calculated the amounts of the different envelopes on B'2003 with a deflator of 2% per year. The envelopes take on board the figure entered in the A and B parts however they also include additional amounts for technical assistance and comitology as the actions become programmes. This generates additional administrative costs which should not reduce the share of operational appropriations.

The rapporteur considers that the amounts entered in the Budget 2004 should be the basis to evaluate further needs during the period.

### **AMENDMENTS**

The Committee on Budgets calls on the Committee on Citizens' Freedoms and Rights, Justice and Home Affairs, as the committee responsible, to incorporate the following amendments in its report:

#### Amendment 1

### **AMENDMENT TO THE LEGISLATIVE RESOLUTION**

*[The European Parliament]*

Considers that the financial statement of the Commission proposal is compatible with the ceiling of headings 3 and 5 of the financial perspectives 2000-2006.

#### *Justification*

*According to the common declaration of 20 July 2000, the budgetary authority is entitled to evaluate the compatibility of new proposals in relation with the expenditure foreseen to maintain existing policies. If, in the course of the adoption of the decision, other amounts were to be proposed by the legislative authority, the budgetary authority would need to be consulted again. In this case, the Committee on Budgets would re-examine the impact on the ceiling under the current financial perspective according to article 63a) of the rules of procedure.*

Amendment 2  
Recital 17

The European Parliament, the Council and the Commission undertook, at the time of the adoption of the Financial Regulation, to achieve the objective of ensuring that this basic act enters into force as from the financial year 2004.

The European Parliament, the Council and the Commission undertook, at the time of the adoption of the Financial Regulation, to achieve the objective of ensuring that this basic act enters into force as from the financial year 2004 ***taking into consideration the budgetary remarks in the context of implementation.***

*Justification*

*In the negotiations of the new Financial Regulation, a common agreement was reached to preserve EP's rights to identify beneficiaries of grants through earmarking in the budget. This right has been formalised in the statement to article 108 of the Financial Regulation.*

Amendment 3  
Article 4, paragraph 1 et 2

***1. Operating grants for the ongoing work programme of a body pursuing an aim of general European interest in the field of active citizenship or an objective forming part of the European Union's policy in this area shall be awarded in accordance with the overall criteria laid down in the Annex.***

***Group 1: Operating grants directly awarded to the beneficiaries referred to under point 2.1.1 of the Annex.***

***Group 2: Operating grants awarded to beneficiaries referred to under point 2.1.2 of the Annex by means of a call for proposals and operating grants awarded to the beneficiaries explicitly named in budget lines entirely pre-assigned by the budgetary authority.***

***2. Grants for actions specified in the programme shall be awarded in accordance with the overall criteria laid down in the Annex. Actions shall be selected by means***

***Group 3: Grants for actions specified in the programme under point 2.1.3 of the Annex awarded by means of a call for proposals.***

of a call for proposals.

*Justification*

*The legal act should identify with more transparency the different awarding criteria in respect of the provisions of the Financial Regulation.*

Amendment 4

Article 5

Grants under the different actions of the programme shall be awarded in compliance with the provisions set out in the relevant part of the Annex.

**1.** Grants under the different actions of the programme shall be awarded in compliance with the provisions set out in the relevant part of the Annex.

**2. *The principles of degressivity in real terms and cofinancing apply to all beneficiaries as follows:***

***- bodies identified by a basic act: at least 10% of cofinancing even through contributions in kind, and no degressivity;***

***- bodies explicitly named in the budget lines and bodies selected by calls for proposals: at least 20% of cofinancing even through contributions in kind, and degressivity at a rate of 2.5% from the third year onwards.***

*Justification*

*The legal acts should provide the opportunity to harmonise those principles with the awarding procedures foreseen by the Financial Regulation.*

Amendment 5

Article 6, paragraph 1a (new)

***The appropriations scheduled after the year 2006 are subject to an agreement of the budgetary authority on the financial perspective beyond 2006.***

*Justification*

*The financial perspective under the Interinstitutional Agreement covers the period 2000-2006. Appropriations after the year 2006 are subject to an agreement of the budgetary authority on the*

*next financial framework for the year 2007 and beyond.*

Amendment 6  
Annex, point 3.2

3.2. The bodies receiving grants under part 3 of the programme shall be selected on the basis of calls for proposals. As regards cross-industry trade unions participating in the European social dialogue, the call for proposals may take the form of a restricted invitation.

3.2. The bodies receiving grants under part 3 of the programme shall be selected on the basis of calls for proposals. As regards cross-industry trade unions participating in the European social dialogue, the call for proposals may take the form of a restricted invitation.

***The priority themes and types of activity of calls for proposals will be communicated to the European Parliament before proceeding to the calls for proposal.***

*Justification*

*In order to keep control over the Commission's priorities when issuing a call for proposals the priorities, themes and actions must be communicated to the EP so that there can be a dialogue between the Commission and the relevant committees.*

3 November 2003

## **OPINION OF THE COMMITTEE ON EMPLOYMENT AND SOCIAL AFFAIRS**

for the Committee on Citizens' Freedoms and Rights, Justice and Home Affairs

on the proposal for a Council decision on establishing a Community action programme to promote active European citizenship (civic participation)  
(COM(2003) 276 – C5-0321/2003 – 2003/0116(CNS))

Draftsperson: Jean Lambert

[ZPAGE2]

### **PROCEDURE**

The Committee on Employment and Social Affairs appointed Jean Lambert draftsperson at its meeting of 10 September 2003.

It considered the draft opinion at its meetings of 2 October and 3 November 2003.

At the latter meeting it adopted the following amendments by 14 votes with 1 abstention.

The following were present for the vote Theodorus J.J. Bouwman (chairman), Jean Lambert (draftsperson), Anne André-Léonard, Alejandro Cercas, Proinsias De Rossa, Hélène Flautre, Lisbeth Grönfeldt Bergman, Stephen Hughes, Elizabeth Lynne, Claude Moraes, Manuel Pérez Álvarez, Bartho Pronk, Ieke van den Burg, Anne E.M. Van Lancker and Barbara Weiler.

## SHORT JUSTIFICATION

The draftsman welcomes the Commission's proposal to promote active European citizenship in respect of which most of the operations have hitherto been carried out without any legal basis and urges the institutions involved to ensure that the Programme is approved in time for the 2004 budget.

It is important that Council and Commission take into account the Draft Constitution's stated aim expressed in Article I-46 on the principle of participatory democracy.

The draftsman supports the idea of strengthening transparency and calls for clear, consistent guidelines on acknowledgement of EU funding within publications, websites, etc.

She also supports the Commission about financing only organisations, programmes or projects active on the Union's policy areas; she regrets however that no safeguard is introduced for financing on an equal basis those organisations with a critical but constructive approach to the policies of the Union and requests consequently the Commission and the Council to introduce such safeguards.

The draftsman supports the idea of a periodic re-evaluation of the organisations eligible under Part I; especially in the light of enlargement, a 'closed shop' approach is not acceptable.

The Commission should clarify why a different approach was taken on co-financing requirements and degressivity between Part I and Part II organisations as mentioned in the Annex. The draftsman is of the opinion that no executive agency should be used to manage the programme. It is also surprising that the Commission plans 35 FTE (full-time equivalent) posts, when the Daphne programme is allocated only 5-6.

She expresses her doubts about over-prescriptive guidelines for the allocation of programme resources as defined in section 2.2 of the Annex.

The Committee on Employment and Social Affairs expressed in its opinion on the thirteenth annual report from the Commission on the Structural Funds (2001), that organisations with no guaranteed funding for running costs are often at a disadvantage when competing for grants/financing for projects. For this reason it must be pointed out that organisations whose operational costs are (co)financed under this programme may participate in other programmes and projects under other budget headings.

It is also necessary to consider simplifying administrative procedures, for example by measures such as

- one external audit per year for each core-funded organisation, rather than one audit per interim payment,
- removal of requirement for bank guarantees for NGOs who can demonstrate a history of sound financial management and a track record of delivering on EU projects,
- simplification of the application process for project funding - perhaps a two-tier system allowing for simplified preliminary applications.



## AMENDMENTS

The Committee on Employment and Social Affairs calls on the Committee on Citizens' Freedoms and Rights, Justice and Home Affairs, as the committee responsible, to incorporate the following amendments in its report:

Text proposed by the Commission <sup>1</sup>	Amendments by Parliament
Amendment 1 Recital 2	
(2) The Community and the Member States have as their objectives the promotion of employment, improved living and working conditions, proper social protection, the development of human resources with a view to <b><i>lasting high</i></b> employment and the combating of exclusion.	(2) The Community and the Member States have as their objectives the promotion of employment, improved living and working conditions, proper social protection, the development of human resources with a view to <b><i>full</i></b> employment and the combating of exclusion
<i>Justification</i>	
<i>Parliament traditionally favours the objective of full employment. Also the Union's objectives, Article 3 of the Convention are aiming at full employment.</i>	
Amendment 2 Recital 13	
(13) Civil dialogue plays an essential part in promoting cooperation with civil society in the social field, <b><i>and was supported until 2001 under budgetary heading B3-4101.</i></b> Although the activities of the Platform of European Social non-governmental organisations were financed from 2001 to 2002 under <b><i>heading B3-4105</i></b> for preparatory measures combating and preventing exclusion, and in 2003 by joint funding under headings B3-4105 and B5-803, they are much wider-ranging than these programmes and contribute to establishing the new form of governance advocated in the Social Policy Agenda adopted at Nice.	(13) Civil dialogue plays an essential part in promoting cooperation with civil society in the social field, <b><i>in particular with charitable associations. In Declaration 23 annexed to the final act of Maastricht, the Community stressed the importance of cooperation with charitable associations in pursuing the objectives of Article 136 of the Treaty.</i></b> Although the activities of the Platform of European Social non-governmental organisations <b><i>and charitable associations</i></b> were financed from 2001 to 2002 <b><i>under budgetary headings B3-410 and in particular B3-4105</i></b> for preparatory measures combating and preventing

<sup>1</sup> OJ C.../Not yet published in OJ..

exclusion, and in 2003 by joint funding under headings B3-4105 and B5-803, they are much wider-ranging than these programmes and contribute to establishing the new form of governance advocated in the Social Policy Agenda adopted at Nice.

Amendment 3  
Recital 15 a (new)

***(15a) Budget item 4002 of the general budget of the European Communities for the financial year 2003 and previous financial years is for the purpose of financing information and education measures arising from the implementation of Community measures in connection with the development of the social dimension of the internal market, thereby contributing substantially to realising and transposing the European social agenda and raising the citizens' interest in the social dimension of the European internal market.***

Amendment 4  
Recital 17 a (new)

***(17a) Whereas the new Member States can fully participate in the whole programme.***

*Justification*

*Organisations from new Member States should also be able to participate in all three strands of the programme.*

Amendment 5  
Article 1, point 1, indent a

a) to promote the values and objectives of the European Union;

a) to promote ***and disseminate*** the values and objectives of the European Union;

Amendment 6  
Article 1, point 1, indent d

d) to intensify links and exchanges between citizens from the countries participating in the programme, **notably** by way of town-twinning arrangements;

d) to intensify links and exchanges between citizens from the countries participating in the programme, **amongst others** by way of town-twinning arrangements;

*Justification*

*The programme should not concentrate too narrowly just on town-twinning.*

Amendment 7  
Article 1, point 1, indent e a (new)

***ea) to promote the principle of participatory democracy including the participation of women in decision making***

*Justification*

*The Draft Constitution's stated aim as expressed in article 46 on the principle of participatory democracy must be added as well as the aim of women participation in decision making.*

Amendment 8  
Article 2, paragraph 2

The action concerned must be in accordance with the principles underlying Community activity in the field of active citizenship.

The action concerned must be in accordance with the principles underlying Community activity in the field of active citizenship, ***be transparent and follow EU guidelines on acknowledgement of EU funding within publications, websites and other ways of distribution.***

*Justification*

It is important to stress the requirement of transparency and publication of the sources of funding.

Amendment 9  
Article 4, paragraph 1

1. Operating grants for the ongoing work programme of a body pursuing an aim of general European interest in the field of active citizenship or an objective forming part of the European Union's policy in this area shall be awarded in accordance with the overall criteria laid down in the Annex.

1. Operating grants for the ongoing work programme of a body pursuing an aim of general European interest in the field of active citizenship or an objective forming part of the European Union's policy in this area shall be awarded in accordance with the overall criteria laid down in the Annex ***without proceeding with exclusions based on subjective criteria and shall not exclude organisations who approach the policies of the Union from differing but constructive perspectives.***

Amendment 10  
Article 7, point 1, paragraph 2

***This report shall be based, inter alia, on*** an external evaluation report which must be available no later than the end of 2006 and which shall appraise at least the overall pertinence and coherence of the programme, the effectiveness of its execution (preparation, selection, implementation of the actions) and the overall and individual effectiveness of the various actions in terms of achievement of the objectives set out in Article 1 and in the Annex.

***The Commission will transmit to the Council and the European Parliament an*** external evaluation report which must be available no later than the end of 2006 and which shall appraise at least the overall pertinence and coherence of the programme, the effectiveness of its execution (preparation, selection, implementation of the actions) and the overall and individual effectiveness of the various actions in terms of achievement of the objectives set out in Article 1 and in the Annex.

*Justification*

*The external evaluation should be available in full to the legislative authority, so that it enters into a meaningful dialogue with the Commission about proposals for adjustments and/or prolongation.*

Amendment 11  
Annex, point 2.1.1.a. (new)

***2.1.1.a. Organisations will be subject to periodic review.***

*Justification*

*A closed shop approach must be rejected. Eligible organisations must be subject to regular re-evaluation.*

Amendment 12  
Annex, point 2.1.2., indent 2

**- a European multiplier network of non-profit bodies** active in the states participating in the programme and promoting the principles and policies contributing to the objectives in this area;

**- non-profit bodies with a multiplier effect** active in the states participating in the programme and promoting the principles and policies contributing to the objectives in this area;

*Justification*

*Networks should not always be considered as administrative expenditure (operating grants) but can also be considered as operational expenditure and as such be "eligible for action" grants as defined under strand 3 of the programme. Therefore the text is slightly changed so as to avoid a rigid interpretation.*

Amendment 13  
Annex, point 2.2.

**Having regard to the quality and quantity of funding applications, the following guidelines shall be taken into account when allocating the programme's resources:** *deleted*

**- resources to be committed under part 3a shall not be less than 20 per cent of the annual budget available for this programme;** *deleted*

**- resources to be committed under part 3b shall not be less than 40 per cent of the annual budget available for this programme.** *deleted*

*Justification*

*Over-prescriptive guidelines for the allocation of programme resources should be avoided.*

Amendment 14  
Annex, point 3.1.

3.1. In order to award the grants under part

3.1. In order to award the grants under part

2 of the programme, the Commission shall publish calls for proposals. ***However, the Commission may award these grants without publication of a call for proposals when the budget heading names a beneficiary explicitly. It may proceed in the same manner when the budget identifies beneficiaries and the amounts allocated to each of them, if the total amount of the budget line concerned is entirely pre-assigned by budgetary authority. In both cases, all other requirements of the Financial Regulation, its Implementing Rules and the basic act apply.***

2 of the programme, the Commission shall publish calls for proposals.

*Justification*

This amendment deletes the possibility of earmarking organisations within strand 2 of the programme. The draftsman leaves it to the wisdom of the Committee whether to vote against this amendment (and thus allowing the continuation of the current practice of earmarking) or in favour (thus making strand 2 subject to the normal practice of call for proposals, as defined in the Financial Regulation).

Amendment 15  
Annex, point 3.1.1. (new)

***The Commission shall inform the European Parliament of its intention to proceed with a call for proposals, stating its priorities, if any, as regards themes and kinds of activities envisaged.***

*Justification*

*The European Parliament must be able to establish a constructive dialogue with the Commission for purposes of monitoring the priorities set by the latter.*

Amendment 16  
Annex, point 3.2.1. (new)

***3.2.1. The priorities, themes and types of activity of calls for proposals will be communicated to the European Parliament before proceeding to the calls***

***for proposals.***

*Justification*

*In order to keep control over the Commission's priorities when issuing a call for proposals the priorities, themes and actions must be communicated to the EP so that there can be a dialogue between the Commission and the relevant committees.*

Amendment 17  
Annex, point 5.2.

5.2 Grants to these bodies shall not fund all their eligible expenditure in the calendar year for which they are awarded: at least 10 per cent of the bodies' budgets must be co-financed from non-Community sources. Such co-financing may be ***partly*** contributed in kind, provided the contribution is valued at no more than the cost actually incurred and evidenced by accounting documents or the cost generally obtaining on the market in question.

5.2 Grants to these bodies shall not fund all their eligible expenditure in the calendar year for which they are awarded: at least 10 per cent of the bodies' budgets must be co-financed from non-Community sources. Such co-financing may be contributed in kind, provided the contribution is valued at no more than the cost actually incurred and evidenced by accounting documents or the cost generally obtaining on the market in question.

*Justification*

*The Commission should not limit the possibility to give contributions in kind. Some organisations do not have possibilities to find other sponsors or donors and can only fulfil the co-financing requirements through contributions in kind.*

Amendment 18  
Annex, point 5.3.

5.3 Pursuant to Article 113(2) of Council Regulation (EC, Euratom) No 1605/2002 of 25 June 2002, the principle of gradual reduction shall not apply to operating grants to ***these*** bodies, ***since they are bodies pursuing an objective of general European interest.***

5.3 Pursuant to Article 113(2) of Council Regulation (EC, Euratom) No 1605/2002 of 25 June 2002, the principle of gradual reduction shall not apply to operating grants to ***the*** bodies ***under this Regulation.***

*Justification*

*The Commission gives no justification for the differential treatment in applying degressivity between organisations benefiting from operating grants under strand 1 and 2. Paragraph 5.6 of the Annex is deleted as a consequence.*

Amendment 19

Annex, point 5.5.

5.5 An operating grant under part 2 of the Annex shall not fund all the body's eligible expenditure in the calendar year for which it is awarded. At least **20** per cent of the budgets of the bodies covered by this part must be co-financed from non-Community sources. Such co-financing may be *partly* contributed in kind, provided the contribution is valued at no more than the cost actually incurred and evidenced by accounting documents or the cost generally obtaining on the market in question.

5.5 An operating grant under part 2 of the Annex shall not fund all the body's eligible expenditure in the calendar year for which it is awarded. At least **10** per cent of the budgets of the bodies covered by this part must be co-financed from non-Community sources. Such co-financing may be contributed in kind, provided the contribution is valued at no more than the cost actually incurred and evidenced by accounting documents or the cost generally obtaining on the market in question.

*Justification*

*The Commission gives no justification for applying a different rate of co-financing for strand 2 as compared to strand 1. Therefore the co-financing percentage for strand 2 is reduced to 10%, as it is the case for strand 1. Contributions in kind should be possible for the full 10 per cent co-financing as some organisations have great difficulties in finding other sources of funding.*

Amendment 20  
Annex, point 5.6.

***5.6 Pursuant to Article 113(2) of Council Regulation (EC, Euratom) No 1605/2002 of 25 June 2002, operating grants so awarded, if renewed, shall be gradually decreased. This reduction shall apply from the third year onwards, at a rate of 2.5 per cent per year. In order to observe this rule, which applies without prejudice to the co-financing rule mentioned above, the percentage of Community co-financing corresponding to the grant awarded for a given financial year shall be at least 2.5 points below the percentage of Community co-financing corresponding to the grant awarded for the previous financial year.*** *deleted*

*Justification*

*The Commission gives no justification why degressivity applies to strand 2, but not to strand 1. Therefore the degressivity rule is deleted.*



Amendment 21  
Annex, point 6

*In the light of a cost/benefit analysis, the Commission may decide to entrust all or part of the tasks of managing the programme to an executive agency, in conformity with Article 55 of the Financial Regulation applicable to the general budget of the European Communities; it may also have recourse to experts and incur any other expenditure on technical and administrative assistance, not involving the exercise of public authority, outsourced under ad hoc service contracts. It may also finance studies and organise meetings of experts likely to facilitate the implementation of the programme, and undertake information, publication and dissemination actions directly linked to the achievement of the programme's objective.* *deleted*

*Justification*

*Article 6 of the Annex is deleted, because it does not seem necessary to retain the possibility of using an executive agency to manage the programme. The reference to an executive agency should thus also disappear from the financial statement. The Commission is also asked to justify the number of officials necessary to manage the programme (by ways of comparison: only 5,5 FTE staff will manage The Daphne programme).*

Amendment 22  
Annex, point 7.5 a (new)

***7.5a. Organisations benefiting from an operating grant under this regulation may participate in call for proposals for other programmes and projects, however without any preferential treatment over those organisations whose operating grants are not financed by the EU Budget.***

*Justification*

*On the one hand it should be excluded that organisations that receive EU operating grants are being given preferential treatment over organisations that do not receive such grants; on the other hand it is also the case that organisations that receive operating grants but which grants*

*are being reduced are often not taken into consideration for action grants (e.g. semi statutory organisations).*

22 October 2003

## **OPINION OF THE COMMITTEE ON CULTURE, YOUTH, EDUCATION, THE MEDIA AND SPORT**

for the Committee on Citizens' Freedoms and Rights, Justice and Home Affairs

on the proposal for a Council decision on establishing a Community action programme to promote active European citizenship (civic participation)  
(COM(2003) 276 – C5-0321/2003 – 2003/0116(CNS))

Draftsman: Juan Ojeda Sanz

PA\_Leg

### **PROCEDURE**

The Committee on Culture, Youth, Education, the Media and Sport appointed Juan Ojeda Sanz draftsman at its meeting of 8 July 2003.

It considered the draft opinion at its meetings of 29-30 September and 20 October 2003.

At the latter it adopted the following amendments unanimously.

The following were present for the vote: Michel Rocard, chairman ; Vasco Graça Moura, vice-chairman; Mario Mauro, vice-chairman, Theresa Zabell, vice-chairman; Juan Ojeda Sanz, draftsman; Nuala Ahern (for Daniel Marc Cohn-Bendit), Pedro Aparicio Sánchez, Christopher J.P. Beazley, Christine de Veyrac (for Marielle de Sarnez), Saïd El Khadraoui (for Barbara O'Toole), Cristina García-Orcoyen Tormo (for Domenico Mennitti), Marie-Hélène Gillig (for José María Mendiluce Pereiro), Lissy Gröner, Cristina Gutiérrez Cortines (for Francis Decourrière), Ruth Hieronymi, Ulpu Iivari, Arlette Laguiller (for Geneviève Fraisse), Maria Martens, Camilo Nogueira Román (for Giorgio Celli), Gérard Onesta (for Eurig Wyn), Doris Pack, Roy Perry, Christa Prets, Marieke Sanders-ten Holte, Walter Veltroni (for Giorgio Ruffolo), Sabine Zissener and Myrsini Zorba (for Gianni Vattimo).

## AMENDMENTS

The Committee on Culture, Youth, Education, the Media and Sport calls on the Committee on Citizens' Freedoms and Rights, Justice and Home Affairs, as the committee responsible, to incorporate the following amendments in its report:

Text proposed by the Commission<sup>1</sup>

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Amendments by Parliament

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Amendment 1  
Recital 10 a (new)

***10 a. The Council reaffirms its belief in the need to continue supporting town twinning schemes, given the important role that they can play in promoting civic identity and mutual understanding between the peoples of Europe; stresses that, in the context of the multi-annual programme, an appropriate budget for, and continued promotion of, town twinning schemes must be guaranteed, as the European Parliament has insisted every year in the budgetary procedure; stresses that it is essential to make the application procedure for, and administration of, town twinning schemes comprehensible and bring them closer to the citizens.***

### *Justification*

*Supporting town twinning schemes is one of the most important measures in promoting the development of an active body of European citizens. As part of the enlargement of the European Union, it is essential that there should be a significant increase over 2003 in the volume of appropriations made available to town twinning schemes. In the light of the wide-ranging effect of such schemes and the direct contact with the citizen they bring about, it needs to be ensured that the application procedure and the administration of the programme are brought closer to the citizens and made understandable, otherwise the involvement of the EU will achieve the opposite of this programme's desired objective.*

Amendment 2  
Recital 19 a (new)

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<sup>1</sup> Not yet published in OJ.

**19a. In the interest of transparency, any beneficiary of a grant from the budget of the European Communities should indicate this in a prominent place, such as a website homepage or an annual report.**

*Justification*

*Transparency.*

Amendment 3  
Article 6

The annual appropriations shall be authorised by the Budgetary Authority within the limits of the financial perspective.

The annual appropriations shall be authorised by the Budgetary Authority within the limits of the financial perspective.

***The 2004 Budget shall be used as the basis for the level of appropriations set. The effects of enlargement must be taken into account.***

*Justification*

*The Commission's proposal for a total amount of EUR 113.092 m is based on the appropriations allocated for the 2003 financial year, and is even lower than that figure. This is quite unacceptable, since the European Parliament's Committee on Culture and Committee on Budgets have already entered higher amounts for the 2004 financial year.*

Amendment 4  
Article 7, paragraph –1 (new)

***(-1) The Commission shall present annually a short report on the implementation of the programme to the European Parliament, the Council, the Economic and Social Committee and the Committee of the Regions.***

*Justification*

*Parliament can only monitor implementation of the programme if it regularly receives information on it.*

Amendment 5  
Annex, paragraph 2.2

**2.2. Having regard to the quality and quantity of funding applications, the following guidelines shall be taken into account when allocating the programme's resources:** *deleted*

- *resources to be committed under part 3a shall not be less than 20 per cent of the annual budget available for this programme;*
- *resources to be committed under part 3b shall not be less than 40 per cent of the annual budget available for this programme.*

*Justification*

*In line with the financial perspectives, the Budgetary Authority will set the total amount of appropriations every year. It will not be necessary to give a breakdown of the total available budget for the programme.*

Amendment 6  
Annex, paragraph 5.7 a (new)

**5.7a. Under any part of the programme, any beneficiary of a grant shall indicate in a prominent place, such as a website homepage or an annual report, that it has received funding from the budget of the European Communities.**

*Justification*

*Transparency.*