



COMMISSION OF THE EUROPEAN COMMUNITIES

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Proposal for a

DECISION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

**amending Decision No 1719/2006/EC establishing the Youth in Action programme for
the period 2007 to 2013**

(presented by the Commission)

EXPLANATORY MEMORANDUM

1. On 15 November 2006 the European Parliament and the Council adopted Decision No 1719/2006/EC establishing the Youth in Action programme for the period 2007 to 2013. The objective of this programme is to promote active citizenship among young people, encourage solidarity and tolerance, foster understanding between young people from different countries and develop European cooperation on youth issues. The programme also helps to develop the quality of support systems for youth activities and the capabilities of civil society organisations which are active in the field of youth.
2. To achieve its objectives, the programme proposes five actions to support specific activities. Project promoters wishing to receive grants are required to follow a procedure for calls for proposals which results in the Commission making selection decisions concerning proposals for the award of grants; as measures to implement the programme, these must follow a specific interinstitutional procedure.
3. Under Article 202 of the Treaty establishing the European Community, the Council, in the acts which it adopts, confers on the Commission powers to implement the rules which the Council lays down and may impose certain requirements in respect of the exercise of these powers.
4. These requirements come under the heading of 'comitology'. This means that it is compulsory to consult a committee on the implementing measures which are determined by the basic instrument, and this must be done prior to their adoption by the Commission. This committee is composed exclusively of representatives of the Member States. It is chaired by the Commission.
5. There are various types of committee procedure, as set out in Council Decision No 1999/468/EC laying down the procedures for the exercise of implementing powers conferred on the Commission, as amended by Council Decision No 2006/512/EC. The basic instrument establishing the Commission's implementing powers may provide for the application of these various procedures in order to carry out the implementing measures.
6. The 'comitology' Decision also gives Parliament the right to monitor the implementation of legislative instruments adopted under the codecision procedure. This right of scrutiny allows Parliament to contest any measures envisaged by the Commission which it thinks would exceed the implementing powers provided for in the basic instrument, as this could impinge on its powers of codecision.
7. The European Parliament has one month in which to examine a draft measure before the Commission makes the formal decision. This period begins to run when the definitive proposed implementing measure is transmitted to Parliament after the committee has delivered its formal opinion.
8. Decision No 1719/2006/EC establishing the Youth in Action programme provides that a set of measures necessary to implement the programme shall be adopted by the Commission in accordance with the procedures provided for in the 'comitology' Decision.

9. When the programme was being negotiated, the legislator had clearly defined the grant award decisions to be submitted to the committee. The management procedure provided for in Articles 4 and 7 of Decision No 1999/468/EC was intended for support for the European Youth Forum. The other grant award decisions were not intended to be subject to a committee procedure. In such a case the Commission had undertaken to inform the programme committee and the European Parliament immediately of any selection decisions which would not be subject to the management procedure. This agreement was set out in a declaration by the Commission to the Council and the European Parliament.
10. The agreement was based on the nature of the programme's actions, which generally award small grants to a large number of beneficiaries, as in such cases the committee procedure can provide little added value and it places a disproportionate burden on the programme's administration. This agreement was thus based on an interinstitutional consensus with a view to simplifying procedures and reducing the time required for making decisions concerning potential beneficiaries.
11. While the wording of Decision No 1719/2006/EC correctly incorporates the legislator's wishes concerning the selection decisions to be submitted to the management committee, the legislator's intentions were not properly transposed in that Decision insofar as all other measures, including selection decisions, were made subject to the consultative procedure referred to in Articles 3 and 7 of Decision No 1999/468/EC rather than requiring the Commission to provide immediate information to the programme committee and the European Parliament.
12. The programme committee is thus consulted in accordance with the management procedure for grant award decisions which are expressly provided for in Article 10(1) of Decision No 1719/2006/EC, namely in relation to support for the European Youth Forum. *A contrario*, Article 10(2) of that Decision stipulates that all other grant award decisions are made in accordance with the consultative procedure.
13. This wording of Decision No 1719/2006/EC causes serious problems in the implementation of the actions and measures provided for by the programme.
14. Making selection decisions subject to the consultative procedure actually delays their adoption by two to three months; applicants must therefore wait longer before being informed of a decision concerning their proposals. Yet the projects concerned are generally planned to begin within a short timeframe. Moreover, the programme guide, which for potential promoters serves as an ongoing call for proposals, provides for a full five annual deadlines for the submission of grant applications, in order to reduce as much as possible the time between the submission of an application and the award of a grant. The expectations of programme beneficiaries would not be met if this period were extended because of the consultative procedure.
15. Temporary solutions have been devised in order to reduce the time required for systematic committee consultation and the consequent right to monitor implementation. The programme committee has agreed to amend its rules of procedure in order to reduce the time required for consultations concerning selection decisions which are subject to the consultative procedure. The committee now uses the written procedure and has a period of five days in which to comment on the selection decisions submitted for its opinion. The European Parliament has also

accepted a temporary arrangement which reduced the time required for its right of scrutiny from one month to five days during the previous summer period.

16. While these ad hoc arrangements and temporary solutions have helped to solve the more immediate problems, experience has shown that it is important to put in place a long-term solution in order to be able to offer programme beneficiaries an assurance concerning the time required to award their grants.
17. A definitive solution to the problem posed by making selection decisions subject to the consultation procedure will require a technical amendment to Decision No 1719/2006/EC. The current consultative procedure will disappear and will be replaced, on the basis of a Commission declaration, by a procedure whereby the Commission provides the programme committee and the European Parliament with immediate information on the selection decisions which it adopts.
18. This draft amendment of Decision No 1719/2006/EC will mark a return to the system in force under the Youth programme from 2000 to 2006, which provided for the committee and the European Parliament to be informed immediately of the same decisions as those currently under discussion.
19. Moreover, this draft amendment of Decision No 1719/2006/EC is based on the legislator's original intention when that Decision was being negotiated.
20. The proposal to amend Decision No 1719/2006/EC will thus make it possible to reduce by two to three months the time required for grants to be awarded and to ensure effective implementation of the activities and measures covered by the programme. The programme committee and the European Parliament will immediately be informed of the selection decisions. This amendment will also help to strengthen the principles of simplification and proportionality of the procedures by making them faster and more efficient in the interests of grant recipients.
21. Three other decisions adopted by the European Parliament and the Council, which establish programmes in the areas of education, citizenship and culture, include similar provisions concerning the breakdown of selection decisions between the management procedure and the consultative procedure and cause the same problems regarding the implementation of selection decisions. A similar revision of these basic instruments is planned in parallel with this proposal for an amendment.

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DECISION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

amending Decision No 1719/2006/EC establishing the Youth in Action programme for the period 2007 to 2013

(Text with EEA relevance)

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 149(4) thereof,

Having regard to the proposal from the Commission¹,

Having regard to the opinion of the European Economic and Social Committee²,

Having regard to the opinion of the Committee of the Regions³,

Acting in accordance with the procedure laid down in Article 251 of the Treaty⁴,

Whereas:

- (1) Decision No 1719/2006/EC of the European Parliament and of the Council⁵ established the Youth in Action programme for the period 2007 to 2013.
- (2) Article 10(2) of Decision No 1719/2006/EC stipulates that other measures necessary for the implementation of the programme which are not listed in paragraph 1 shall be adopted in accordance with the procedure referred to in Article 9(3) of that Decision, namely in accordance with the consultative procedure established by Council Decision No 1999/468/EC laying down the procedures for the exercise of implementing powers conferred on the Commission⁶.
- (3) This wording of Decision No 1719/2006/EC results in particular in grant award decisions other than those referred to in Article 10(1) of the Decision being subject to the consultative procedure and to the European Parliament's right of scrutiny.

¹ OJ C , , p. .

² OJ C , , p. .

³ OJ C , , p. .

⁴ OJ C , , p. .

⁵ OJ L 327, 24.11.2006, p.30.

⁶ OJ L 184, 17.07.1999, p.23. Decision as amended by Decision No 2006/512/EC (OJ L 200, 22.07.2006, p. 11).

- (4) Yet these selection decisions mainly concern small grants and do not involve any politically sensitive decision-making.
- (5) These procedural requirements add two to three months to the process of awarding grants to applicants. They cause many delays for recipients, place a disproportionate burden on the programme's administration and provide no added value given the nature of the grants awarded.
- (6) It is therefore necessary to amend Decision No 1719/2006/EC in order to allow selection decisions to be implemented more quickly and efficiently.

HAVE DECIDED AS FOLLOWS:

Article 1

The following paragraph 1a shall be incorporated into Article 10 of Decision No 1719/2006/EC:

"1a. Where the Commission adopts decisions, in accordance with the present Decision, on the award of grants other than those listed in paragraph 1, it shall adopt these decisions without the assistance of a committee."

Article 2

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

Done at Brussels, [...]

For the European Parliament
The President

For the Council
The President