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## REPORT

on the mid-term review of the 2000-2003 Daphne Programme  
(2001/2265(INI))

Committee on Women's Rights and Equal Opportunities

Rapporteur: María Antonia Avilés Perea



**CONTENTS**

	<b>Page</b>
PROCEDURAL PAGE .....	4
MOTION FOR A RESOLUTION.....	5
EXPLANATORY STATEMENT .....	17

## PROCEDURAL PAGE

At the sitting of 17 January 2002 the President of Parliament announced that the Committee on Women's Rights and Equal Opportunities had been authorised to draw up a report, pursuant to Rule 163, on the mid-term review of the 2000-2003 Daphne Programme.

The Committee on Women's Rights and Equal Opportunities appointed María Antonia Avilés Perea rapporteur at its meeting of 22 January 2002.

The committee considered the draft report at its meetings of 21 May and 18 June 2002.

At the last meeting it adopted the motion for a resolution unanimously.

The following were present for the vote: Anna Karamanou, (chairman); Marianne Eriksson (vice-chairman); Olga Zrihen Zaari (vice-chairman); Jillian Evans (vice-chairman); María Antonia Avilés Perea (rapporteur); Regina Bastos, Geneviève Fraisse, Lissy Gröner, Maria Martens, Olle Schmidt, Miet Smet, Patsy Sørensen, Helena Torres Marques and Elena Valenciano Martínez-Orozco.

The report was tabled on 18 June 2002.

The deadline for tabling amendments will be indicated in the draft agenda for the relevant part-session.

## MOTION FOR A RESOLUTION

### European Parliament resolution on the mid-term review of the 2000-2003 Daphne Programme (2001/2265(INI))

*The European Parliament,*

- having regard to the mid-term report to the European Parliament and the Council on the 2000-2003 Daphne Programme<sup>1</sup>, which was submitted by the Commission pursuant to Article 9(2) of European Parliament and Council Decision 293/2000/EC<sup>2</sup>,
- having regard to Article 6 of the Treaty on European Union,
- having regard to the EU Charter of Fundamental Rights, in particular Articles 3, 5, 20, 21, 24 and 32 thereof<sup>3</sup>,
- having regard to the 1979 UN Convention on the elimination of all forms of discrimination against women (CEDAW),
- having regard to the 1989 UN Convention on the Rights of the Child,
- whereas those Conventions oblige Member States to protect all women and children against violence on their territory, regardless of their nationality or status,
- having regard to the 1993 Vienna Declaration on the repression of violence against women,
- having regard to the declaration and the action programme adopted at the Fourth World Conference on Women and its resolution of 21 September 1995 on the Beijing Conference<sup>4</sup>,
- having regard to the declaration and the action plan to counter the sex trade and the exploitation of minors, which were adopted at the 1996 Stockholm Conference,
- having regard to its resolutions of 18 January 1996 on trafficking in human beings<sup>5</sup>, 19 September 1996 on minors who are victims of violence<sup>6</sup>, 12 September 1996 on measures to protect minors in the European Union<sup>7</sup>, 16 September 1997 on the need for an EU-wide campaign for zero tolerance of violence against women<sup>8</sup>, and 16 December 1997 on trafficking in women<sup>9</sup>,
- having regard to its legislative resolution of 11 April 2000 on child pornography on the

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

<sup>2</sup> OJ L 34, 9.2.2000, p. 1.

<sup>3</sup> OJ C 364, 18.2.2000, p. 1.

<sup>4</sup> OJ C 269, 16.10.1995, p. 146.

<sup>5</sup> OJ C 32, 5.2.1996, p. 88.

<sup>6</sup> OJ C 320, 28.10.1996, p. 190.

<sup>7</sup> OJ C 20, 20.1.1997, p. 170.

<sup>8</sup> OJ C 304, 6.10.1997, p. 55.

<sup>9</sup> OJ C 14, 19.1.1998, p. 39.

Internet<sup>1</sup> ,

- having regard to the conference entitled ‘Violence against Women: Zero Tolerance’ which was organised by the Council Presidency on 4-6 May 2000 in Lisbon at the end of the European violence-awareness campaign,
- having regard to its resolution of 18 May 2000 on follow-up to the Beijing action programme<sup>2</sup> ,
- having regard to its resolution of 19 May 2000 on the Commission communication to the Council and the European Parliament entitled ‘Further actions in the fight against trafficking in women’<sup>3</sup> ,
- having regard to the Council Decision of 29 May 2000 on action to combat child pornography on the Internet<sup>4</sup>,
- having regard to its legislative resolution of 15 November 2000 on the programme concerning the Community strategy on equality between men and women<sup>5</sup>,
- having regard to the UN Protocol on trafficking in human beings which was signed in Palermo in December 2000 by the Commission and the 15 EU Member States,
- having regard to its legislative resolutions of 12 June 2001 on the proposals for Council Framework Decisions on combating the sexual exploitation of children and child pornography<sup>6</sup>,
- having regard to its resolution of 20 September 2001 on female genital mutilation<sup>7</sup>,
- having regard to the Council resolution on the contribution of civil society to finding missing or sexually exploited children<sup>8</sup>,
- having regard to the Second World Congress on the sexual exploitation of children for commercial purposes, which was held in Yokohama (Japan) from 17 to 20 December 2001,
- having regard to the Ministerial Conference on violence against women which was held in Santiago de Compostela on 18 and 19 February 2002,
- having regard to the 14-15 March 2002 Barcelona European Council conclusions,
- having regard to Council of Europe Recommendation (2002) 5 on the protection of

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<sup>1</sup> OJ C 40, 7.2.2001, p. 41

<sup>2</sup> OJ C 59, 23.2.2001, p. 258

<sup>3</sup> OJ C 59, 23.2.2001, p. 307

<sup>4</sup> OJ L 138, 9.6.2000, p. 1

<sup>5</sup> OJ C 223, 8.8.2001, p. 102

<sup>6</sup> OJ C 53E, 28.2.2002, p. 108 and p. 114.

<sup>7</sup> OJ C 77E, 28.3.2002, p. 22-126

<sup>8</sup> OJ C 283, 9.10.2001, p. 1

women from violence,

- having regard to Rule 47(2) and Rule 163 of its Rules of Procedure,
  - having regard to the report of the Committee on Women's Rights and Equal Opportunities (A5-0233/2002),
- A. whereas violence against women and children constitutes an intolerable violation of their fundamental rights and an attack on their security, their physical integrity, their freedom and their dignity, and whereas it imposes an enormous human, social and economic cost on society as a whole,
- B. whereas the lack of reliable data makes it difficult to gauge the exact scale of the phenomenon; recent research into domestic violence, which is the most common yet least apparent form of violence, reveals that one woman in five suffers violence at the hands of her spouse/partner, whilst the IOM estimates that, each year, 500 000 people (most of them women and children) become caught up in trafficking for the purpose of sexual exploitation in the EU; whereas female genital mutilation (FGM) is sometimes performed in the EU and whereas health services are confronted with the sequels of FGM, whether performed in or outside the EU,
- C. whereas physical, sexual and psychological violence against women and children occurs in all countries, irrespective of class, race or level of educational attainment,
- D. whereas action to combat violence calls for an integrated approach involving prevention, repression and victim-support policies,
- E. having regard to the objectives of the 2001-2005 Community framework strategy for equality between men and women, and whereas violence against women impedes equality between the sexes and perpetuates inequality,
- F. whereas, by entering into the 1997 budget the sum of ECU 3 million intended to finance measures for combating violence against children, adolescents and women (budget heading B3-4109), the European Parliament launched the Daphne initiative which from 1997 to 1999 was run by the Commission,
- G. whereas, on 20 January 2000, the European Parliament and the Council adopted the 2000-2003 Daphne programme of Community action on preventive measures to fight violence against children, young persons and women,
1. Welcomes the mid-term report submitted pursuant to Article 9(2) of Decision 293/2000/EC, in which the Commission presents a clear, detailed assessment of the running of the programme during its first two years, and also assesses the results of the 149 projects carried out under the 1997-1999 Daphne initiative;
  2. Considers the implementation of the Daphne programme in 2000-2001 to be in

accordance with the objectives laid down in the Parliament and Council decision and the 73 projects selected to be well-balanced as regards the three categories of beneficiaries, annual and multiannual projects, geographical distribution and areas covered, with an emphasis on sexual violence and domestic violence;

3. Draws attention to the special nature of the Daphne programme (by comparison with other initiatives and programmes), which was designed as a multidisciplinary tool for tackling a number of types and forms of violence; notes from the fact that many appropriate and much-needed projects have been omitted that the programme is inadequately funded and proposes that the budget be increased for the subsequent period;
4. Endorses, as regards the areas of activity, the priorities set in the annual calls for proposals; points out that it increased the 2002 budget by EUR 1 million in order to finance activities in the areas of paedophilia and female genital mutilation;
5. Calls for particular attention to be paid to areas such as the prevention of violence and the treatment and rehabilitation of aggressors, and to comparative studies on, for example, legislation, punishment and approaches to prostitution;
6. Calls for concerted action by the Member States to take preventive measures of all kinds and in all areas to prevent aggressors from reoffending, which frequently has irreparable consequences for the victims whose safety must be protected by law;
7. Calls for educational programmes to be drawn up on the prevention of violence against women and children and on conflict management, to be implemented in schools and in adult educational institutions;
8. Calls on the Commission to pursue the campaign against violence and to initiate a European year of action on that topic;
9. Emphasises the important role to be played by the media (as opinion-formers and the means by which values are transmitted) in preventing violence by conveying a non-discriminatory and non-stereotyped image of women and children and of the victims of violence in general, and calls for the media, journalists and the advertising industry to be targeted more extensively in connection with awareness projects carried out under the programmes and, in so doing, for the possible influence of the media on the occurrence of violence to be taken into account;
10. Notes that, although Daphne is now open to public bodies, the latter account for only 10% of participants; calls on the Commission to give greater encouragement to cooperation between NGOs, public bodies at local, regional and national level and other parties involved, such as research institutes and universities; calls on the Member States to monitor Daphne projects closely and to support them by helping to disseminate and extract full benefit from the results thereof and by taking those results into account when planning measures and policies;
11. Calls for better synergy amongst all the activities relating to the Daphne objectives at



both European and international level, and calls on the Commission to ensure that its final assessment includes comprehensive information on coordination:

- with other Community programmes and activities (Article 4 of the decision), in particular STOP, the strategy to combat sex tourism, Odysseus and the 2001-2005 framework strategy for equality between men and women;
- with third countries and international organisations (Article 8) and particularly with applicant countries, new external border states and ACP states;

12. Stresses that the Daphne programme meets a basic need for effective strategies to combat violence and that it must continue beyond 2003; to that end, calls on the Commission to submit a proposal for a new action programme which incorporates all the experience acquired since 1997 and which is allocated appropriate funding to reflect the full involvement of the applicant countries, from which only 6% of the partners are currently drawn;
13. Restates that action at EU level to combat violence as an infringement of human rights requires a more appropriate legal basis than Article 152 of the EC Treaty, which concerns public health; having regard to Article 6 of the EU Treaty and the Charter of Fundamental Rights, calls on the members of the European Convention to propose that a special legal basis to combat sex-specific violence be included in the Treaties;
14. Welcomes the priority given by the Spanish Council Presidency to the topic of violence against women, with particular reference to domestic violence, sexual violence and violence in the work place, and welcomes the inclusion of a reference to violence in the Barcelona European Council conclusions;
15. Welcomes the initiative of the Spanish Presidency to commission a study and draw up a guide to the good practices introduced by the Member States and the applicant countries; calls on the Council to take appropriate follow-up action, particularly in the form of establishing indicators and benchmarks for all forms of violence in the Member States and applicant countries;
16. Calls on the Council and the Member States to improve the implementation and the monitoring of the new measures, of the laws in force and of international conventions as a way of outlawing violence against women and children, and to deem all forms of violence to be punishable under criminal law; calls on the Commission to carry out careful monitoring of the implementation in the applicant countries of the Community *acquis* concerning action to combat violence;
17. Calls on the Council to adopt the framework decision on combating the sexual exploitation of children and child pornography which was adopted by the European Parliament on 12 June 2001;
18. Calls on the Council and the Member States to introduce the right of eviction and the associated accompanying measures such as intervention services and special training for law enforcement officers dealing with victims and perpetrators in order to prevent women and children from receiving double punishment;

19. Reiterates the need for common indicators to be devised and for data and statistics on (a) the extent of violence, (b) the medium- and long-term effects of violence on the victims and individuals in their immediate family environment and (c) the social and economic implications and the effects on health to be drawn up at European level for the purpose of determining the scope of the phenomenon and calculating the cost thereof; considers that the amounts allocated by the EU Member States to combating violence should also be calculated;
20. Calls on the Commission and the Member States to draw up a common database on the repression of violence against women and to include in it laws, statistics, training modules and any other important documents; such a database could be set up in liaison with the network of experts on fundamental rights;
21. Instructs its President to forward this resolution to the Commission, the Council and the governments of the Member States.

## **EXPLANATORY STATEMENT**

### **Introduction**

Physical, sexual and psychological violence against women and children constitutes a serious breach of fundamental rights. In the EU, one woman in five is subject to violence. Every week, one woman is killed by her husband or partner. Europol estimates that, every year in the European Union, 500 000 people, mainly women and children, are the victims of trafficking in human beings, most frequently for the purpose of sexual exploitation. Although a lack of reliable statistics continues to make it difficult to assess the scale of these phenomena, awareness thereof has increased in recent years, thanks, in part, to programmes such as Daphne.

Violence is also the consequence of inequality and discrimination on the grounds of sex in our society and constitutes an obstacle to the attainment of the goal of equal treatment of men and women set out in the Treaty. Effective action to combat violence requires an integrated approach which combines prevention, punitive action and victim support.

In its reports on the Daphne programme, this committee has called for violence to be taken to constitute a breach of human rights and a serious threat to safety, freedom and dignity. That position is now underpinned by the Charter of Fundamental Rights of the EU (in particular Articles 3, 5, 20, 21 and 24 thereof) and is recognised in numerous declarations of principle, most recently by the Spanish Council Presidency, which included amongst its priorities the campaign against violence, especially domestic violence, sexual violence and violence at the workplace<sup>1</sup>.

Recent years have witnessed an improvement in the perception of violence and in the devising of European policies on that issue. My committee has been keeping a close watch on developments in those areas, in particular the two proposals for framework decisions, one on the fight against trafficking in human beings, the other on common definitions and penalties to combat the sexual exploitation of children, as well as the recent proposal for a directive concerning the granting of temporary residence permits to victims of such trafficking.

These developments should also be reflected in the establishment of a specific legal basis in the new Treaty to cover sexual violence and violence against children.

### **Reminder of the objectives of the Daphne programme 2000-2003**

In 1997, Parliament supported the original Daphne Initiative – the precursor to the current programme - by entering ECU 3 million against Item B3-4109. The Commission managed Daphne with a budget of ECU 3 million in 1997 and 1998 and of EUR 5 million in 1999.

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<sup>1</sup> Ministerial Conference on Violence held on 18-19 February 2002 in Santiago de Compostela; conclusions of the Barcelona European Council of 14 March 2002.

The aim of the Daphne Programme 2000-2003<sup>1</sup> is to support the work being done by NGOs and public authorities to protect women and children against violence and to prevent acts of violence against them. Violence is construed in its broadest sense and in its many and varied forms; domestic violence, sexual violence, violence in institutions and violence against minority groups.

The Daphne Programme will result in European added value by encouraging exchanges of ideas and best practice through the establishment of networks and partnerships and through pilot projects. The programme also supports campaigns to raise public awareness, research work and seminars.

Compared with its precursor, the Daphne Initiative, it includes three new elements: it is open to NGOs as well as to local public institutions; it is open to the applicant countries of Central and Eastern Europe and to Cyprus, Malta, Turkey and to the EFTA/EEA countries; it makes provision henceforth for the funding of multiannual projects.

### **Mid-term review**

The mid-term review presented by the Commission to the European Parliament and to the Council pursuant to Article 9(2) of the Decision establishing the Daphne Programme is to be welcomed. This stylish, detailed and well-structured report gives an exhaustive survey of the projects selected in 2000/2001, and it is supplemented by annexes and by the information available on the Daphne web site and the appropriate database which lists the 222 projects co-financed since 1997.

The report principally emphasises the structure and management of the programme, since the initial projects, which began in December 2000 and January 2001, had not been completed when the report was being drawn up. Nevertheless, one chapter does analyse the results and the impact of the projects carried out under the Daphne Initiative (1997-1999), and that provides useful additional information and gives added value to the report.

The programme prompted much interest among and elicited an enormous response from collective organisations. As Commissioner Vitorino said, when presenting the mid-term review to my committee on 18 April 2002, Daphne is a victim of its own success.

In 2000 and 2001 respectively, 415 and 207 applications were submitted, with requests for subsidies totalling EUR 40 million and EUR 22 million from an annual budget endowment of EUR 5 million. 73 projects were selected (47 in 2000 and 26 in 2001), i.e. 13% and 11% of the eligible proposals. To those 73 projects must be added the 149 projects undertaken under the 1997-1999 *Daphne* Initiative, which gives a total of 222 projects (plus 9 projects funded from Article B5-804 in 2001) at a cost of EUR 20.4 million over the last five years.

The mid-term review shows that the management of the programme complied with the objectives laid down in the Decision of the EP and of the Council. The following aspects should be particularly emphasised:

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<sup>1</sup> Decision No 293/2000/EC of the European Parliament and of the Council – OJ L 34, 9.2.2000, p. 1.

- (a) a balance, in terms of the number of projects and the funds allocated, between the categories of beneficiaries, children/young people and women;
- (b) appropriate allocation between annual projects (75%) and multiannual projects (25%); the latter ensure improved sustainability of the projects, but they have a significant impact on the budget, which is why there is a need to restrict the number thereof;
- (c) geographical balance: all the Member States of the EU are involved, either as coordinators or as partners; organisations from the EFTA/EEA countries and from the CEECs account for 6% of the partners;
- (d) treatment of various categories of violence, with major emphasis on sexual and domestic violence: sexual violence: 17%; sexual exploitation for commercial purposes: 8%; trafficking in human beings: 7%; gender violence: 8%; violence in the family: 7%; domestic violence: 11%; Internet and child pornography: 6%;
- (e) coverage of the various objectives set out in the Decision, with major emphasis on studies (26%) and exchanges of best practice (21%);
- (f) coverage of specific objectives, with major emphasis on prevention (26%) and protection against acts of violence (17%). They are followed by other important objectives such as legislative measures (8%), treatment of victims (12%) and treatment of offenders (5%);
- (g) variety of methods for the attainment of the objectives: establishment of networks (23%), dissemination of best practice (14%), production of educational material (12%); awareness-raising (12%); training (11%);
- (h) calls for proposals: the substance thereof is changed every year, and priorities are laid down. The dissemination of results constitutes one of the priorities in the calls for proposals in 2001 and 2002. In 2001, the other priority involved information and awareness-raising campaigns against paedophilia and the sexual exploitation of children (Chapter B5-804). In 2002, two priorities have been added: female genital mutilation (priority proposed by the EP) and violent men;
- (i) follow-up, ex post evaluation and the dissemination of results rightly receive special attention in the implementation of the programme;
- (j) administrative expenditure (on experts, TAOs and meetings) accounts for 6-7% of the budget.

In its assessment of the 1997-1999 projects, the Commission demonstrates how the great diversity of activities has resulted in successes on all fronts. Innovative methods have been adopted, for example a drama workshop, designed to encourage self-empowerment of girls and the prevention of sexual violence, and a training resource pack to be used at the workplace in order to raise the workforce's awareness of domestic violence. The multiplier effects of the new methodologies, cooperation via networks, training programmes and the audiovisual products of some projects are significant. No more than 10% of the projects financed in 1997 were deemed to be poor or inadequate in terms of performance, an acceptable proportion in a learning process.

## **Endowment and coordination**

Given the objectives of the programme and the exceptional response rate, the endowment seems to be decidedly inadequate<sup>1</sup>. Each year, on average, 12% of the projects are accepted, a figure which must cause great frustration among the organisations interested. The problem of the endowment is becoming a matter of greater concern in the light of enlargement and of the full participation of the applicant countries which, to date, account for no more than 6% of the partners.

Having said that, and with a view to optimising resources, mechanisms must also be devised which strengthen the impact of the programme, in particular through the dissemination of results and exchanges of best practice.

Although the Daphne Programme is now open to local and regional public authorities, the participation rate thereof has been around 10%. That aspect must be analysed in greater depth in the final report. The Commission might be able to encourage more cooperation and partnership between the collective organisations, the public authorities and other operators, such as universities and research institutes. That would undoubtedly strengthen the impact of the projects.

The final report should also include information on the degree of coordination between the Daphne programme and other relevant actions and programmes (e.g. STOP, the campaign to end child sex tourism; the 1999-2002 action plan for safer use of the Internet and the campaign against child pornography; the Odysseus programme concerning asylum and immigration) in order to ensure the consistency and complementarity laid down in Article 4 of the Decision adopting the Daphne programme.

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<sup>1</sup> Thanks to an EP amendment to the 2001 budget (entry of EUR 1 million against Article B5-804), it was possible to fund projects to combat paedophilia and the sexual exploitation of children. In 2002, the EP added EUR 1 million to the Daphné budget in order to combat female genital mutilation and the sexual exploitation of children.

## **The future of Daphne**

Taken together with the three years of the Daphne Initiative, the first two years of the Daphne programme have been successful. The Daphne Programme is acknowledged as an important multidisciplinary instrument in the campaign against violence, and it has acquired international renown. For example, at the second Congress against Commercial Sexual Exploitation of Children, held in Yokohama, a large number of the successes achieved under the Daphne Programme were presented, in both the workshops and the plenary sessions, as examples to be followed.

The Daphne Programme should continue after 2003. The Commission should already be giving consideration to the major guidelines of a new and more extensive action programme which would capitalise on the experience acquired with Daphne between 1997 and 2003, be endowed with adequate resources and be provided with a legal basis more appropriate than Article 152 (public health), one which takes account of the dimension of respect for human rights.

The programme should maintain its multidisciplinary and multisectoral approach and give greater weight to those fields of action which have received less attention and/or identify new ones. The following might suitably figure among its priorities:

- treatment and rehabilitation of aggressors, the behaviour of violent men;
- pedagogical programmes on the unacceptable nature of violence and on equality of the sexes, to be taught in schools, bearing in mind the role that the school and the family may play in the prevention of violence;
- raising the awareness of journalists and those employed in advertising, bearing in mind the role that the media and advertising may play in the dissemination of non-violent messages and of non-stereotype images of women;
- comparative studies into legislation, criminal penalties; assessment of the economic cost of violence;
- compilation of data on violence at European level, and definition of indicators.