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*****I** **REPORT**

on the amended proposal for a decision of the European Parliament and of the Council establishing for the period 2007-2013 the specific programme "Drugs prevention and information" as part of the General programme "Fundamental Rights and Justice"
(COM(2006)0230 – C6-0095/2005 – 2005/0037B(COD))

Committee on Civil Liberties, Justice and Home Affairs

Rapporteur: Inger Segelström

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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DRAFT EUROPEAN PARLIAMENT LEGISLATIVE RESOLUTION

on the amended proposal for a decision of the European Parliament and of the Council establishing for the period 2007-2013 the specific programme "Drugs prevention and information" as part of the General programme "Fundamental Rights and Justice" (COM(2006)0230 – C6-0095/2005 – 2005/0037B(COD))

(Codecision procedure: first reading)

The European Parliament,

- having regard to the amended Commission proposal to the European Parliament and the Council (COM(2006)0230)¹,
 - having regard to Article 251(2) and Article 152 of the EC Treaty, pursuant to which the Commission submitted the proposal to Parliament (C6-0095/2005),
 - having regard to Rule 51 of its Rules of Procedure,
 - having regard to the report of the Committee on Civil Liberties, Justice and Home Affairs and the opinion of the Committee on Budgets (A6-0454/2006),
1. Approves the Commission proposal as amended;
 2. Calls on the Commission to refer the matter to Parliament again if it intends to amend the proposal substantially or replace it with another text;
 3. Instructs its President to forward its position to the Council and Commission.

¹ Not yet published in OJ.

AMENDMENTS BY PARLIAMENT¹ to the

Amended proposal for a

DECISION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

Establishing for the period 2007-2013 the specific programme

"Drugs prevention and information"

as part of the

General programme "Fundamental Rights and Justice"

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 152 thereof,

Having regard to the proposal from the Commission²,

Having regard to the opinion of the European Economic and Social Committee³,

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

Whereas:

- (1) The Treaty establishing the European Community establishes that in the definition and implementation of all Community policies and activities a high level of human health has to be ensured; Article 3(1)(p) of the Treaty requires Community action to include a contribution to the attainment of a high level of health protection.

¹ This text has been provided by Council services and is subject to legal linguistic verification.

² OJ C , , p. .

³ OJ C 69, 21.3.2006, p. 1.

⁴ OJ C , , p. .

- (2) Community action should complement national policies directed towards improving public health, obviating sources of danger to human health and reducing health-related harm associated with drug dependence, including information and prevention policies.
- (3) Given that, according to research, the morbidity and the mortality associated with drug dependence affects a sizeable number of European citizens, the health-related harm associated with drug dependence constitutes a major problem for public health.
- (4) The Communication from the Commission to the Council and the European Parliament on the results of the final evaluation of the EU Drugs Strategy and Action Plan on Drugs (2000-2004)¹ pointed out the need to regularly involve civil society in the formulation of the EU's policies on drugs.
- (5) The Decision of the European Parliament and of the Council adopting a programme of action in the field of public health (2003–2008) includes the development of strategies and measures on drug dependence, as one of the important lifestyle-related health determinants.
- (6) In its Recommendation of 18 June 2003 on the prevention and reduction of health-related harm associated with drug dependence², the Council recommended that Member States set as a public health objective the prevention of drug dependence and the reduction of related risks, and that they develop and implement comprehensive strategies accordingly.
- (7) In December 2004 the European Council endorsed the European Union Drugs Strategy 2005–2012 that covers all European Union drug-related activities and sets main targets. These targets include the attainment of a high level of health protection, well-being and social cohesion by preventing and reducing drug use, dependence and drug-related harms to health and society.

¹ COM(2004) 707.

² OJ L 165, 3.7.2003, p. 31.

- (8) The Council adopted the EU Drugs Action Plan (2005–2008)¹ as a crucial instrument for transposing the European Union Drugs Strategy 2005–2012 into concrete actions. The ultimate aim of the Action Plan is to significantly reduce the prevalence of drug use among the population and to reduce the social harm and health damage caused by the use of and trade in illicit drugs.
- (8a) The programme aims at the implementation of targets identified by the EU Drugs Strategy 2005-2012 and EU Drugs Action Plan 2005-2008 and 2009-2012 by supporting projects aiming at prevention of drug use, including by addressing reduction of drug related harm and treatment methods considering the latest scientific knowledge.
- (9) It is important and necessary to recognise the serious immediate and long-term implications of drugs for health, psychological and social development, and for the equal opportunities of those concerned, for individuals, families and communities, and the high social and economic costs to society as a whole.
- (9a) Special attention should be paid to the prevention of drug use among young people who are the most vulnerable in the population. The main challenge in prevention is to encourage young people to adopt healthy lifestyles.
- (10) The European Community can bring added value to the actions to be undertaken by Member States in the field of drugs information and prevention including treatment and reduction of drug related harm by complementing those actions and by promoting synergies.
- (10a) Complementarity with the technical expertise of the European Monitoring Centre for Drugs and Drug Addiction should be assured by making use of methodology and best practices developed by the Centre and by Centre's involvement in the preparation of the annual work programme.

¹ OJ C 168, 8.7.2005, p. 1.

- (11) The objectives of the proposed action cannot be sufficiently achieved by the Member States because of the need for an exchange of information at EC level and for the Community-wide dissemination of good practices. This can be better achieved at Community level. Due to the need for a coordinated and multidisciplinary approach and by reason of the scale or impact of the initiative, the Community may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty. In accordance with the principle of proportionality, as set out in that Article, this Decision does not go beyond what is necessary in order to achieve those objectives.
- (12) (...)
- (12a) Bearing in mind the importance of visibility of the Community funding, the Commission should provide guidance to facilitate that any authority, nongovernmental organisation, international organisation or other entity receiving a grant under this programme properly acknowledges the support received.
- (13) This Decision establishes a financial framework for the entire duration of the programme, which is to be the prime reference for the budgetary authority within the meaning of point 37 of the Interinstitutional Agreement of 17 May 2006 between the European Parliament, the Council and the Commission on budgetary discipline and sound financial management¹.
- (14) Council Regulation (EC, Euratom) No 1605/2002 of 25 June 2002 on the Financial Regulation applicable to the general budget of the European Communities², hereinafter “the Financial Regulation”, and Commission Regulation (EC, Euratom) No 2342/2002 of 23 December 2002 laying down detailed rules for the implementation of Council Regulation (EC, Euratom) No 1605/2002³, which safeguard the Community’s financial interests, apply, taking into account the principles of simplicity and consistency in the choice of budgetary instruments, a limitation on the number of cases where the Commission retains direct responsibility for their implementation and management, and the required proportionality between the amount of resources and the administrative burden related to their use.

¹ OJ C 139, 14.6.2006, p. 1.

² OJ L 248, 16.9.2002, p. 1.

³ OJ L 357, 31.12.2002, p. 1.

- (14a) Appropriate measures should also be taken to prevent irregularities and fraud and the necessary steps should be taken to recover funds lost, wrongly paid or incorrectly used in accordance with Council Regulations (EC, Euratom) No 2988/95 of 18 December 1995 on the protection of the Communities' financial interests,¹ (Euratom, EC) No 2185/96 of 11 November 1996 concerning on-the-spot checks and inspections carried out by the Commission² and Regulation (EC) No 1073/1999 of the European Parliament and of the Council of 25 May 1999 concerning investigations conducted by the European Anti-Fraud Office (OLAF)³.
- (15) The Financial Regulation requires a basic act to be provided to cover operating grants.
- (16) The measures necessary for the implementation of this Decision should be adopted in accordance with Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission⁴, with a distinction being made between those measures which are subject to the management committee procedure and those which are subject to the advisory committee procedure, the advisory committee procedure being in certain cases, with a view to increased efficiency, the more appropriate.

HAVE DECIDED AS FOLLOWS:

Article 1

Creation of the programme

1. This Decision establishes the programme “Drugs prevention and information”, hereinafter referred to as “the programme”, as part of the general programme “Fundamental Rights and Justice”, in order to contribute to ensuring a high level of human health protection and to reducing drug-related health damage.
2. The programme shall cover the period from 1 January 2007 to 31 December 2013.

¹ OJ L 312, 23.12.1995, p. 1.

² OJ L 292, 15.11.1996, p. 2.

³ OJ L 136, 31.5.1999 p. 1.

⁴ OJ L 184, 17.7.1999, p. 23.

Article 2

General objectives

1. This programme shall have the following general objectives:
 - (a) to prevent and reduce drug use, dependence and drug related harms;
 - (b) to contribute to the improvement of information on drug use;
 - (c) to support the implementation of the EU Drugs Strategy.
2. (...)

Article 3

Specific objectives

The programme shall have the following specific objectives:

- (a) To promote transnational actions to
 - set up multidisciplinary networks;
 - ensure the expansion of the knowledge base, the exchange of information and the identification and dissemination of good practice, including through training, study visits and staff exchange;
 - raise awareness of the health and social problems caused by the drug use and to encourage an open dialogue with a view to promoting a better understanding of the drug phenomenon;
 - support measures aimed at preventing drug use, including by addressing reduction of drug related harm and treatment methods considering the latest state of scientific knowledge.

- (b) To involve civil society in the implementation and development of the European Union's Drugs Strategy and Action plans.
- (c) To monitor, implement and evaluate the implementation of specific actions under the Drugs Action Plans 2005–2008 and 2009–2012. The European Parliament should be involved in the evaluation process through its participation in the Commission's evaluation steering group.

Article 4

Actions

With a view to pursuing the general and specific objectives set out in Articles 2 and 3, this programme will support under the conditions set out in the annual work programme the following types of actions:

- (a) specific actions taken by the Commission, such as studies and research, opinion polls and surveys, formulation of indicators and common methodologies, collection, development and dissemination of data and statistics, seminars, conferences and experts meetings, organisation of public campaigns and events, development and maintenance of websites, preparation and dissemination of information materials, support to and animation of networks of national experts, analytical, monitoring and evaluation activities; or
- (b) specific transnational projects of Community interest presented by at least two Member States, or at least one Member State and one other state which may either be an acceding or a candidate country under the conditions set out in the annual work programme; or
- (c) support to the activities of non-governmental organisations or other entities pursuing an aim of general European interest regarding the general objectives of the programme under the conditions set out in the annual work programmes.

Article 5

Participation

The following countries, hereinafter referred to as "participating countries" may participate in the actions of the programme:

- (a) the EFTA States that are party to the EEA Agreement, in accordance with the provisions of that Agreement;
- (b) the candidate countries, as well as the western Balkan countries included in the stabilisation and association process in accordance with the conditions laid down in the association agreements or their additional protocols relating to participation in Community programmes concluded or to be concluded with those countries;
- (c) projects may associate candidate countries not participating in this programme where this would contribute to their preparation for accession, or other third countries or international organisations not participating in this programme where this serves the aim of the projects.

Article 6

Target Groups

1. The programme is destined for all groups that directly or indirectly deal with the drugs phenomena.
2. With regard to drugs, youth, women, vulnerable groups and problematic neighbourhoods are groups at risk and should be identified as target groups. Other target groups are, inter alia, teachers and educational staff, parents, social workers, local and national authorities, medical and paramedical staff, judicial staff, law enforcement and penitentiary authorities, NGOs, trade unions and religious communities.

Article 7

Access to the programme

Access to this programme shall be open to public or private organisations and institutions (local authorities at the relevant level, university departments and research centres) working in the area of information on and prevention of drugs use including the reduction and treatment of drug related harm.

Bodies and organisations which are profit oriented will have access to grants under the programme only in conjunction with non profit oriented or state organisations.

Article 8

Types of intervention

1. Community funding may take the following legal forms:
 - grants,
 - public procurement contracts.
2. Community grants shall be awarded following calls for proposals, save in duly substantiated exceptional cases as foreseen in the Financial Regulation, and shall be provided through operating grants and grants for actions.

The annual work programme will specify the minimum rate of the annual expenditure to be awarded to grants.

The maximum rate of co-financing will be specified in the annual work programmes.

3. Furthermore, expenditure is foreseen for accompanying measures, through public procurement contracts, in which case Community funds will cover the purchase of services and goods. This will cover, inter alia, expenditure on information and communication, preparation, implementation, monitoring, checking and evaluation of projects, policies, programmes and legislation.

Article 9

Implementing measures

1. The Commission shall implement the Community Assistance in accordance with the Council Financial Regulation [Council Regulation (EC, Euratom) No 1605/2002 of 25 June 2002] applicable to the general budget of the European Communities.
2. To implement the programme, the Commission shall, within the limits of the general objectives set out in Article 2, adopt an annual work programme taking into account the EMCDDA technical expertise. This programme will set out the specific objectives, thematic priorities, a description of accompanying measures envisaged in Article 8 and if necessary a list of other actions.

The annual work programme for 2007 shall be adopted three months after the entry into force of this instrument.

3. The annual work programme will be adopted in accordance with the procedure set out in Article 10(2a).
4. The evaluation and award procedures relating to grants to actions shall take into account, inter alia, the following criteria:
 - (a) conformity with the annual work programme, the general objectives as specified in Article 2 and measures taken in the different domains as specified in Articles 3 and 4;
 - (b) quality of the proposed action regarding its conception, organisation, presentation and expected results;
 - (c) amount requested for community financing and its appropriateness as to expected results;
 - (d) impact of the expected results on the general objectives defined in Article 2 and on measures taken in the different domains as specified in Articles 3 and 4.

5. The applications for operating grants, referred to in Article 4(c), shall be assessed in the light of:
- consistency with the programme objectives;
 - quality of the planned activities;
 - likely multiplier effect on the public of these activities;
 - geographic and social impact of the activities carried out;
 - citizen involvement in the organisation of the bodies concerned;
 - cost/benefit ratio of the activity proposed.
6. Decisions related to actions submitted under Article 4(a) shall be adopted by the Commission in accordance with the management procedure referred to in Article 10(2a). Decisions related to actions submitted under Article 4(b) and (c) shall be adopted by the Commission in accordance with the advisory procedure referred to in Article 10(2).

Decisions on applications for grants involving profit-oriented bodies or organisations shall be adopted by the Commission in accordance with the management procedure referred to in Article 10(2a).

Article 10

Committee

1. The Commission shall be assisted by a Committee (hereinafter referred to as the “Committee”).
2. Where reference is made to this paragraph, Articles 3 and 7 of Decision 1999/468/EC shall apply.
- 2a. Where reference is made to this paragraph, Articles 4 and 7 of Decision 1999/468/EC shall apply.
The period laid down in Article 4(3) of Decision 1999/468/EC shall be set at 3 months.

3. The committee shall adopt its Rules of Procedure.

Article 11

Complementarity

1. Synergies and complementarity with other Community instruments will be sought, particularly the general programme “Security and Safeguarding Liberties”, the 7th Research & Development Framework Programme as well as the Community Programme on Public Health. Complementarity with the methodology and best practices developed by European Monitoring Centre for Drugs and Drug Addiction will be assured, in particular with regard to the statistical element of information on drugs.
2. The programme may share resources with other Community instruments, in particular the general programmes “Security and Safeguarding Liberties”, “Solidarity and Management of Migration Flows” and the 7th Research & Development Framework Programme in order to implement actions meeting the objectives of all the programmes.
3. Operations financed under this Decision shall not receive assistance for the same purpose from other Community financial instruments. The Commission shall ensure that the beneficiaries of this programme will provide the Commission with information about funding received from the Community budget and from other sources, as well as information about ongoing applications for funding.

Article 12

Budgetary Resources

1. The financial envelope for the implementation of this instrument from 1 January 2007 to 31 December 2013 shall be at EUR 21.35 million.
2. The budgetary resources allocated to the actions provided for in this programme shall be entered in the annual appropriations of the general budget of the European Union. The available annual appropriations shall be authorised by the budgetary authority within the limits of the financial framework.

Article 13

Monitoring

1. The Commission shall ensure that for any action financed by the programme, the beneficiary will submit, technical and financial reports on the progress of work. A final report shall also be submitted within three months of the completion of the action. The Commission shall determine the form and content of the reports.
2. (...)
3. The Commission shall ensure that the contracts and agreements resulting from the implementation of the programme will provide in particular for supervision and financial control by the Commission (or any representative authorised by it), if necessary by means of on-the-spot checks, including sample checks, and audits by the Court of Auditors.
4. The Commission shall ensure that for a period of five years following the last payment in respect of any action, the beneficiary of financial assistance will keep available for the Commission all the supporting documents regarding expenditure on the action.
5. On the basis of the results of the reports and sample checks referred to in paragraphs 1 and 2, the Commission shall ensure that, if necessary, the scale or the conditions of allocation of the financial assistance originally approved and also the timetable for payments will be adjusted.
6. The Commission shall ensure that every other step necessary to verify that the actions financed are carried out properly and in compliance with the provisions of this Decision and the Financial Regulation will be taken.

Article 14

Protection of Community financial interests

1. The Commission shall ensure that, when actions financed under the present Decision are implemented, the financial interests of the Community are protected by the application of preventive measures against fraud, corruption and any other illegal activities, by effective checks and by the recovery of the amounts unduly paid and, if irregularities are detected, by effective, proportional and dissuasive penalties, in accordance with Council Regulations (EC, Euratom) No 2988/95 and (Euratom, EC) No 2185/96, and with Regulation (EC) No 1073/1999 of the European Parliament and of the Council.
2. For the Community actions financed under this programme, Regulation (EC, Euratom) No 2988/95 and Regulation (Euratom, EC) No 2185/96 shall apply to any infringement of a provision of Community law, including infringements of a contractual obligation stipulated on the basis of the programme, resulting from an act or omission by an economic operator, which has, or would have, the effect of prejudicing the general budget of the European Communities or budgets managed by them, by an unjustified item of expenditure.
3. The Commission shall ensure that the amount of financial assistance granted for an action will be reduced, suspended or recovered, if it finds irregularities, including non-compliance with the provisions of this Decision or the individual decision or the contract or agreement granting the financial support in question, or if it transpires that, without Commission approval having been sought, the action has been subjected to a change which conflicts with the nature or implementing conditions of the project.
4. If the time limits have not been observed or if only part of the allocated financial assistance is justified by the progress made with implementing an action, the Commission shall ensure that the beneficiary will be requested to submit observations within a specified period. If the beneficiary does not give a satisfactory answer, the Commission shall ensure that the remaining financial assistance might be cancelled and demand repayment of sums already paid demanded.

5. The Commission shall ensure that any undue payment will be repaid to the Commission. Interest shall be added to any sums not repaid in good time under the conditions laid down by the Financial Regulation.

Article 15

Evaluation

1. The programme will be monitored regularly in order to follow the implementation of activities carried out there under.
2. The Commission shall ensure the regular, independent, external evaluation of the programme.
3. The Commission shall provide the European Parliament and the Council with:
 - (aa) an annual presentation on the implementation of the programme;
 - (a) an interim evaluation report on the results obtained and the qualitative and quantitative aspects of the implementation of this programme no later than 31 March 2011;
 - (b) a Communication on the continuation of this programme no later than 30 August 2012;
 - (c) an ex post evaluation report no later than 31 December 2014.

Article 15a (new)

Publication of projects

Each year, the Commission shall publish the list of projects financed under this programme with a short description of each project.

Article 15b (new)

Visibility

The Commission shall lay down guidelines to ensure the visibility of the funding granted under this Decision.

Article 16

Entry into force

This Decision shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*. It shall apply from 1 January 2007, with the exception of Articles 9(2) and (3) and 10(2a) that shall apply at the date when the present Decision shall take effect.

Done at Brussels,

For the European Parliament

The President

For the Council

The President

27.2.2006

OPINION OF THE COMMITTEE ON BUDGETS

for the Committee on Civil Liberties, Justice and Home Affairs

on the proposal for a decision of the European Parliament and of the Council establishing for the period 2007-2013 the specific programme "Fight against violence (Daphne) and drugs prevention and information" as part of the general programme "Fundamental Rights and Justice"

(COM(2005)0122 – C6-0095/2005 – 2005/0037B(COD))

Draftswoman: Neena Gill

SHORT JUSTIFICATION

The Commission proposed a new Heading 3 on Citizenship, Freedom, Security and Justice in its proposals for the next financial framework of the Union (2007-2013) presented to Parliament and Council¹ with a total allocation of EUR 24,705 billion out of which 65% were proposed to be addressed to the completion of an Area of Freedom, Security and Justice.

In its resolution of 8 June 2005 on "Policy Challenges and Budgetary Means of the Enlarged Union 2007-2013"² the European Parliament proposed an increase of EUR 1 billion (2004 prices) specifying that it should be dedicated to fundamental rights and the fight against crime.

COMMISSION PROPOSAL

The programme seeks to complement national policies in mainly two areas:

- improving public health by reducing health related harm associated with drug dependence
- bringing added value to the actions by Member States by preventing and combating all forms of violence against children, young people and women and the protection of victims and groups at risk.

Within Parliament, the procedure has been split up between the Committee on Civil Liberties, Justice and Home Affairs as lead committee on the issues concerning drugs prevention and

¹ COM(2004)0101.

² *Texts adopted*, P6_TA(2005)0224.

information and the Committee on Women's Rights and Gender Equality, as lead committee on the issues concerning violence.

Both lead committees have asked the Commission to present a new proposal dealing with the two policies in two separate programmes. A decision has not yet been taken to this respect.

The financial allocation for operational expenditure of the specific programme "Drug and Violence" for the period 2007-2013 is EUR 134,4 million, which breaks down as follows:

	2007	2008	2009	2010	2011	2012	2013	2014...	TOTAL
Commitments									
Payments	1	17,4	18,8	20,2	20,6	21,0	21,5		135,4
	7,95	15,21	17,8	19,22	20,12	20,72	21,17	13,21	135,4

Within the overall reference amount for the framework programme in "Fundamental Rights and Justice" EUR 11,1 million are added for administrative expenditure.

RAPPORTEUR'S PROPOSALS

Although the Commission proposal can be welcomed, the draftswoman notes that the drafting of the proposal is not of the highest quality, especially in as far as a clear explanation of the rationalisation was concerned, where a breakdown of the budget lines to be merged, the estimated saving and where this money will be used would have been useful.

1. It should be pointed out that the amount for the financial framework mentioned in Article 12 can only be considered indicative at this stage, since there has been no final decision on the financial perspective yet. An amendment has therefore been tabled to the legislative resolution as well as to this article.
2. In order to assure coherence and simplification, a new paragraph specifying the implementing measures for the programme to be discussed within the advisory committee is proposed. This article includes the annual work plan, the guidelines and the proposals for project selection among other measures to be adopted within the advisory committee in order to assure transparency. An amendment is thus proposed to change Article 9.
3. In order to avoid the risk of overlapping of the actions of the present proposal with the actions of the general programme on "Security and Safeguarding Liberties" and the corresponding specific programmes of the general programme on "Fundamental Rights and Justice", and "Solidarity and Management of Migration Flows", an amendment to Article 11 is proposed.
4. It is important to ensure democratic scrutiny by means of suitable arrangements for fund monitoring and evaluation. Three amendments have been tabled in this respect to Articles 13 and 15.

AMENDMENTS

The Committee on Budgets calls on the Committee on Civil Liberties, Justice and Home Affairs, as the committee responsible, to incorporate the following amendments in its report:

Draft legislative resolution

Amendment 1
Paragraph 1 a (new)

1a. Points out that the appropriations indicated in the legislative proposal beyond 2006 are subject to the decision on the next multiannual financial framework;

Amendment 2
Paragraph 1 b (new)

1b. Calls on the Commission, once the next multiannual financial framework is adopted, to present, if appropriate, a proposal to adjust the financial reference amount of the programme;

Justification

The reference amount for the financial framework cannot be set until such time as a decision has been reached on the Financial Perspective. Once a decision is reached, the Commission shall present a legislative proposal to set the reference amount with the respect to the appropriate ceiling of the financial framework concerned.

Proposal for a decision

Text proposed by the Commission¹

Amendments by Parliament

Amendment 3
Article 8, paragraph 2 a (new)

2a. Access to funding shall be facilitated by the application of the principle of proportionality as regards the documents to be supplied and by the creation of a database for the submission of applications.

¹ OJ C ..., 8.12.2005, p.

Justification

The methods and the procedures need to be simplified in order to speeding up the transparency of the selection procedure and facilitate access to the programme.

Amendment 4
Article 9, paragraph 3

3. *The annual work programme will* be adopted in accordance with the procedure ***set out in*** Article 10(2).

3. *The measures necessary for the implementation of the programme relating to the following matters shall* be adopted by ***the Commission*** in accordance with the ***advisory*** procedure ***referred to*** in Article 10(2):

(a) the annual work programme;

(b) the annual budget and distribution of funds between the various actions of the programme;

(c) the general guidelines for implementing the programme and the selection criteria procedures;

(e) the arrangements for monitoring and evaluating the actions and for the dissemination and transfer of results;

(f) the proposals for project selection.

Justification

The annual work plan, the annual budget and distribution of funds among actions, the general guidelines and the proposals for project selection may be submitted to the Committee for transparency reasons.

Amendment 5
Article 11, paragraph 2 a (new)

2a. The Commission shall ensure that the actions covered by this Decision are complementary to those covered by the programmes mentioned in paragraph 1 and that they do not overlap.

Justification

The legislative act should be more specific and clear in order to avoid the risk of overlapping and double financing of the actions of the present proposal with the actions of : the security and safeguarding liberties framework programme; the other specific programmes under the general programmes on Fundamental Rights and Justice and the Solidarity and management of migration flows framework programme. The present specific programme will also coordinate its actions with those related to the European Judicial Network in Civil and Commercial Matters

Amendment 6 Article 12, paragraph 1

1. The budget for the implementation of this instrument is set at EUR 138.2 million for the period set out in Article 1.

1. The ***indicative*** budget for the implementation of this instrument is set at EUR 138.2 million for the period ***of 7 years starting on 1 January 2007*** set out in Article 1.

Justification

The reference amount for the financial framework cannot be set until such time as a decision has been reached on the Financial Perspective. Once a decision is reached, the Commission shall present a legislative proposal to set the reference amount with the respect to the appropriate ceiling of the financial framework concerned (see amendment to the legislative resolution).

Amendment 7 Article 13, paragraph 1, subparagraph 1 a (new)

The Commission shall ensure that the actions covered by this Decision are subject to prior evaluation, monitoring and ex-post evaluation. It shall ensure that the programme is accessible and is implemented in a transparent manner.

Justification

The programme needs to be monitored and evaluated at the appropriate times, so as to ensure democratic scrutiny.

Amendment 8
Article 13, paragraph 1, subparagraph 1 b (new)

The Commission shall give the European Parliament and the Council regular and timely notice of the implementation of the programme, in particular the use of the available resources.

Justification

The two arms of the budgetary authority should receive regular and timely information in order to ensure that the programme is monitored and assessed in an effective manner.

Amendment 9
Article 13, paragraph 6

6. The Commission shall take every other step necessary to verify that the actions financed are carried out properly, and in compliance with the provisions of this Decision and Financial Regulation.

6. The Commission shall take every other step necessary to verify that the actions financed are carried out properly, ***effectively***, and in compliance with the provisions of this Decision and Financial Regulation.

Justification

Effectiveness of the actions financed is also to be verified by the Commission.

Amendment 10
Article 15, paragraph 3

3. The Commission shall submit to the European Parliament and the Council:

(a) ***an*** interim evaluation report on the results obtained and the qualitative and quantitative aspects of the implementation of this programme ***no later than 31 March 2011***;

(b) a Communication on the continuation of this programme ***no later than 30 August 2012***;

3. The Commission shall submit to the European Parliament and the Council:

(a) ***a detailed*** interim evaluation report on the results obtained and the qualitative and quantitative aspects of the implementation of this programme ***three years after the adoption of this Decision***;

(b) a Communication on the continuation of this programme, ***having regard to its objectives, three years after the adoption of***

(c) an ex-post evaluation report no later than 31 December 2014.

this Decision. Moreover the Commission shall present annually a short report monitoring the situation of the implementation of the programme;

(c) an ex-post evaluation report no later than 31 December 2014 *covering the implementation and results of the programme, on completion of its implementation.*

Justification

The fund needs to be monitored and evaluated at the appropriate times, so as to ensure democratic scrutiny.

PROCEDURE

Title	Proposal for a decision of the European Parliament and of the Council establishing for the period 2007-2013 the specific programme "Fight against violence (Daphne) and drugs prevention and information" as part of the general programme "Fundamental Rights and Justice"
References	COM(2005)0122 – C6-0095/2005 – 2005/0037B(COD)
Committee responsible	LIBE
Committee(s) asked for opinion(s) Date announced in plenary	BUDG 22.6.2005
Enhanced cooperation Date announced in plenary	
Draftswoman Date appointed	Neena Gill 9.6.2005
Previous draftswoman	
Discussed in committee	25.1.2006 21.2.2006
Date adopted	21.2.2006
Result of final vote	+: 23 -: 0:
Members present for the final vote	Reimer Böge, Herbert Bösch, Simon Busuttil, Bárbara Dührkop Dührkop, James Elles, Salvador Garriga Polledo, Ingeborg Gräßle, Louis Grech, Nathalie Griesbeck, Catherine Guy-Quint, Jutta D. Haug, Anne E. Jensen, Wiesław Stefan Kuc, Alain Lamassoure, Janusz Lewandowski, Vladimír Maňka, Mario Mauro, Jan Mulder, Gérard Onesta, Esko Seppänen, László Surján, Kyösti Virrankoski, Ralf Walter
Substitute(s) present for the final vote	
Substitutes under Rule 178(2) present for the final vote	
Observations (information available in only one language)	...

PROCEDURE

Title	Amended proposal for a decision of the European Parliament and of the Council establishing for the period 2007-2013 the specific programme "Drugs prevention and information "as part of the General programme "Fundamental Rights and Justice"				
References	COM(2006)0230 - C6-0095/2005 - 2005/0037B(COD)				
Date submitted to Parliament	24.5.2005				
Committee responsible Date announced in plenary	LIBE 22.6.2005				
Committee(s) asked for opinion(s) Date announced in plenary	FEMM 22.6.2005	ENVI 22.6.2005	BUDG 22.6.2005		
Not delivering opinion(s) Date of decision	FEMM 24.11.2005	ENVI 24.5.2005			
Enhanced cooperation Date announced in plenary					
Rapporteur(s) Date appointed	Inger Segelström 6.6.2005				
Previous rapporteur(s)					
Simplified procedure – date of decision					
Legal basis disputed Date of JURI opinion					
Financial endowment amended Date of BUDG opinion					
European Economic and Social Committee consulted – date of decision in plenary					
Committee of the Regions consulted – date of decision in plenary					
Discussed in committee	4.10.2005 1.6.2006	1.12.2005 23.10.2006	6.3.2006 22.11.2006	3.4.2006	18.4.2006
Date adopted	22.11.2006				
Result of final vote	+	40			
	–	0			
	0	0			
Members present for the final vote	Alexander Alvaro, Roberta Angelilli, Edit Bauer, Johannes Blokland, Mihael Brejc, Giusto Catania, Carlos Coelho, Fausto Correia, Panayiotis Demetriou, Agustín Díaz de Mera García Consuegra, Elly de Groen-Kouwenhoven, Lilli Gruber, Livia Járóka, Timothy Kirkhope, Ewa Klamt, Magda Kósáné Kovács, Barbara Kudrycka, Stavros Lambrinidis, Romano Maria La Russa, Claude Moraes, Inger Segelström, Ioannis Varvitsiotis, Donato Tommaso Veraldi, Manfred Weber, Stefano Zappalà, Tatjana Ždanoka				
Substitute(s) present for the final vote	Frieda Brepoels, Bárbara Dührkop Dührkop, Ignasi Guardans Cambó, Sophia in 't Veld, Sylvia-Yvonne Kaufmann, Vincent Peillon, Marie-Line Reynaud				
Substitute(s) under Rule 178(2) present for the final vote	Pilar Ayuso, Iratxe García Pérez, Esther Herranz García, Mary Honeyball, Ana Mato Adrover, Manolis Mavrommatis, María Isabel Salinas García, Alejo Vidal-Quadras				

Date tabled	8.12.2006
Comments (available in one language only)	