

# EUROPEAN PARLIAMENT

2004



2009

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*Committee on Budgets*

**2005/0034(CNS)**

26.4.2006

## **OPINION**

of the Committee on Budgets

for the Committee on Civil Liberties, Justice and Home Affairs

on the proposal for a Council decision establishing the specific programme "Prevention, Preparedness and Consequence Management of Terrorism", for the period 2007-2013 - General Programme "Security and Safeguarding Liberties"  
(COM(2005)0124 – C6-0241/2005 – 2005/0034(CNS))

Draftsman: Ville Itälä

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## SHORT JUSTIFICATION

### I. INTRODUCTION

This proposal is one of the two draft decisions which comprise the framework programme "Security and Safeguarding Liberties"<sup>1</sup> presented by the Commission on April 2005 and proposed for a period from January 2007 to December 2013 with a global allocation of EUR 745 million in commitment appropriations. Two specific programmes are set up as part of the framework programme: the "Programme on prevention, preparedness and consequence management of terrorism" and the "Programme on prevention and fight against crime".

Apart from this programme, there are currently two Preparatory actions and Pilot Projects financed from the EU budget dealing with the same issues:

#### 1. Victims of terrorist acts (Preparatory action)

Budget heading	Year implemented			Title of preparatory action	2004 budget		2005 budget		2006 budget	
	2004	2005	2006		CA	PA	CA	PA	CA	PA
18 05 04	PS1		PA 1	Victims of terrorist acts	1.00	1.00	2.00	1.00	2.00	1.20

#### 2. Fight against terrorism (Pilot Project)

Budget heading	Year implemented		Title of pilot project	2005 budget		2006 budget	
	2005	2006		CA	Paym. PA	Commit. CA	Paym. PA
18 05 06	PS1	PS2	Fight against terrorism	7.00	4.00	9.00	7.00

### II. THE COMMISSION PROPOSAL

The present proposal for a specific programme will concentrate, from 2004 on, on preventing and reducing the risk of a terrorist attack and on protecting critical infrastructure. It also includes consequence management measures to the extent that these are not covered by the Rapid Response Instrument in the event of major emergencies.

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<sup>1</sup> COM(2005)0124.

The proposed programme provides means for EU-wide projects, co-funding of transnational projects and also for national projects, to further stimulate innovations with a view to transferring the experience gained to transnational and/or EU level.

The specific programme is complemented by the specific programme Prevention of and Fight against Crime, which focuses on law enforcement and crime prevention and by the corresponding general programmes on Fundamental Rights and Justice, and Solidarity and management of migration flows as concerning issues such as assistance to victims, judicial cooperation in criminal matters and illegal immigration.

The financial allocation for the programme for the period 2007-2013 is EUR 137,4 million which breaks down as follows:

	2007	2008	2009	2010	2011	2012	2013	2014...	TOTAL
<b>Operational Expenditure</b>									
<b>C.A</b>	12,7	15,2	17,7	20,3	23	23,4	25,1		<b>137,4</b>
<b>P.A</b>	6,35	12,93	15,95	18,5	21,130	22,66	24,170	15,710	<b>137,4</b>

Within the overall reference amount for the framework programme EUR 10 million are added for administrative expenditure.

## RAPPORTEUR'S PROPOSALS

The proposal prompts a number of comments:

1. The appropriations indicated in the financial statement of the proposal for a Council decision are purely for guidance until an agreement is reached on the financial perspective for the period 2007 and the following years. Regarding this particular point two amendments are tabled to the draft legislative resolution.
2. In order to ensure coherence and simplification, a common article on 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 aforementioned committee in order to assure transparency. An amendment is thus proposed to create a new Article 8a.
3. In order to avoid the risk of overlapping of the actions of the present proposal with the following programmes two amendments to Article 10 are proposed:
  - specific programme Prevention of and Fight against Crime.<sup>1</sup>
  - programmes on Fundamental Rights and Justice, and Solidarity and management of migration flows.<sup>2</sup>
  - 7th Framework Programme on Research (Security Research).<sup>3</sup>
  - Pilot Project and Preparatory Actions above-mentioned.<sup>4</sup>

<sup>1</sup>2005/0035/(CNS), COM(2005)0124

<sup>2</sup> COM/(2005)0123

<sup>3</sup> Budget line 02 0402 (15 Mio EUR in Commitments and 19 Mio in Payments in Budget 2006).

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 12 and 14.

## 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.** *Considers that the indicative financial reference amount indicated in the legislative proposal must be compatible with the ceiling of heading 3 A of the new Multi-annual Financial Framework (MFF) and points out that the annual amount will be decided within the annual budgetary procedure in accordance with the provisions of point 38 of the IIA of xxx;*

### Proposal for a decision

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Text proposed by the Commission<sup>2</sup>

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Amendments by Parliament

#### Amendment 2 Article 7, paragraph 2a (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.*

#### *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..*

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<sup>4</sup> Budget lines 18054 and 18056

<sup>2</sup> Not yet published in OJ.

Amendment 3  
Article 10, paragraph 1

1. Synergies, consistency and complementarity will be sought with other Union and Community instruments, inter alia with the Programmes Prevention of and Fight against Crime and Criminal Justice as well as with the Framework Programmes on Research and technological Development, the European Union Solidarity Fund and the Response and Preparedness Instrument for major emergencies.

1. Synergies, consistency and complementarity will be sought with other Union and Community instruments, inter alia with the Programmes Prevention of and Fight against Crime and Criminal Justice as well as with the Framework Programmes on Research and technological Development, the European Union Solidarity Fund and the Response and Preparedness Instrument for major emergencies. ***The Commission shall ensure that the actions undertaken under these programmes 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 specific programme Prevention of and Fight against Crime, which focuses on law enforcement and crime prevention and the corresponding general programmes on Fundamental Rights and Justice, and Solidarity and management of migration flows.*

Amendment 4  
Article 10, 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 specific programme Prevention of and Fight against Crime, which focuses on law enforcement and crime prevention and the corresponding general programmes on Fundamental Rights and Justice, and Solidarity and management of migration flows.*

Amendment 5

Article 12, paragraph 1a (new)

***1a. The Commission shall ensure that the actions covered by this Decision are subject to prior evaluation, monitoring and ex-post evaluation.***

*Justification*

*The programme needs to be monitored and evaluated at the appropriate period of time, so as to ensure democratic scrutiny.*

Amendment 6  
Article 14, paragraph 2 a (new)

***2a. The Commission shall inform the European Parliament and the Council annually, at the same time as it submits the Preliminary Draft Budget, on the implementation of the programme, in particular the use of the resources available.***

*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 7  
Article 14, 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 2010;
- (b) a Communication on the continuation of this programme no later than 31 December 2010;
- (c) an ex-post evaluation report no later than

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 no later than 31 March 2010;
- (b) a Communication on the continuation of this programme, ***especially regarding its objectives***, no later than 31 December 2010;
- (c) an ex-post evaluation report , ***presenting***

31 March 2015.

*the results achieved by the programme, including a budgetary evaluation, on completion of its implementation but no later than 31 March 2015.*

*Justification*

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



## PROCEDURE

<b>Title</b>	Proposal for a proposal for a Council decision establishing the specific programme "Prevention, Preparedness and Consequence Management of Terrorism", for the period 2007-2013 - General Programme "Security and Safeguarding Liberties"
<b>References</b>	COM(2005)0124 – C6-0241/2005 – 2005/0034(CNS)
<b>Committee responsible</b>	LIBE
<b>Opinion by</b> Date announced in plenary	BUDG 06.09.2005
<b>Enhanced cooperation – date announced in plenary</b>	
<b>Draftsman</b> Date appointed	Ville Itälä 09.06.2005
<b>Previous draftsman</b>	
<b>Discussed in committee</b>	6.3.2006    3.4.2006    18.4.2006    25.4.2006
<b>Date adopted</b>	25.04.2006
<b>Result of final vote</b>	+: 33 -: 0:
<b>Members present for the final vote</b>	Richard James Ashworth, Simon Busuttil, Paulo Casaca, Gérard Deprez, Bárbara Dührkop Dührkop, James Elles, Markus Ferber, Salvador Garriga Polledo, Neena Gill, Dariusz Maciej Grabowski, Ingeborg Gräßle, Louis Grech, Catherine Guy-Quint, Jutta D. Haug, Ville Itälä, Sergej Kozlík, Wiesław Stefan Kuc, Zbigniew Krzysztof Kuźmiuk, Alain Lamassoure, Janusz Lewandowski, Vladimír Maňka, Mario Mauro, Gérard Onesta, Wojciech Roszkowski, Antonis Samaras, Esko Seppänen, Nina Škottová, László Surján, Yannick Vaugrenard, Kyösti Virrankoski, Ralf Walter
<b>Substitute(s) present for the final vote</b>	Lidia Joanna Geringer de Oedenberg, Peter Šťastný
<b>Substitute(s) under Rule 178(2) present for the final vote</b>	
<b>Comments (available in one language only)</b>	...