

# EUROPEAN PARLIAMENT

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*Committee on Budgets*

**2008/0047(COD)**

11.9.2008

## **OPINION**

of the Committee on Budgets

for the Committee on Civil Liberties, Justice and Home Affairs

on the proposal for a European Parliament and Council decision establishing a multi-annual Community programme on protecting children using the Internet and other communication technologies  
(COM(2008)0106 – C6-0092/2008 – 2008/0047(COD))

Rapporteur: Cătălin-Ioan Nechifor

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## SHORT JUSTIFICATION

This programme 'establishing a multi-annual Community programme on protecting children using the Internet' is the fourth version of a multi-annual programme designed to promote safer use of the Internet and it follows on from its 1991<sup>1</sup>, 2003<sup>2</sup> and 2005<sup>3</sup> predecessors. It is due to come into effect on 1 January 2009.

Date	Period	Budget	Number of years covered
1999	1999-2002	EUR 25 million	4
2003	2003-2004	EUR 13.3 million	2
2005	2005 -2006	EUR 20.05 million	2
2005	2006-2008	EUR 24.95 million	3
2008	2009-2013	EUR 55 million	5

The budget headings concerned are 09 02 02 (operating appropriations) and 09 01 04 04 (administrative appropriations).

Implementation (in EUR millions)

Budget	Final amount	Implementation	Percentage	
2009	p.m. (FDB) 10.7			
2008	14.9	0.04 (by 16.6.2008)	0.47%	
2007	12.24	12.24	100%	
2006	9.8	6.12	84.3%	
2005	9.5	9.5	100%	

Implementation of the appropriations was reasonably good in the earlier years, although implementation in 2008 seems to be greatly behind schedule (only EUR 40 000 had been committed by 26 June 2008). DG INFSOC<sup>4</sup> is confident that all the commitment and payment appropriations will be implemented before the end of the budget year. The commitment appropriations will be the subject of a global commitment which will be used to finance selected projects following a call for proposals which was published in the 12 March 2008 edition of the Official Journal (OJ C 67, p. 7) and the closing date for which was 28 May 2008. The proposals were assessed at the beginning of June.

<sup>1</sup> EUROPEAN PARLIAMENT AND COUNCIL DECISION No 276/1999/EC of 25 January 1999 adopting a multi-annual Community action plan on promoting safer use of the Internet by combating illegal and harmful content on global networks

<sup>2</sup> EUROPEAN PARLIAMENT AND COUNCIL DECISION No 1151/2003/EC of 16 June 2003 amending Decision No 276/1999/EC adopting a multi-annual Community action plan on promoting safer use of the Internet by combating illegal and harmful content on global networks

<sup>3</sup> EUROPEAN PARLIAMENT AND COUNCIL DECISION No 854/2005/EC of 11 May 2005 establishing a multi-annual Community programme on promoting safer use of the Internet and new on-line technologies

<sup>4</sup> [http://ec.europa.eu/information\\_society/activities/sip/index\\_en.htm](http://ec.europa.eu/information_society/activities/sip/index_en.htm)

As regards the budget for 2009 (the first year of the proposed new programme), the Commission has informed your rapporteur that the amount of EUR 10.75 million in the 2009 FDB will also be allocated to the funding of projects to be selected following a call for proposals to be launched in 2009 in connection with the new programme. The amount is justified on the basis of the average of the amounts spent per year in the course of the current programme (approx. EUR 10.2 million; total budget allocated to the programme - EUR 55 million - divided by the five years of implementation).

EUR 55 million will be allocated for the 2009-2013 period. According to the financial statement, the distribution over the five years of the programme will be as follows:

	2009	2010	2011	2012	2013	2014	TOTAL
Technical and administrative assistance (09 01 04 04 )	0.3	0.3	0.3	0.3	0.3		<b>1.5</b>
PDB 2009 /Financial programming as at 25/4/08	0.25	0.25	0.3	0.3	0.3		
Commitment appropriations	11	11	11	11	11		<b>55.0</b>
Payment appropriations	0.3	5.38	6.91	9.85	10.35	22.21	<b>55.0</b>
PDB 2009 /Financial programming as at 25/4/08	CA: 10.75	10.7	10.7	10.7	10.7		<b>53.55</b>
	PA: 13						

The administrative costs will thus have increased by EUR 50 000 by comparison with 2007-2008.

Although such a programme is compatible with the Heading 1A ceilings, there is no specific legal basis in the treaty and your rapporteur questions the European added value of the programme, particularly in the context of the mid-term review of the multi-annual financial framework which the budgetary and legislative authority should carry out.

## Comitology

The structure of the programme consists essentially of an empty shell (the decision) followed by three annexes describing the substance of the Commission's actions. Article 1(2) states that the activities (the substance) of the programme are set out 'in Annex I' and that the programme shall be implemented in accordance with Annex III. No specific action is provided for in the decision itself. The European Parliament's Mastebroek report<sup>1</sup> of December 2004 concerning

<sup>1</sup> European Parliament and Council Decision No 854/2005/EC of 11 May 2005 establishing a multi-annual Community Programme on promoting safer use of the Internet and new on-line technologies - COD 2004/0023 - <http://www.europarl.europa.eu/oeil/file.jsp?id=241912>

the most recent programme did not call for the programme structure to be changed.

In addition to this rather opaque technique of law making, Article 3(3) stipulates that the Commission is free to change the substance of Annex III (concerning working methods) in the comitology procedure.

Monitoring the financial implementation of a programme is certainly a job for the Committee on Budgets or the Committee on Budgetary Control, especially when a mid-term review of the multi-annual financial framework is approaching.

## 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 into its report:

### Amendment 1

#### Draft legislative resolution Paragraph 1a (new)

*Draft legislative resolution*

*Amendment*

***1a. Considers the financial-reference amount of EUR 55 million which is contained in the legislative proposal for the implementation of the programme in the period from 1 January 2009 to 31 December 2013 to be compatible with the ceiling laid down in subheading 1a of the 2007-2013 multi-annual financial framework (MFF);***

### Amendment 2

#### Proposal for a decision – amending act Article 3 – Paragraph 3 – point a

*Text proposed by the Commission*

*Amendment*

***(a) adoption and modification of the work programme, including determination of the priority areas for international cooperation;***

***deleted***

### **Amendment 3**

#### **Proposal for a decision – amending act Article 3 – Paragraph 3a (new)**

*Text proposed by the Commission*

*Amendment*

***3a. Measures designed to amend the non-essential aspects of this Decision concerning adoption and amendment of the work programme (including identification of the priority areas for international cooperation) shall be decided upon in accordance with the procedure for regulation with monitoring which is referred to in Article 4(2a).***

### **Amendment 4**

#### **Proposal for a decision – amending act Article 4 – Paragraph 2a (new)**

*Text proposed by the Commission*

*Amendment*

***2a. Should reference be made to this paragraph, paragraphs 1 to 4 of Article 5a and Article 7 of Decision 1999/468/EC shall apply, subject to the provisions laid down in Article 8 of that Decision.***

### **Amendment 5**

#### **Proposal for a decision – amending act Annexe III – paragraphs 4, 5 and 6**

*Text proposed by the Commission*

*Amendment*

***(4) The selection of shared-cost actions will be based on calls for proposals published on the Commission's website in accordance with the financial provisions in force.***

***(5) Applications for Community support should provide, where appropriate, a financial plan listing all the components***

***deleted***

*of the funding of the projects, including the financial support requested from the Community, and any other requests for or grants of support from other sources.*

*(6) Accompanying measures will be implemented through calls for tenders in accordance with the financial provisions in force.*

#### *Justification*

*This provision is superfluous. In order to avoid any inconsistency with Financial Regulation No 1605/2002, these provisions should be deleted in view of the fact that the Financial Regulation and the implementing rules thereof are already sufficiently detailed.*