COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 24.5.2006
COM(2006) 230 final

2005/0037 A (COD)
2005/0037 B (COD)

Amended 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)"

as part of the
General programme "Fundamental Rights and Justice"

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"

Adaptation following the agreement of 17 May 2006
on the Financial Framework 2007-2013

(presented by the Commission pursuant to Article 250(2) of the EC Treaty)

EXPLANATORY MEMORANDUM

1. On the 6 April the Commission published a proposal for decision from the European Parliament and the Council that establishes for the period 2007-2013 the specific programme: "Fight against violence (Daphne), and drugs prevention and information"[1]. This specific programme is part of the framework programme "Fundamental rights and justice". The planned allocation for the whole period is 138.2 million € (134.4 million € for operational expenditure and 2.8 million € for administrative expenditure).

2. Following the inter-institutional agreement on the financial framework 2007-2013, signed on the 17 May 2006, the Commission plans to adopt, on the 24 May, modified proposals regarding the new financial instruments in the field of justice, security and freedom. On this occasion the Commission will also announce the adoption of separate proposals for "Daphne" and "Drugs prevention and information" for reasons which are outlined below.

3. The Commission has previously presented the "Daphne" and "Drugs prevention and information" under a common programme. This was due to the following reasons:

   - the need to rationalise and simplify the financial instruments in the field of justice, freedom and security by reducing their number and increase efficiency;

   - the nature of actions of violence and drug addiction having strong links to public health, concerning all Member States; and

   - there is a common legal basis (Article 152 from the treaty establishing the European Community which is the grounds for the EU policy on health issues).

4. The presentation of the actions concerning "Daphne" and "Drugs prevention and information" together under one single programme has been criticized out of the concern that the Daphne programme, whose importance to fighting violence against women and children should be stressed, might loose visibility, if combined with measures related to drug addiction, under a single instrument.

   The European Parliament[2], in particular, and also the European Economic and Social Committee[3] requested the splitting of the two actions. This is a position which appears to be shared by the Council.

5. Additionally, splitting the two actions will facilitate a quick decision making process.

6. The Commission has therefore decided to present the two separate proposals "Daphne" and "Drugs prevention and information", for decisions from the European Parliament and the Council. This change is taking place with no modifications to

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1 COM(2005) 122, 6.4.2005.

2 European Parliament resolution on strategies to prevent the trafficking of women and children who are vulnerable to sexual exploitation (2004/2216(INI)), 17 January 2006.

3 Opinion of the EESC 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", CESE 32/2006, 19 January 2006.

content, whether the legal basis, explanatory memorandum, recitals, or the articles of the proposals for decision. This split also does not prevent looking for the best way to ensure that the two programmes, as well as other financial instruments, are complementary.

7. Concerning the financial resources, the division of the two programmes implies the following breakdown for the period 2007-2013:

Programme	Operational expenditure	Administrative expenditure
Daphne	114.4 million €	2.45 million €
Drugs prevention and Information	21 million €	0.35 million €

2005/0037 A (COD)

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DECISION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

Establishing for the period 2007-2013 the specific programme

"Fight against violence (Daphne)"

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 Commission[4],

Having regard to the opinion of the European Economic and Social Committee[5],

Having regard to the opinion of the Committee of the Regions[6],

Acting in accordance with the procedure laid down in Article 251 of the Treaty[7],

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.

(2) Community action should complement national policies directed towards improving public health, obviating sources of danger to human health.

(3) Physical, sexual and psychological violence against children, young people and women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or private life, constitute a breach of their right to life, safety, freedom, dignity and physical and emotional integrity and a serious threat to the physical and mental health of the victims of such violence. The effects of such violence, being so widespread throughout the Community, constitute a genuine health scourge and an obstacle to the enjoyment of safe, free and just citizenship.

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4 OJ C , , p. .
5 OJ C , , p. .
6 OJ C , , p. .
7 OJ C , , p. .

(4) The World Health Organisation defines health as a state of complete physical, mental and social well being and not merely the absence of disease or infirmity. According to a 1996 World Health Assembly resolution violence is a leading worldwide public health problem. In its report on violence and health of 3 October 2002 the organisation recommends promoting primary prevention responses, strengthening responses for victims of violence and increasing collaboration and exchange of information on violence prevention.

(5) These principles are recognised in numerous conventions, declarations and protocols of the main international organisations and institutions such as the United Nations, the International Labour Organisation, the World Conference on Women and the World Congress against Commercial Sexual Exploitation of Children.

(6) The Charter of Fundamental Rights of the European Union[8] reaffirms, inter alia, the rights to dignity, equality and solidarity. It includes a number of specific provisions to protect and promote physical and mental integrity, equal treatment for men and women, the rights of the child and non-discrimination, as well as to prohibit inhuman or degrading treatment, slavery and forced labour, and child labour. It reaffirms that a high level of human health protection shall be ensured in the definition and implementation of all Community policies and activities.

(7) The Commission has been called upon by the European Parliament to draw up and implement action programmes to combat such violence, inter alia, in its Resolutions of 19 May 2000 on the communication from the Commission to the Council and the European Parliament. 'For further actions in the fight against trafficking in women'[9], and of 20 September 2001 on female genital mutilation[10].

(8) The action programme set up by Decision No 293/2000/EC of the European Parliament and of the Council of 24 January 2000 adopting a programme of Community action (the Daphne programme) (2000 to 2003) on preventive measures to fight violence against children, young people and women[11] has helped increase awareness within the European Union and increase and consolidate cooperation between organisations in the Member States active in combating violence.

(9) The action programme set up by Decision No 803/2004/EC of the European Parliament and of the Council of 21 April 2004 adopting a programme of Community action (2004 to 2008) to prevent and combat violence against children, young people and women and to protect victims and groups at risk (the Daphne II programme)[12] further developed the results already achieved by the Daphne programme; according to Article 8(2) thereof the Commission shall take the necessary steps to ensure the consistency of the annual appropriations with the new financial framework.

(10) It is desirable to ensure continuity for the projects supported by the Daphne and the Daphne II programmes.

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8 OJ C 364, 18.12.2000, p. 1.
9 OJ C 59, 23.2.2001, p. 307.
10 OJ C 77 E, 28.3.2002, p. 126.
11 OJ L 34, 9.2.2000, p. 1.
12 OJ L 143, 30.4.2004, p. 1.

(11) It is important and necessary to recognise the serious immediate and long-term implications of violence 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.

(12) Concerning the prevention of violence, including abuse and sexual exploitation perpetrated against children, young people and women and the protection of victims and groups at risk, the European Union can bring added value to the actions predominantly to be undertaken by Member States by the following means: the dissemination and exchange of information, experience and good practices; the promotion of an innovative approach; the joint establishment of priorities; the development of networking as appropriate; the selection of Community-wide projects; and the motivation and mobilisation of all parties concerned. These actions should also encompass children and women brought to the Member States through human trafficking.

(13) The European Federation for Missing and Sexually Exploited Children groups together at European level different NGOs dealing with the problem of the disappearance and sexual exploitation of children. The Federation raises awareness and fights against the phenomena of missing and sexually exploited children by facilitating communication between European organisations towards a more efficient approach, stimulating the creation of a European study centre to centralise and analyse data concerning these phenomena and promoting and conducting activities to improve the situation of minors, victims of disappearance and/or sexual abuse, and to change the legal norms, the mentality and behaviour in Europe.

(14) The objectives of the proposed action, namely to prevent and combat all forms of violence against children, young people and women cannot be sufficiently achieved by the Member States because of the need for an exchange of information at EU 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.

(15) 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.

(16) This Decision establishes a financial framework for the entire duration of the programme, which is to be the principal point of 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 improvement of the budgetary procedure[13].

(16) Council Regulation (EC, Euratom) No 1605/2002 of 25 June 2002 on the Financial Regulation applicable to the general budget of the European Communities[14], hereinafter

[13] OJ C 172, 18.6.1999, p. 1.

"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 1605/2002[15], which safeguard the Community's financial interests, have to be applied, 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.

(17) The Financial Regulation requires a basic act to be provided to cover operating grants.

(18) 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 Commission[16] measures for the implementation of this Decision should be adopted by use of the advisory procedure provided for in Article 3 of that Decision. This is appropriate since the programme does not have a significant impact on the Community budget.

HAVE DECIDED AS FOLLOWS:

Article 1
Creation of the programme

1. This Decision establishes the programme "Fight against violence (Daphne)", hereinafter referred to as "the programme", as part of the general programme "Fundamental Rights and Justice", in order to contribute to the strengthening of the area of Freedom, Security and Justice.

2. The programme shall cover the period from 1 January 2007 to 31 December 2013.

Article 2
General objectives

1. This programme shall have the following general objectives:

   (a) To contribute to the setting up of an area of freedom, security and justice by combating violence.

   (b) To protect citizens against violence and to attain a high level of health protection, well being and social cohesion.

2. Without prejudice to the objectives and powers of the European Community, the general objectives of the programme shall contribute to the development of the community policies and more specifically, to those related to the protection of public health, gender equality, protection of children's rights, and fight against trafficking of human beings and sexual exploitation.

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[14] OJ L 248, 16.9.2002, p. 1.
[15] OJ L 357, 31.12.2002, p. 1.
[16] OJ L 184, 17.7.1999, p.23.

Article 3
Specific objectives

The programme shall have the following specific objectives:

(a) To prevent and combat all forms of violence occurring in the public or the private domain against children, young people and women by taking preventive measures and by providing support for victims and groups at risk by the following means:

- to assist and encourage NGOs and other organisations active in protecting against and preventing violence, and assisting victims;
- to develop and implement awareness-raising actions targeting specific audiences, to design materials to supplement those already available, or to adapt and use the existing materials in other geographical areas or for other target groups;
- to disseminate the results obtained under the two Daphne programmes including their adaptation, transfer and use by other beneficiaries or in other geographical areas;
- to identify and enhance actions contributing to positive treatment of people at risk of violence, namely to follow an approach that encourages respect for them and promotes their well-being and self-fulfilment.

(b) 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 violence among targeted audiences such as specific professions to improve understanding thereof, to promote the adoption of zero tolerance towards violence and to encouraging support for victims and the reporting of violence to the competent authorities;
- study phenomena related to violence, to explore and address the root causes of violence at all levels of society;

Article 4
Actions

With a view to pursuing the general and specific objectives set out in Articles 2 and 3, this

programme will support 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 three Member Sates under the conditions set out in the annual work programmes; 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.

(d) an operating grant to co-finance expenditure associated with the permanent work programme of the European Federation for Missing and Sexually Exploited Children which pursues an aim of general European interest in the field of children's rights and protection.

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 associated to the EU, 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 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 violence.

2. With regard to the fight against violence, the main target groups are the victims of violence and groups at risk of violence. Other target groups are, inter alia, teachers

and educational staff, police and social workers, local and national authorities, medical and paramedical staff, judicial staff, NGO, trade unions and religious communities. It is also relevant to think about treatment programmes for victims on the one hand and for perpetrators on the other, with the aim of preventing violence.

Article 7

Access to the programme

Access to this programme shall be open to public or private organisations and institutions (local authorities at the competent level, university departments and research centres) working to prevent and combat violence against children, young people and women or to protect against such violence or to provide support for victims or to implement targeted actions to promote rejection of such violence or to encourage attitude and behaviour change towards vulnerable groups and victims of violence.

Article 8

Types of intervention

1. Community funding may take the following legal forms:

   – grants,

   – public procurement contracts.

2. Community grants shall be awarded further to calls for proposals, save in duly substantiated exceptional cases of urgency or where the characteristics of the beneficiary leave no other choice for a given action, and shall be provided through operating grants and grants to actions. 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 specifying its specific objectives, thematic priorities, a description of accompanying measures envisaged in Article 8 and if necessary a list of other actions.

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

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) and (d), 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 impact of the activities carried out;

   – citizen involvement in the organisation of the bodies concerned;

   – cost/benefit ratio of the activity proposed.

6. Pursuant to Article 113(2) of the Financial Regulation, the principle of gradual reduction shall not apply to the operating grant given to the European Federation for Missing and Sexually Exploited Children which pursues an aim of general European interest in the field of children's rights and protection.

Article 10
Committee

1. The Commission shall be assisted by a committee, composed of representatives of the Member States and chaired by the representative of the Commission, 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, having regard to the provisions of Article 8 thereof.

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 programmes "Security and Safeguarding Liberties" and "Solidarity and Management of Migration Flows", the 7th Research & Development Framework Programme as well as the programmes on health protection and "Safer Internet Plus". The statistical element of information on violence will be developed in collaboration with Member States, using as necessary the Community Statistical Programme.

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 beneficiaries of this Decision shall 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 budget for the implementation of this instrument is set at EUR 116.85 million for the period set out in Article 1.

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 thefinancial framework.

Article 13

Monitoring

1. For any action financed by the programme, the beneficiary shall 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. Without prejudice to the audits carried out by the Court of Auditors in liaison with the competent national audit bodies or departments pursuant to Article 248 of the Treaty, or any inspection carried out pursuant to Article 279(c) of the Treaty, officials and other staff of the Commission may carry out on-the-spot checks, including sample checks, on actions financed under the programme.

3. Contracts and agreements resulting from this Decision shall provide in particular for supervision and financial control by the Commission (or any representative authorized by it), if necessary on-the-spot, and audits by the Court of Auditors.

4. For a period of five years following the last payment in respect of any action, the beneficiary of financial assistance shall 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, if necessary, adjust the scale or the conditions of allocation of the financial assistance originally approved and also the timetable for payments.

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 the Financial Regulation.

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 reduce, suspend or recover the amount of financial assistance granted for an action 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 being 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 request the beneficiary to submit observations within a specified period. If the beneficiary does not give a satisfactory answer, the Commission may cancel the remaining financial assistance and demand repayment of sums already paid.

5. Any undue payment shall 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 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;

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

Article 16
Transitory measures

Decision No 803/2004/EC of the European Parliament and of the Council of 21 April 2004 adopting a programme of Community action (2004–2008) to prevent and combat violence against children, young people and women and to protect victims and groups at risk (the Daphne II programme) is repealed.

Actions started before 31 December 2006 pursuant to that Decision continue to be governed, until their completion, by it. The committee provided for in Article 7 thereof shall be replaced by the one provided for in Article 10 of the present Decision.

Article 17
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.

Done at Brussels,

For the European Parliament	*For the Council*
The President	*The President*

FINANCIAL STATEMENT

LEGISLATIVE FINANCIAL STATEMENT

1. NAME OF THE PROPOSAL:

General Programme "Fundamental Rights and Justice"

Proposal for a decision of the European Parliament and the Council establishing the programme "Fight against violence (Daphne)" for the period 2007-2013

2. ABM / ABB FRAMEWORK

1804 – Citizenship and Fundamental Rights

3. BUDGET LINES

3.1. Budget lines (operational lines and related technical and administrative assistance lines (ex- B.A lines)) including headings:

Financial framework 2007-2013: Heading 3a.

18.010412 - Fight against violence (Daphne) – Expenditure on administrative management

18.0407 - Fight against violence (Daphne)

3.2. Duration of the action and of the financial impact:

2007-2013

3.3. Budgetary characteristics (*add rows if necessary*):

Budget line	Type of expenditure		New	EFTA contribution	Contributions from applicant countries	Heading in financial framework
18.010412	Non-comp	Diff	NO	Yes*	Yes	**No** 3a
18.0407	Non-comp	Diff	NO	Yes*	Yes	**No** 3a

*: the programme shall be open to the participation of the EFTA states, subject to the EEA Agreement, in accordance with its provisions.

4. SUMMARY OF RESOURCES

4.1. Financial Resources (Current Prices)

4.1.1. Summary of commitment appropriations (CA) and payment appropriations (PA)

EUR million (to 3 decimal places)

Expenditure type	Section no.		2007	2008	2009	2010	2011	2012	2013	2014 -…	Total
Operational expenditure (8.1)											
Commitment Appropriations (CA)	Fight against violence	a	13,900	14,400	15,800	17,200	17,600	17,500	18,000		114,400
Payment Appropriations (PA)	Fight against violence	b	7,000	12,810	15,000	16,220	17,120	17,470	17,770	11,010	114,400
Administrative expenditure within reference amount (8.2.4)											
Technical & administrative assistance (NDA)	8.2.4	c	0,300	0,300	0,300	0,350	0,400	0,400	0,400		2,450
TOTAL REFERENCE AMOUNT											
Commitment Appropriations		**a+c**	**14,200**	**14,700**	**16,100**	**17,550**	**18,000**	**17,900**	**18,400**		**116,850**
Payment Appropriations		**b+c**	**7,300**	**13,110**	**15,300**	**16,570**	**17,520**	**17,870**	**18,170**	**11,010**	**116,850**
Administrative expenditure not included within reference amount											
Human resources and associated expenditure (NDA)	8.2.5	d	4,050	4,320	4,752	5,130	5,508	5,832	5,832		35,424

Administrative costs, other than human resources and associated costs, not included in reference amount (NDA)	8.2.6	e	0,670	0,725	0,753	0,768	0,784	0,799	0,815		5,316
Total indicative financial cost of intervention											
TOTAL CA including cost of Human Resources		a+c+d+e	18,920	19,745	21,605	23,448	24,292	24,531	25,047		157,590
TOTAL PA including cost of Human Resources		b+c+d+e	12,020	18,155	20,805	22,468	23,812	24,501	24,817	11,010	157,590

The annual requirements in human resources for 2007 are compatible with allocation received within the framework of the APS 2007 exercise.

Co-financing details

If the proposal involves co-financing by Member States, or other bodies (please specify which), an estimate of the level of this co-financing should be indicated in the table below (additional lines may be added if different bodies are foreseen for the provision of the co-financing):

EUR million (to 3 decimal places)

Co-financing body		Year n	n + 1	n + 2	n + 3	n + 4	n + 5 and later	Total
……	f							
TOTAL CA including co-financing	a+c +d+ e+f							

4.1.2. Compatibility with Financial Programming

X Proposal is compatible with next financial programming 2007-2013

☐ Proposal will entail reprogramming of the relevant heading in the financial framework.

☐ Proposal may require application of the provisions of the Interinstitutional Agreement[17] (i.e. flexibility instrument or revision of the financial framework).

4.1.3. Financial impact on Revenue

☐ Proposal has no financial implications on revenue

X Proposal has financial impact – the effect on revenue is as follows:

Contribution from EFTA/EEE States: 2,19 % (2004 figures)

[17] See points 19 and 24 of the Interinstitutional agreement.

EUR million (to one decimal place)

Budget line	Revenue	Prior to action	Situation following action							
			2006	2007	2008	2009	2010	2011	2012	2013
	a) Revenue in absolute terms		0.3	0.3	0.3	0.4	0.4	0.4	0.4	0.4
	b) Change in revenue	*Δ*								

(Please specify each revenue budget line involved, adding the appropriate number of rows to the table if there is an effect on more than one budget line.)

4.2. Human Resources FTE (including officials, temporary and external staff) – see detail under point 8.2.1.

The details indicated in this section concern the overall General Programme Fundamental Rights and Justice as established in the Communication from the Commission to the Council and the European Parliament [COM(2005) 122, 6.4.2005]. Since the Commission took into account synergies in human and administrative resources in the management of the general programme, the overall requirements remain valid. Therefore, no individual breakdown per individual specific programme has been provided (apart from 8.2.4).

Annual requirements	2007	2008	2009	2010	2011	2012	2013
Total number of human resources	37,5	40	44	47,5	51	54	54

5. CHARACTERISTICS AND OBJECTIVES

5.1. Need to be met in the short or long term

The mid term and the final report on the Daphne programme (2000–2003) show that organisations have gained from their participation in European partnerships. Bringing associations to work together resulted in more effective programming and better use of resources.

The Daphne programme can thus be seen as successful in mobilising the civil society resulting in partnerships and alliances that are working together for more comprehensive European policies on violence.

The final report of the Daphne programme (2000–2003) revealed that there was some room to improvement such as the creation of a helpdesk and an increased focus on dissemination. The Daphne II programme was thus adapted to conform to the finding of that report.

As these changes to the structure of the programme are quite recent, no significant changes need to be introduced.

5.2. Value-added of Community involvement and coherence of the proposal with other financial instruments and possible synergy

The European Union **added value** will be achieved by:

- preparing the ground for the emergence of common strategies and legislation in this field;
- implementing EU policy objectives and their application in national policies;
- supporting the transposition of European Union legislation's and its application in a uniform way through Europe;
- promoting the co-operation and co-ordination mechanisms between Member States;
- cooperating with civil society organisations at European level.

Criteria for evaluation

A set of common evaluation criteria will be used through all specific programmes to evaluate the success of the interventions regarding the European Union added value in relation with the type of effect described above. Example of criteria could be:

- to support only activities needed at European Union level to sustain European Union objectives, European Union laws and European Union implementation mechanism;
- to support activities which will be complementary with those financed at national level;
- to reinforce national exchanges at European Union level, generating synergy effects and economies of scale;
- to involve actively Member States representatives and other relevant

stakeholders in the implementation of the programme in order to maximise complementarities with existing activities.

Subsidiarity and proportionality

As far as subsidiarity is concerned the present programme focuses on areas where European added value can be demonstrated and therefore is designed to respect the principles of subsidiarity and proportionality set out in Article 5 of the EC Treaty and its accompanying Protocol.

As far as proportionality is concerned, the new programme proposal has been designed to incorporate the maximum feasible extent of simplification in terms not only of the form of the action but also in terms of the administrative and financial requirements that will apply to their implementation. The programme has been designed to strike to find the right balance between flexibility and ease of use on the one hand, and clarity of purpose and appropriate financial and procedural safeguards on the other.

Complementarity with other Community interventions

The present programme aims at contributing to the establishment of an area of freedom, security and justice. A complementarity with other programmes may thus be possible.

A non exhaustive list of areas of convergence can be mentioned:

- The draft of the present programme took into account the Programme on Active Citizenship and the Youth programme to ensure that no overlap situations existed. In any case, particular attention will be paid to the implementation of those programmes to avoid such situations and to coordinate the results.

- The draft of the present programme took into account the Programme for Employment and Social Security - PROGRESS to ensure that no overlap situations existed. Particular attention will be paid to the implementation of the programme to avoid such situations and to coordinate the results.

- The current proposal is complementary to some actions under the 7th framework programme. Synergies will be actively promoted whenever possible, namely as regards the application of research results.

- Special attention will be paid to the programmes implemented by in the field of Information Society, related with safe use of Internet and fighting its abuse, in particular as regards sensitive groups (e.g. children).

- The current proposal will also seek to complement the work of EU Agencies active in these policy fields, as well as with the action of other international organisations acting in the field of fight against violence.

Regular exchanges of information and active collaboration around projects under other Community programmes will take place, in order to improve and capitalise upon internal coherence, and between the Commission and other national and international authorities/organisations, to improve external coherence.

Complementarities with interventions on Freedom, Security and Justice

These interventions have a common goal of establishing an area of freedom, security and justice where basic human rights are respected. Each of the programmes is designed to address particular aspects which are a critical part of the creation of such an area in the EU, given the integration of national economies and the goal of ensuring free movement of people as well as goods, services and capital between countries. As such, they tackle issues affecting freedom, security and justice which arise from the creation of economic and monetary union and the abolition of internal borders and which can only be effectively addressed at EU level. These issues are to do with cooperation, harmonisation, coordination of activities, the exchange and sharing of critical information and best practices and techniques, and establishing solidarity mechanisms for sharing the costs involved in pursuing common and agreed objectives in an equitable way.

They are reflected in the objectives set out in The Hague Programme adopted by the European Council in November 2004, which include: guarantying fundamental human rights throughout the EU, establishing minimum procedural safeguards and common access to justice, extending the mutual recognition of judicial decisions, fighting organised cross-border crime and the threat of terrorism, ensuring protection in accordance with international treaties to those in need, and regulating migration flows and controlling the external borders of the EU. Each of the programmes is aimed at pursuing these objectives in a complementary way without duplicating activities.

The activities under the programme "Fundamental Rights and Justice", therefore, are designed to further fundamental human rights and ensure a common level of access to justice across the EU, and are accordingly complementary to activities under the other two programmes which reinforce this objective. In particular, they are directly complementary to the measures, under the Solidarity programme to improve the integration of migrants into EU society as well as to establish uniform procedures for dealing with asylum-seekers and, under the Security programme, to enhance protection of witnesses and victims of crime as well as to

combat the trafficking of people.

They are also complementary, if less directly, with activities under the Security programme to strengthen cooperation between police forces and law enforcement authorities as well as between bodies involved in combating the threat of terrorism. The freedom of EU citizens to enjoy their fundamental rights, therefore, is contingent on them feeling secure and being adequately protected against criminal activity or terrorist attack.

5.3. Objectives, expected results and related indicators of the proposal in the context of the ABM framework

General objectives	Specific objectives	Operational objectives
To contribute to the setting up of an area of freedom, security and justice by combating violence.	To protect citizens against violence and to attain a high level of health protection, well being and social cohesion.	To prevent and combat all forms of violence occurring in the public or the private domain, against children, young people and women To provide support for victims and groups at risk. To assist and encourage NGO and other organisations active in this field. To disseminate the results obtained under the two Daphne programmes including their adaptation, transfer and use by other beneficiaries or in other geographical areas. To identify and enhance actions contributing to positive treatment of people at risk of violence.
	To promote transnational and awareness-raising actions in the areas identified above.	To set up multidisciplinary networks; to 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. To develop and implement awareness-raising actions targeted at specific audiences to promote the adoption of zero tolerance towards violence and to encourage support for victims and the reporting of violence.

5.4. Method of Implementation

Show below the method(s) chosen for the implementation of the action.

X ***Centralised Management***

X Directly by the Commission

Indirectly by delegation to:

Executive Agencies

Bodies set up by the Communities as referred to in art. 185 of the Financial Regulation

National public-sector bodies/bodies with public-service mission

X ***Shared or decentralised management***

With Member states

With Third countries

Joint management with international organisations (please specify)

Relevant comments:

In order to achieve the full objectives of the programme under the provisions of the Current Treaty, it has been decided to split into 4 legal instruments relating to 4 different legal bases. As stated in Mr. Vitorino's Communication to the Commission [SEC(2004) 1195, 28.9.2004] the actions proposed are provided through the current Treaties. The legal bases required to establish the programmes have been limited in number as far as the current Treaties allow, while within and across the new programmes common delivery, management and implementation mechanisms are set in place.

In order to achieve the general and specific and operational objectives, each programme within the programme "Fundamental Rights and Justice" envisages a range of actions, such as:

- specific actions taken by the Commission, such as, studies and research, opinion polls and surveys, the 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;

- actions providing financial support for specific projects of Community interest under the conditions set out in the annual work programmes;
- actions providing financial support for the activities of non-governmental organisations or other entities under the conditions set our in the annual work programmes;
- operative grants to entities identified in a legal basis.

Methods of implementation:

The above mentioned type of actions may be financed either by

- a service contract following a call for tenders
- a subsidy following a call for proposals
- subsidies to a body pursuing an aim of general European interest, without a call for proposal.

The Commission will implement the above actions in accordance with the annual work programme to be adopted. The Commission will implement this programme and may have recourse to technical and/or administrative assistance to the mutual benefit of the Commission and of the beneficiaries, for example to finance outside expertise on a specific subject.

The Commission may decide to entrust part of the budget implementation to an executive agency, as referred to in Article 54(2)(a) of the Financial Regulation. These agencies may be established by the Commission in conformity with the provisions of the Financial Regulation and its implementation rules as well as the Council Regulation (EC) No 58/2003[18]. Before its decision, the Commission shall establish a cost-benefit analysis identifying the tasks justifying outsourcing, the costs of coordination and checks, the impact on human resources, possible savings, efficiency and flexibility in the implementation of outsourced tasks, simplification of the procedures used, proximity of outsourced activities to final beneficiaries, visibility of the Community and the need to maintain an adequate level of know-how inside the Commission.

6. MONITORING AND EVALUATION

[18] Council Regulation (EC) No 58/2003 of 19 December 2002 laying down the statute for executive agencies to be entrusted with certain tasks in the management of Community programmes - OJ L 11, 16.1.2003, p. 1.

6.1. Monitoring system

A comprehensive monitoring system will be set-up in order to regularly follow up the implementation of the activities carried out under each specific programme. This system should allow for the collection of information relating to the financial implementation and to the physical outputs of the programme, across the types of action and the target groups included in the programme. The information will be collected at project level - indeed, for any action financed by the programme, the beneficiary shall submit technical and financial reports on the progress of the work, as well as a final report after the completion of the action. The precise configuration of the monitoring system, as well as the type of indicators to be set-up will be the object of further study in the process leading to the implementation of the programme. Indeed, a study on delivery mechanisms and related cost-effectiveness aspects is foreseen to take place during 2005.

According to legal requirements and Commission's evaluation policy, the programme will be evaluated at mid-term to assess its continuing relevance and draw useful lessons for the remainder of its implementation. A review of the programme may take place then, if considered necessary. A final evaluation will take place at the end of the programming period to assess the results of the programme and advise on its follow-up. These reports will be prepared under the responsibility of the Commission, and shall be submitted to the European Parliament and the Council.

6.2. Evaluation

6.2.1. Ex-ante evaluation

Cfr. Extended Impact Assessment on the programme "Fundamental Rights and Justice".

6.2.2. Measures taken following an intermediate/ex-post evaluation (lessons learned from similar experiences in the past)

Cfr. Extended Impact Assessment on the programme "Fundamental Rights and Justice".

6.2.3. Terms and frequency of future evaluation

The timetable set in the proposal is as follows:

– no later than 31 March 2011, the Commission shall submit to the European Parliament and the Council an interim evaluation report on the results obtained and the qualitative and quantitative aspects of the implementation of this programme;

– no later than 30 August 2012, the Commission shall submit to the European Parliament and the Council a Communication on the continuation of this programme;

– no later than 31 December 2014, the Commission shall submit to the European Parliament and the Council an ex post evaluation report.

7. ANTI-FRAUD MEASURES

The Commission shall ensure that, when actions financed under the present programme 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.

For the Community actions financed under this programme, the notion of irregularity referred to in Article 1(2) of Regulation (EC, Euratom) No 2988/95 shall mean any infringement of a provision of Community law or any breach of a contractual obligation resulting from an act or omission by an economic operator, which has, or would have, the effect of prejudicing the general budget of the Communities or budgets managed by them, by an unjustifiable item of expenditure.

Contracts and agreements shall provide in particular for supervision and financial control by the Commission (or any representative authorized by it) and audits by the Court of Auditors, if necessary on-the-spot.

8. DETAILS OF RESOURCES

8.1. Objectives of the proposal in terms of their financial cost (Prix 2004)

Commitment appropriations in EUR million (to 3 decimal places)

(Headings of Objectives, actions and outputs should be provided)	Type of output	Av. cost	2007		2008		2009		2010		2011		2012		2013		Total	
			No. outputs	Total cost	No. outputs	Total cost	No. outputs	Total cost	No. outputs	Total cost	No. outputs	Total cost	No. outputs	Total cost	No. outputs	Total cost	No. outputs	Total cost
To prevent and combat all forms of violence occurring in the public or the private domain, against children, young people and women by taking preventive measures and by providing support for victims and groups at risk																		
To assist and encourage NGO and other organisations	Grants	0,150	30	4,500	30	4,500	30	4,500	30	4,500	30	4,500	30	4,500	30	4,500	210	31,500
Develop and implement awareness-raising actions	Studies	0,200	2	0,400	3	0,600	4	0,800	5	1,000	7	1,400	7	1,300	7	1,400	35	6,900
	Grants	0,150	7	1,050	9	1,350	12	1,800	12	1,800	12	1,800	12	1,800	12	1,800	76	11,400
Identify and enhance actions contributing to positive treatment of people at risk of violence	Grants	0,150	10	1,500	10	1,500	12	1,800	16	2,400	16	2,400	16	2,400	16	2,400	96	14,400
Dissemination of results	Dissemination of data & statistics, reports, publications	0,150	3	0,450	3	0,450	4	0,600	4	0,600	4	0,600	4	0,600	4	0,700	26	4,000
Sub-total Objective 1				**7,900**		**8,400**		**9,500**		**10,300**		**10,700**		**10,600**		**10,800**	**306**	**68,200**

To promote transnational actions																		
Set-up multi-disciplinary networks	Grants	0,150	20	3,000	20	3,000	20	3,000	22	3,300	22	3,300	22	3,300	24	3,600	150	22,500
Dissemination of good practice	Grants	0,150	5	0,750	5	0,750	7	1,050	8	1,200	8	1,200	8	1,200	8	1,200	49	7,350
Raise awareness	Grants	0,150	15	2,250	15	2,250	15	2,250	16	2,400	16	2,400	16	2,400	16	2,400	109	16,350
Sub-total Objective 2				**6,000**		**6,000**		**6,300**		**6,900**		**6,900**		**6,900**		**7,200**	**259**	**46,200**
TOTAL COST				**13,900**		**14,400**		**15,800**		**17,200**		**17,600**		**17,500**		**18,000**		**114,400**

8.2. Administrative Expenditure

The needs for human and administrative resources shall be covered within the allocation granted to the managing DG in the framework of the annual allocation procedure.

The details indicated in this section concern the overall General Programme Fundamental Rights and Justice as established in the Communication from the Commission to the Council and the European Parliament [COM(2005) 122, 6.4.2005]. Since the Commission took into account synergies in human and administrative resources in the management of the general programme, the overall requirements remain valid. Therefore, no individual breakdown per individual specific programme has been provided (apart from 8.2.4).

8.2.1. Number and type of human resources

Types of post		Staff to be assigned to management of the action using existing and/or additional resources (**number of posts/FTEs**)						
		2007	2008	2009	2010	2011	2012	2013
Officials or temporary staff (XX 01 01)	A*/AD	9,25	10	11	12	13	13,5	13,5
	B*, C*/AST	21,25	23	25	27	29	31	31
Staff financed by art. XX 01 02		7	7	8	8,5	9	9,5	9,5
Other staff financed by art. XX 01 04/05								
TOTAL		37,5	40	44	47,5	51	54	54

8.2.2. Description of tasks deriving from the action

Task N°	Title	Description	Number
MANAGEMENT			
1	Management		2
POLICY DEFINITION AND PROGRAMMING			
2	Policy Making	Definition of strategy, legal base,…	3
3	Programme definition	Establishment of annual work programme (i.e. financing decision) and interservice consultation	0,5

4	Interface with relevant EC programmes & actions	interservice coordination in order to ensure complementarity-synergy with other policies	1
5	Interface with other Institutions and Member States	Interface Council, EP ensuring the appropriate reporting, information, questions, briefing requests	0,5
6	Information and Communication	1. Information and publicity activities 2. EUROPA Web site	0,5
7	Committee interface - chair & secretariat		1
8	Budgeting	APS,PDB,AAR,BIP,RAL - Preparation - Follow-up – Reporting	0,5
PROGRAMME : RECEPTION, SELECTION AND AWARD OF PROJECTS, FINANCIAL AND LEGAL COMMITMENTS			
9	Preparation Calls for proposals		1,5
10	Reception and evaluation proposals/multi-annual and annual programmes	(also involves staff involved in 12,13,14 and 15)	9
11	Award decisions		0,5
12	Financial Commitment	Preparation, maintenance and closure of all financial commitments + sub consequent amendments	1,5
13	Legal Commitment	Preparation, Signature, Closure of all juridical commitments + sub consequent amendments	4
PROGRAMME : MONITORING OF PROJECTS			
14	Payments - Initiation	Preparation and Processing of all Prefinancing, Intermediate and Final Payments (including verification supporting docs)	3
15	Project Monitoring	Receipt and assessment of reports , requests for information, project visits	4
PROCUREMENT, CONTROL AND AUDIT			
16	Ex- ante verification of transactions, setting up of control standards	Setting up appropriate control standards	2
17	Financial Audit	Ex-post Audit of expenditure / implementation	2
18	Internal audit	Verification of compliance with ICS	1
19	Procurement procedures	Drafting, procedures and authorisation of procurement procedures for projects and technical assistance (evaluation, studies,…) , including JPC, Helpdesk procurement procedures	2
20	Reporting	Report of Authorising Officer, RAA, relations with Court of Auditors…	1
SUPPORT SERVICES			
21	Filing and Archiving	Database, digital and hardcopy filing	1
22	Programme Evaluation	Ex ante - Mid term - Final evaluation	1,5

23	IT Support	Specific development of IT Tools related to monitoring and implementation	2
OVERHEAD			
24	Administration (Overhead)	CIS, Translations, HRM, Logistics,…	9
TOTAL			**54**

8.2.3. Sources of human resources (statutory)

(When more than one source is stated, please indicate the number of posts originating from each of the sources)

☐ Posts currently allocated to the management of the programme to be replaced or extended

☐ Posts pre-allocated within the APS/PDB exercise for year n

x 6 Posts to be requested in the next APS/PDB procedures

x 10,5 Posts to be redeployed using existing resources within the managing service (internal redeployment)

☐ Posts required for year n although not foreseen in the APS/PDB exercise of the year in question

8.2.4. Other Administrative expenditure included in reference amount (XX 01 04/05 – Expenditure on administrative management)

The details indicated in this section concern the overall General Programme Fundamental Rights and Justice as established in the Communication from the Commission to the Council and the European Parliament [COM(2005) 122, 6.4.2005]. Since the Commission took into account synergies in human and administrative resources in the management of the general programme, the overall requirements remain valid. Nevertheless, the proportion related to the above specific programme is mentioned and included in the reference amount.

EUR million (to 3 decimal places)

Budget line (number and heading)	2007	2008	2009	2010	2011	2012	2013	TOTAL
1 Technical and administrative assistance (including related staff costs)								
Other technical and administrative assistance								
- *intra muros*								
- *extra muros Development IT and other management tools*	0,850	1,100	0,650	1,300	1,150	1,410	1,450	7,910
Studies	0,100	0,100	0,100	0,110	0,100	0,120	0,150	0,780

Evaluation and Impact Assessment	0,100	0,100	0,100	0,230	0,100	0,200	0,300	1,130
Publications;external evaluations	0,100	0,150	0,100	0,100	0,100	0,110	0,200	0,860
Expert meetings	0,050	0,050	0,050	0,060	0,050	0,060	0,100	0,420
Total General Programme Fundamental Rights and Justice	1,200	1,500	1,000	1,800	1,500	1,900	2,200	11,100
1 Technical and administrative assistance (including related staff costs) related to the specific programme Fight against violence (Daphne)	**0,300**	**0,300**	**0,300**	**0,350**	**0,400**	**0,400**	**0,400**	**2,450**

8.2.5 Financial cost of human resources and associated costs not included in the reference amount

EUR million (to 3 decimal places)

Type of human resources	2007	2008	2009	2010	2011	2012	2013	Total
Officials and temporary staff (XX 01 01)	3,294	3,564	3,888	4,212	4,536	4,806	4,806	29,106
Staff financed by Art XX 01 02 (auxiliary, END, contract staff, etc.) (specify budget line)	0,756	0,756	0,864	0,918	0,972	1,026	1,026	6,318
1Total cost of Human Resources and associated costs (NOT in reference amount)	**4,050**	**4,320**	**4,752**	**5,130**	**5,508**	**5,832**	**5,832**	**35,424**

Calculation– ***Officials and Temporary agents***

Reference should be made to Point 8.2.1, if applicable

Each FTE rated at 108.000 € per FTE.

Calculation– ***Staff financed under art. XX 01 02***

Reference should be made to Point 8.2.1, if applicable

Each FTE rated at 108.000 € per FTE.

8.2.6 Other administrative expenditure not included in reference amount

EUR million (to 3 decimal places)

	2007	2008	2009	2010	2011	2012	2013	TOTAL
XX 01 02 11 01 – Missions	0,050	0,072	0,085	0,089	0,102	0,106	0,110	0,614
XX 01 02 11 02 – Meetings & Conferences	0,150	0,162	0,179	0,183	0,187	0,190	0,194	1,245
XX 01 02 11 03 – Committees	0,070	0,076	0,077	0,079	0,080	0,082	0,084	0,548
XX 01 02 11 04 – Studies & consultations	0,300	0,325	0,331	0,338	0,345	0,351	0,359	2,348
XX 01 02 11 05 - Information systems	0,100	0,090	0,080	0,080	0,070	0,070	0,070	0,560
2. Total Other Management Expenditure (XX 01 02 11)	0,670	0,725	0,753	0,768	0,784	0,799	0,815	5,316
3 Other expenditure of an administrative nature (specify including reference to budget line)								

Total Administrative expenditure, other than human resources and associated costs (NOT included in reference amount)	**4,720**	**5,045**	**5,505**	**5,898**	**6,292**	**6,631**	**6,647**	**34,092**

Calculation - ***Other administrative expenditure <u>not</u> included in reference amount***

		<u>2007</u>
Missions	20*1000 + 10*3000	50.000
Meetings & Conferences	5*30000	150.000
Compulsory meetings	2*15000	30.000
Non-compulsory meetings	1*40000	40.000
Studies & consultations	2*150000	300.000
Information systems	1*100000	100.000

2005/0037 B (COD)

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 Commission[19],

Having regard to the opinion of the European Economic and Social Committee[20],

Having regard to the opinion of the Committee of the Regions[21],

Acting in accordance with the procedure laid down in Article 251 of the Treaty[22],

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.

(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.

(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

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19 OJ C , , p. .
20 OJ C , , p. .
21 OJ C , , p. .
22 OJ C , , p. .

Drugs (2000-2004)[23] 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 dependence[24], 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.

(8) The Commission adopted its Action Plan on Drugs 2005–2008[25] 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.

(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.

(10) The European Union can bring added value to the actions to be undertaken by Member States in the field of drugs information and prevention by complementing those actions and by promoting synergies.

(11) The objectives of the proposed action, namely drugs prevention and information cannot be sufficiently achieved by the Member States because of the need for an exchange of information at EU 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) 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.

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23 COM(2004) 707.

24 OJ L 165, 3.7.2003, p. 31.

25 COM(2005) 45, 14.2.2005.

(13) This Decision establishes a financial framework for the entire duration of the programme, which is to be the principal point of 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 improvement of the budgetary procedure[26].

(14) Council Regulation (EC, Euratom) No 1605/2002 of 25 June 2002 on the Financial Regulation applicable to the general budget of the European Communities[27], 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 1605/2002[28], which safeguard the Community's financial interests, have to be applied, 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.

(15) The Financial Regulation requires a basic act to be provided to cover operating grants.

(16) 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 Commission[29] measures for the implementation of this Decision should be adopted by use of the advisory procedure provided for in Article 3 of that Decision. This is appropriate since the programme does not have a significant impact on the Community budget.

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 the strengthening of the area of Freedom, Security and Justice.

2. The programme shall cover the period from 1 January 2007 to 31 December 2013.

Article 2
General objectives

1. This programme shall have the following general objectives:

   (a) to contribute to the setting up of an area of freedom, security and justice by informing on and preventing drug use;

[26] OJ C 172, 18.6.1999, p. 1.
[27] OJ L 248, 16.9.2002, p. 1.
[28] OJ L 357, 31.12.2002, p. 1.
[29] OJ L 184, 17.7.1999, p. 23.

(b) to prevent and reduce drug use, dependence and drug related harms.

2. Without prejudice to the objectives and powers of the European Community, the general objectives of the programme shall contribute to the development of the community policies and more specifically, to those related to the protection of public health.

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.

(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.

Article 4
Actions

With a view to pursuing the general and specific objectives set out in Articles 2 and 3, this programme will support 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 three Member Sates under the conditions set out in the annual work programmes; 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 associated to the EU, 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 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, 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, social workers, local and national authorities, medical and paramedical staff, judicial staff, NGO, 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 to inform on and prevent drugs use.

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 of urgency or where the characteristics of the beneficiary leave no other choice for a given action, and shall be provided through operating grants and grants to actions. 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 specifying its specific objectives, thematic priorities, a description of accompanying measures envisaged in Article 8 and if necessary a list of other actions.

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

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 impact of the activities carried out;

– citizen involvement in the organisation of the bodies concerned;

– cost/benefit ratio of the activity proposed.

Article 10
Committee

1. The Commission shall be assisted by a committee, composed of representatives of the Member States and chaired by the representative of the Commission, 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, having regard to the provisions of Article 8 thereof.

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 programmes on health protection. Complementarity with the 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 beneficiaries of this Decision shall 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 budget for the implementation of this instrument is set at EUR 21.35 million for

the period set out in Article 1.

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 thefinancial framework.

Article 13
Monitoring

1. For any action financed by the programme, the beneficiary shall 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. Without prejudice to the audits carried out by the Court of Auditors in liaison with the competent national audit bodies or departments pursuant to Article 248 of the Treaty, or any inspection carried out pursuant to Article 279(c) of the Treaty, officials and other staff of the Commission may carry out on-the-spot checks, including sample checks, on actions financed under the programme.

3. Contracts and agreements resulting from this Decision shall provide in particular for supervision and financial control by the Commission (or any representative authorized by it), if necessary on-the-spot, and audits by the Court of Auditors.

4. For a period of five years following the last payment in respect of any action, the beneficiary of financial assistance shall 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, if necessary, adjust the scale or the conditions of allocation of the financial assistance originally approved and also the timetable for payments.

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 the Financial Regulation.

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 reduce, suspend or recover the amount of financial assistance granted for an action 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 being 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 request the beneficiary to submit observations within a specified period. If the beneficiary does not give a satisfactory answer, the Commission may cancel the remaining financial assistance and demand repayment of sums already paid.

5. Any undue payment shall 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 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;

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

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.

Done at Brussels,

For the European Parliament	*For the Council*
The President	*The President*

FINANCIAL STATEMENT

LEGISLATIVE FINANCIAL STATEMENT

1. NAME OF THE PROPOSAL:

General Programme "Fundamental Rights and Justice"

Proposal for a decision of the European Parliament and the Council establishing the programme "Drugs prevention and information" for the period 2007-2013

2. ABM / ABB FRAMEWORK

1807 – Coordination in the field of drugs

3. BUDGET LINES

3.1. Budget lines (operational lines and related technical and administrative assistance lines (ex- B.A lines)) including headings:

Financial framework 2007-2013: Heading 3a.

18.010415 - Drugs prevention and information – Expenditure on administrative management

18.0703 - Drugs prevention and information

3.2. Duration of the action and of the financial impact:

2007-2013

3.3. Budgetary characteristics (*add rows if necessary*):

Budget line	Type of expenditure		New	EFTA contribution	Contributions from applicant countries	Heading in financial framework
18.010415	Non-comp	Diff	NO	Yes*	Yes	**No** 3a
18.0703	Non-comp	Diff	NO	Yes*	Yes	**No** 3a

*: the programme shall be open to the participation of the EFTA states, subject to the EEA Agreement, in accordance with its provisions.

4. SUMMARY OF RESOURCES

4.1. Financial Resources (Current Prices)

4.1.1. Summary of commitment appropriations (CA) and payment appropriations (PA)

EUR million (to 3 decimal places

Expenditure type	Section no.		2007	2008	2009	2010	2011	2012	2013	2014 -…	Total
Operational expenditure (8.1)											
Commitment Appropriations (CA)	Drugs prevention and information	a	2,000	3,000	3,000	3,000	3,000	3,500	3,500		21,000
Payment Appropriations (PA)	Criminal Justice	b	1,000	2,400	2,800	3,000	3,000	3,250	3,400	2,150	21,000
Administrative expenditure within reference amount (8.2.4)											
Technical & administrative assistance (NDA)	8.2.4	c	0,050	0,050	0,050	0,050	0,050	0,050	0,050		0,350
TOTAL REFERENCE AMOUNT											
Commitment Appropriations		**a+c**	**2,050**	**3,050**	**3,050**	**3,050**	**3,050**	**3,550**	**3,550**		**21,350**
Payment Appropriations		**b+c**	**1,050**	**2,450**	**2,850**	**3,050**	**3,050**	**3,300**	**3,450**	**2,150**	**21,350**
Administrative expenditure not included within reference amount											

Human resources and associated expenditure (NDA)	8.2.5	d	4,050	4,320	4,752	5,130	5,508	5,832	5,832		35,424
Administrative costs, other than human resources and associated costs, not included in reference amount (NDA)	8.2.6	e	0,670	0,725	0,753	0,768	0,784	0,799	0,815		5,316
Total indicative financial cost of intervention											
TOTAL CA including cost of Human Resources		a+c+d+e	6,770	8,095	8,555	8,948	9,342	10,181	10,197		62,090
TOTAL PA including cost of Human Resources		b+c+d+e	5,770	7,495	8,355	8,948	9,342	9,931	10,097	2,150	62,090

The annual requirements in human resources for 2007 are compatible with allocation received within the framework of the APS 2007 exercise.

Co-financing details

If the proposal involves co-financing by Member States, or other bodies (please specify which), an estimate of the level of this co-financing should be indicated in the table below (additional lines may be added if different bodies are foreseen for the provision of the co-financing):

EUR million (to 3 decimal places)

Co-financing body		Year n	n + 1	n + 2	n + 3	n + 4	n + 5 and later	Total
……	f							
TOTAL CA including co-financing	a+c +d+ e+f							

4.1.2. Compatibility with Financial Programming

X Proposal is compatible with next financial programming 2007-2013

☐ Proposal will entail reprogramming of the relevant heading in the financial framework.

☐ Proposal may require application of the provisions of the Interinstitutional Agreement[30] (i.e. flexibility instrument or revision of the financial framework).

4.1.3. Financial impact on Revenue

☐ Proposal has no financial implications on revenue

X Proposal has financial impact – the effect on revenue is as follows:

Contribution from EFTA/EEE States: 2,19 % (2004 figures)

[30] See points 19 and 24 of the Interinstitutional agreement.

EUR million (to one decimal place)

Budget line	Revenue	Prior to action	Situation following action							
			2006	2007	2008	2009	2010	2011	2012	2013
	a) Revenue in absolute terms		0.1	0.1	0.1	0.1	0.1	0.1	0.1	0.1
	b) Change in revenue	*Δ*								

(Please specify each revenue budget line involved, adding the appropriate number of rows to the table if there is an effect on more than one budget line.)

4.2. Human Resources FTE (including officials, temporary and external staff) – see detail under point 8.2.1.

The details indicated in this section concern the overall General Programme Fundamental Rights and Justice as established in the Communication from the Commission to the Council and the European Parliament [COM(2005) 122, 6.4.2005]. Since the Commission took into account synergies in human and administrative resources in the management of the general programme, the overall requirements remain valid. Therefore, no individual breakdown per individual specific programme has been provided (apart from 8.2.4).

Annual requirements	2007	2008	2009	2010	2011	2012	2013
Total number of human resources	37,5	40	44	47,5	51	54	54

5. CHARACTERISTICS AND OBJECTIVES

5.1. Need to be met in the short or long term

The main challenges facing the Union in relation to tackling drugs over the period of the next financial framework can be defined as follows:

– information and research, including the continuation of the work of the European Monitoring Centre for Drugs and Drug Addiction (EMCDDA);

– drug demand reduction since demand feeds the growth of the drugs phenomenon: education, prevention and harm-reduction programmes;

– drug supply reduction, to stop trafficking and drug-related criminality, in particular as concerns new synthetic drugs and their chemical precursors, as well as combating money-laundering;

– enhanced cooperation with third countries concerning drug abuse control and drug demand reduction.

– further legislative activity will be needed in line with new and developing forms of drugs, for example to bring new forms of drugs under established control mechanisms.

5.2. Value-added of Community involvement and coherence of the proposal with other financial instruments and possible synergy

The European Union **added value** will be achieved by:

- preparing the ground for the emergence of common strategies and legislation in this field;
- implementing EU policy objectives and their application in national policies;
- supporting the transposition of European Union legislation's and its application in a uniform way through Europe;
- promoting the co-operation and co-ordination mechanisms between Member States;
- cooperating with civil society organisations at European level.

Criteria for evaluation

A set of common evaluation criteria will be used through all specific programmes to evaluate the success of the interventions regarding the European Union added value in relation with the type of effect described above. Example of criteria could be:

- to support only activities needed at European Union level to sustain European Union objectives, European Union laws and European Union implementation mechanism;
- to support activities which will be complementary with those financed at national level;
- to reinforce national exchanges at European Union level, generating synergy effects and economies of scale;

- to involve actively Member States representatives and other relevant stakeholders in the implementation of the programme in order to maximise complementarities with existing activities.

Subsidiarity and proportionality

As far as subsidiarity is concerned the present programme focuses on areas where European added value can be demonstrated and therefore is designed to respect the principles of subsidiarity and proportionality set out in Article 5 of the EC Treaty and its accompanying Protocol.

As far as proportionality is concerned, the new programme proposal has been designed to incorporate the maximum feasible extent of simplification in terms not only of the form of the action but also in terms of the administrative and financial requirements that will apply to their implementation. The programme has been designed to strike to find the right balance between flexibility and ease of use on the one hand, and clarity of purpose and appropriate financial and procedural safeguards on the other.

Complementarity with other Community interventions

The present programme aims at contributing to the establishment of an area of freedom, security and justice. A complementarity with other programmes may thus be possible.

A non exhaustive list of areas of convergence can be mentioned:

- The draft of the present programme took into account the Programme on Active Citizenship and the Youth programme to ensure that no overlap situations existed. In any case, particular attention will be paid to the implementation of those programmes to avoid such situations and to coordinate the results.

- The draft of the present programme took into account the Programme for Employment and Social Security - PROGRESS to ensure that no overlap situations existed. Particular attention will be paid to the implementation of the programme to avoid such situations and to coordinate the results.

- The current proposal is complementary to some actions under the 7th Framework Programme. Synergies will be actively promoted whenever possible, namely as regards the application of research results.

- Special attention will be paid to the programmes implemented by in the field of

Information Society, related with safe use of Internet and fighting its abuse, in particular as regards sensitive groups (e.g. children).

- The current proposal will also seek to complement the work of EU Agencies active in these policy fields, as well as with the action of other international organisations acting in the field of drugs action.

Regular exchanges of information and active collaboration around projects under other Community programmes will take place, in order to improve and capitalise upon internal coherence, and between the Commission and other national and international authorities/organisations, to improve external coherence.

Complementarities with interventions on Freedom, Security and Justice

These interventions have a common goal of establishing an area of freedom, security and justice where basic human rights are respected. Each of the programmes is designed to address particular aspects which are a critical part of the creation of such an area in the EU, given the integration of national economies and the goal of ensuring free movement of people as well as goods, services and capital between countries. As such, they tackle issues affecting freedom, security and justice which arise from the creation of economic and monetary union and the abolition of internal borders and which can only be effectively addressed at EU level. These issues are to do with cooperation, harmonisation, coordination of activities, the exchange and sharing of critical information and best practices and techniques, and establishing solidarity mechanisms for sharing the costs involved in pursuing common and agreed objectives in an equitable way.

They are reflected in the objectives set out in The Hague Programme adopted by the European Council in November 2004, which include: guarantying fundamental human rights throughout the EU, establishing minimum procedural safeguards and common access to justice, extending the mutual recognition of judicial decisions, fighting organised cross-border crime and the threat of terrorism, ensuring protection in accordance with international treaties to those in need, and regulating migration flows and controlling the external borders of the EU. Each of the programmes is aimed at pursuing these objectives in a complementary way without duplicating activities.

The activities under the programme "Fundamental Rights and Justice", therefore, are designed to further fundamental human rights and ensure a common level of access to justice across the EU, and are accordingly complementary to activities under the other two programmes which reinforce this objective. In particular, they are directly complementary to the measures, under the Solidarity programme

to improve the integration of migrants into EU society as well as to establish uniform procedures for dealing with asylum-seekers and, under the Security programme, to enhance protection of witnesses and victims of crime as well as to combat the trafficking of people.

They are also complementary, if less directly, with activities under the Security programme to strengthen cooperation between police forces and law enforcement authorities as well as between bodies involved in combating the threat of terrorism. The freedom of EU citizens to enjoy their fundamental rights, therefore, is contingent on them feeling secure and being adequately protected against criminal activity or terrorist attack.

5.3. Objectives, expected results and related indicators of the proposal in the context of the ABM framework

General objectives	Specific objectives	Operational objectives
To contribute to the setting up of an area of freedom, security and justice by by informing on and preventing drug use.	To prevent and reduce drug use, dependence and drug related harms.	To involve civil society in the implementation and development of the European Union's Drugs Strategy and Action plans. To monitor, implement and evaluate the implementation of specific actions under the Drugs Action Plans 2005–2008 and 2009–2012.
	To promote transnational and awareness-raising actions in the areas identified above.	To set up multidisciplinary networks; to 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. To raise awareness of the health and social problems caused by drug abuse and to encourage an open dialogue with a view to promoting a better understanding of the drug phenomenon.

5.4. Method of Implementation

Show below the method(s) chosen for the implementation of the action.

X ***Centralised Management***

X Directly by the Commission

Indirectly by delegation to:

Executive Agencies

Bodies set up by the Communities as referred to in Article 185 of the Financial Regulation

National public-sector bodies/bodies with public-service mission

X ***Shared or decentralised management***

With Member states

With Third countries

Joint management with international organisations (please specify)

Relevant comments:

In order to achieve the full objectives of the programme under the provisions of the Current Treaty, it has been decided to split into 4 legal instruments relating to 4 different legal bases. As stated in Mr. Vitorino's Communication to the Commission [SEC(2004) 1195, 28.9.2004] the actions proposed are provided through the current Treaties. The legal bases required to establish the programmes have been limited in number as far as the current Treaties allow, while within and across the new programmes common delivery, management and implementation mechanisms are set in place.

In order to achieve the general and specific and operational objectives, each programme within the programme "Fundamental Rights and Justice" envisages a range of actions, such as:

- specific actions taken by the Commission, such as, studies and research, opinion polls and surveys, the 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;

- actions providing financial support for specific projects of Community interest under the conditions set out in the annual work programmes;
- actions providing financial support for the activities of non-governmental organisations or other entities under the conditions set our in the annual work programmes;
- operative grants to entities identified in a legal basis.

Methods of implementation:

The above mentioned type of actions may be financed either by

- a service contract following a call for tenders
- a subsidy following a call for proposals
- subsidies to a body pursuing an aim of general European interest, without a call for proposal.

The Commission will implement the above actions in accordance with the annual work programme to be adopted. The Commission will implement this programme and may have recourse to technical and/or administrative assistance to the mutual benefit of the Commission and of the beneficiaries, for example to finance outside expertise on a specific subject.

The Commission may decide to entrust part of the budget implementation to an executive agency, as referred to in Article 54(2)(a) of the Financial Regulation. These agencies may be established by the Commission in conformity with the provisions of the Financial Regulation and its implementation rules as well as the Council Regulation (CE) No 58/2003[31]. Before its decision, the Commission shall establish a cost-benefit analysis identifying the tasks justifying outsourcing, the costs of coordination and checks, the impact on human resources, possible savings, efficiency and flexibility in the implementation of outsourced tasks, simplification of the procedures used, proximity of outsourced activities to final beneficiaries, visibility of the Community and the need to maintain an adequate level of know-how inside the Commission.

6. MONITORING AND EVALUATION

[31] Council Regulation (EC) No 58/2003 of 19 December 2002 laying down the statute for executive agencies to be entrusted with certain tasks in the management of Community programmes - OJ L 11, 16.1.2003, p. 1.

6.1. Monitoring system

A comprehensive monitoring system will be set-up in order to regularly follow up the implementation of the activities carried out under each specific programme. This system should allow for the collection of information relating to the financial implementation and to the physical outputs of the programme, across the types of action and the target groups included in the programme. The information will be collected at project level - indeed, for any action financed by the programme, the beneficiary shall submit technical and financial reports on the progress of the work, as well as a final report after the completion of the action. The precise configuration of the monitoring system, as well as the type of indicators to be set-up will be the object of further study in the process leading to the implementation of the programme. Indeed, a study on delivery mechanisms and related cost-effectiveness aspects is foreseen to take place during 2005.

According to legal requirements and Commission's evaluation policy, the programme will be evaluated at mid-term to assess its continuing relevance and draw useful lessons for the remainder of its implementation. A review of the programme may take place then, if considered necessary. A final evaluation will take place at the end of the programming period to assess the results of the programme and advise on its follow-up. These reports will be prepared under the responsibility of the Commission, and shall be submitted to the European Parliament and the Council.

6.2. Evaluation

6.2.1. Ex-ante evaluation

Cfr. Extended Impact Assessment on the programme "Fundamental Rights and Justice".

6.2.2. Measures taken following an intermediate/ex-post evaluation (lessons learned from similar experiences in the past)

Cfr. Extended Impact Assessment on the programme "Fundamental Rights and Justice".

6.2.3. Terms and frequency of future evaluation

The timetable set in the proposal is as follows:

– no later than 31 March 2011, the Commission shall submit to the European Parliament and the Council an interim evaluation report on the results obtained and the qualitative and quantitative aspects of the implementation of this programme;

– no later than 30 August 2012, the Commission shall submit to the European Parliament and the Council a Communication on the continuation of this programme;

– no later than 31 December 2014, the Commission shall submit to the European Parliament and the Council an ex post evaluation report.

7. Anti-fraud measures

The Commission shall ensure that, when actions financed under the present programme 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.

For the Community actions financed under this programme, the notion of irregularity referred to in Article 1(2) of Regulation (EC, Euratom) No 2988/95 shall mean any infringement of a provision of Community law or any breach of a contractual obligation resulting from an act or omission by an economic operator, which has, or would have, the effect of prejudicing the general budget of the Communities or budgets managed by them, by an unjustifiable item of expenditure.

Contracts and agreements shall provide in particular for supervision and financial control by the Commission (or any representative authorized by it) and audits by the Court of Auditors, if necessary on-the-spot.

8. DETAILS OF RESOURCES

8.1. Objectives of the proposal in terms of their financial cost (Prix 2004)

Commitment appropriations in EUR million (to 3 decimal places)

(Headings of Objectives, actions and outputs should be provided)	Type of output	Av. cost	2007		2008		2009		2010		2011		2012		2013		Total	
			No. outputs	Total cost	No. outputs	Total cost	No. outputs	Total cost	No. outputs	Total cost	No. outputs	Total cost	No. outputs	Total cost	No. outputs	Total cost	No. outputs	Total cost
To prevent and reduce drug use, dependence and drug related harms to health and social exclusion																		
To involve civil society in the implementation and development of EU's Drugs Strategy and Action plans	Support to NGO's	0,100	8	0,800	11	1,100	11	1,100	11	1,100	11	1,100	11	1,100	11	1,100	74	7,400
To involve civil society in the implementation and development of EU's Drugs Strategy and Action plans	Eurobarometer	0,150	1	0,150	2	0,300	2	0,300	2	0,300	2	0,300	2	0,300	2	0,300	13	1,950
To monitor, implement and evaluate the implementation of Drugs Action Plan	Studies	0,150	7	1,050	7	1,100	7	1,100	7	1,100	7	1,100	7	1,100	7	1,100	49	7,650
	Implement. legislation	0,500	0	0,000	1	0,500	1	0,500	1	0,500	1	0,500	2	1,000	2	1,000	8	4,000
TOTAL COST				**2,000**		**3,000**		**3,000**		**3,000**		**3,000**		**3,500**		**3,500**	**123**	**21,000**

8.2. Administrative Expenditure

The needs for human and administrative resources shall be covered within the allocation granted to the managing DG in the framework of the annual allocation procedure.

The details indicated in this section concern the overall General Programme Fundamental Rights and Justice as established in the Communication from the Commission to the Council and the European Parliament [COM(2005) 122, 6.4.2005]. Since the Commission took into account synergies in human and administrative resources in the management of the general programme, the overall requirements remain valid. Therefore, no individual breakdown per individual specific programme has been provided (apart from 8.2.4).

8.2.1. Number and type of human resources

Types of post		Staff to be assigned to management of the action using existing and/or additional resources (**number of posts/FTEs**)						
		2007	2008	2009	2010	2011	2012	2013
Officials or temporary staff (XX 01 01)	A*/AD	9,25	10	11	12	13	13,5	13,5
	B*, C*/AST	21,25	23	25	27	29	31	31
Staff financed by art. XX 01 02		7	7	8	8,5	9	9,5	9,5
Other staff financed by art. XX 01 04/05								
TOTAL		37,5	40	44	47,5	51	54	54

8.2.2. Description of tasks deriving from the action

Task N°	Title	Description	Number
MANAGEMENT			
1	Management		2
POLICY DEFINITION AND PROGRAMMING			
2	Policy Making	Definition of strategy, legal base,…	3
3	Programme definition	Establishment of annual work programme (i.e. financing decision) and interservice consultation	0,5

4	Interface with relevant EC programmes & actions	interservice coordination in order to ensure complementarity-synergy with other policies	1
5	Interface with other Institutions and Member States	Interface Council, EP ensuring the appropriate reporting, information, questions, briefing requests	0,5
6	Information and Communication	1. Information and publicity activities 2. EUROPA Web site	0,5
7	Committee interface - chair & secretariat		1
8	Budgeting	APS,PDB,AAR,BIP,RAL - Preparation - Follow-up - Reporting	0,5
PROGRAMME : RECEPTION, SELECTION AND AWARD OF PROJECTS, FINANCIAL AND LEGAL COMMITMENTS			
9	Preparation Calls for proposals		1,5
10	Reception and evaluation proposals/multi-annual and annual programmes	(also involves staff involved in 12,13,14 and 15)	9
11	Award decisions		0,5
12	Financial Commitment	Preparation, maintenance and closure of all financial commitments + sub consequent amendments	1,5
13	Legal Commitment	Preparation, Signature, Closure of all juridical commitments + sub consequent amendments	4
PROGRAMME : MONITORING OF PROJECTS			
14	Payments - Initiation	Preparation and Processing of all Prefinancing, Intermediate and Final Payments (including verification supporting docs)	3
15	Project Monitoring	Receipt and assessment of reports , requests for information, project visits	4
PROCUREMENT, CONTROL AND AUDIT			
16	Ex- ante verification of transactions, setting up of control standards	Setting up appropriate control standards	2
17	Financial Audit	Ex-post Audit of expenditure / implementation	2
18	Internal audit	Verification of compliance with ICS	1
19	Procurement procedures	Drafting, procedures and authorisation of procurement procedures for projects and technical assistance (evaluation, studies,…) , including JPC, Helpdesk procurement procedures	2
20	Reporting	Report of Authorising Officer, RAA, relations with Court of Auditors…	1
SUPPORT SERVICES			
21	Filing and Archiving	Database, digital and hardcopy filing	1
22	Programme Evaluation	Ex ante - Mid term - Final evaluation	1,5

23	IT Support	Specific development of IT Tools related to monitoring and implementation	2
OVERHEAD			
24	Administration (Overhead)	CIS, Translations, HRM, Logistics,…	9
TOTAL			**54**

8.2.3. Sources of human resources (statutory)

(When more than one source is stated, please indicate the number of posts originating from each of the sources)

- ☐ Posts currently allocated to the management of the programme to be replaced or extended
- ☐ Posts pre-allocated within the APS/PDB exercise for year n
- x 6 Posts to be requested in the next APS/PDB procedures
- x 10,5 Posts to be redeployed using existing resources within the managing service (internal redeployment)
- ☐ Posts required for year n although not foreseen in the APS/PDB exercise of the year in question

8.2.4. Other Administrative expenditure included in reference amount (XX 01 04/05 – Expenditure on administrative management)

The details indicated in this section concern the overall General Programme Fundamental Rights and Justice as established in the Communication from the Commission to the Council and the European Parliament [COM(2005) 122, 6.4.2005]. Since the Commission took into account synergies in human and administrative resources in the management of the general programme, the overall requirements remain valid. Nevertheless, the proportion related to the above specific programme is mentioned and included in the reference amount.

EUR million (to 3 decimal places)

Budget line (number and heading)	2007	2008	2009	2010	2011	2012	2013	TOTAL
1 Technical and administrative assistance (including related staff costs)								
Other technical and administrative assistance								
- *intra muros*								
- *extra muros Development IT and other management tools*	0,850	1,100	0,650	1,300	1,150	1,410	1,450	7,910
Studies	0,100	0,100	0,100	0,110	0,100	0,120	0,150	0,780

Evaluation and Impact Assessment	0,100	0,100	0,100	0,230	0,100	0,200	0,300	1,130
Publications;external evaluations	0,100	0,150	0,100	0,100	0,100	0,110	0,200	0,860
Expert meetings	0,050	0,050	0,050	0,060	0,050	0,060	0,100	0,420
Total General Programme Fundamental Rights and Justice	1,200	1,500	1,000	1,800	1,500	1,900	2,200	11,100
1 Technical and administrative assistance (including related staff costs) related to the specific programme Drugs prevention and information	**0,050**	**0,050**	**0,050**	**0,050**	**0,050**	**0,050**	**0,050**	**0,350**

8.2.5 Financial cost of human resources and associated costs not included in the reference amount

EUR million (to 3 decimal places)

Type of human resources	2007	2008	2009	2010	2011	2012	2013	Total
Officials and temporary staff (XX 01 01)	3,294	3,564	3,888	4,212	4,536	4,806	4,806	29,106
Staff financed by Art XX 01 02 (auxiliary, END, contract staff, etc.) (specify budget line)	0,756	0,756	0,864	0,918	0,972	1,026	1,026	6,318
1Total cost of Human Resources and associated costs (NOT in reference amount)	**4,050**	**4,320**	**4,752**	**5,130**	**5,508**	**5,832**	**5,832**	**35,424**

Calculation– ***Officials and Temporary agents***

Reference should be made to Point 8.2.1, if applicable

Each FTE rated at 108.000 € per FTE.

Calculation– ***Staff financed under art. XX 01 02***

Reference should be made to Point 8.2.1, if applicable

Each FTE rated at 108.000 € per FTE.

8.2.6 Other administrative expenditure not included in reference amount

EUR million (to 3 decimal places)

	2007	2008	2009	2010	2011	2012	2013	TOTAL
XX 01 02 11 01 – Missions	0,050	0,072	0,085	0,089	0,102	0,106	0,110	0,614
XX 01 02 11 02 – Meetings & Conferences	0,150	0,162	0,179	0,183	0,187	0,190	0,194	1,245
XX 01 02 11 03 – Committees	0,070	0,076	0,077	0,079	0,080	0,082	0,084	0,548
XX 01 02 11 04 – Studies & consultations	0,300	0,325	0,331	0,338	0,345	0,351	0,359	2,348
XX 01 02 11 05 - Information systems	0,100	0,090	0,080	0,080	0,070	0,070	0,070	0,560
2Total Other Management Expenditure (XX 01 02 11)	0,670	0,725	0,753	0,768	0,784	0,799	0,815	5,316
3 Other expenditure of an administrative nature (specify including reference to budget line)								

Total Administrative expenditure, other than human resources and associated costs (NOT included in reference amount)	**4,720**	**5,045**	**5,505**	**5,898**	**6,292**	**6,631**	**6,647**	**34,092**

Calculation - ***Other administrative expenditure <u>not</u> included in reference amount***

		<u>2007</u>
Missions	20*1000 + 10*3000	50.000
Meetings & Conferences	5*30000	150.000
Compulsory meetings	2*15000	30.000
Non-compulsory meetings	1*40000	40.000
Studies & consultations	2*150000	300.000
Information systems	1*100000	100.000