KOMISIJA EVROPSKIH SKUPNOSTI

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Spremenjeni predlog

SKLEP EVROPSKEGA PARLAMENTA IN SVETA

o vzpostavitvi posebnega programa za obdobje 2007–2013

„Boj proti nasilju (Daphne)“

v okviru
splošnega programa „Temeljne pravice in pravosodje“

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SKLEP EVROPSKEGA PARLAMENTA IN SVETA

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„Preprečevanje uporabe drog in obveščanje“

v okviru
splošnega programa „Temeljne pravice in pravosodje“

Prilagoditev na podlagi sporazuma z dne 17. maja 2006 o finančnem okviru

(predložila Komisija v skladu s členom 250(2) Pogodbe ES)

OBRAZLOŽITVENI MEMORANDUM

1. Komisija je 6. aprila objavila predlog za sklep Evropskega parlamenta in Sveta o vzpostavitvi posebnega programa za obdobje 2007–2013: „Boj proti nasilju (Daphne) ter preprečevanje uporabe drog in obveščanje“[1]. Ta posebni program je del okvirnega programa „Temeljne pravice in pravosodje“. Načrtovana razporeditev sredstev za celotno obdobje znaša 138,2 milijona EUR (134,4 milijona EUR za odhodke iz poslovanja in 2,8 milijona EUR za upravne odhodke).

2. Komisija na podlagi Medinstitucionalnega sporazuma o finančnem okviru za obdobje 2007–2013, podpisanega 17. maja 2006, načrtuje, da bo 24. maja sprejela spremenjena predloga v zvezi z novima finančnima instrumentoma na področju pravosodja, varnosti in svobode. Ob tej priložnosti bo Komisija prav tako napovedala sprejetje ločenih predlogov za „Daphne“ ter „Preprečevanje uporabe drog in obveš čanje“ iz spodaj navedenih razlogov.

3. Prvotno je Komisija predstavila „Daphne“ ter „Preprečevanje uporabe drog in obveš čanje“ v okviru skupnega programa. Razlogi so bili naslednji:

   - potreba po racionalizaciji in poenostavitvi finančnih instrumentov na področju pravosodja, varnosti in svobode z zmanjšanjem njihovega števila in povečanjem u činkovitosti;

   - neposreden vpliv dejanj nasilja in zasvojenosti z drogami na javno zdravje v vseh dr žavah članicah; in

   - obstoj skupne pravne podlage (člen 152 Pogodbe o ustanovitvi Evropske skupnosti, ki je osnova za politiko EU na področju zdravja).

4. Predstavitev ukrepov, ki se nanašajo na „Daphne“ ter „Preprečevanje uporabe drog in obveščanje“, v okviru skupnega programa je bila predmet kritik, ki so posledica zaskrbljenosti, da bi lahko program Daphne, v zvezi s katerim je treba poudariti pomembno vlogo pri boju proti nasilju nad ženskami in otroki, v okviru enotnega instrumenta postal manj pregleden, če bi bil združen z ukrepi, namenjenimi zasvojenosti z drogami.

   Zlasti Evropski parlament[2] in tudi Evropski ekonomsko-socialni odbor[3] sta zahtevala združitev teh dveh ukrepov. To stališče naj bi zavzel tudi Svet.

5. Poleg tega bo združitev teh dveh ukrepov olajšala postopek hitrega odločanja.

6. Komisija je zato sklenila, da bo predložila dva ločena predloga za sklepa Evropskega parlamenta in Sveta, in sicer „Daphne“ ter „Preprečevanje uporabe drog in obveščanje “. Ta sprememba bo potekala brez vsebinskih sprememb, pa naj gre za pravno podlago, obrazložitveni memorandum, uvodne izjave ali člene predlogov za sklep. Ta

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1 COM(2005) 122 konč., 6. 4. 2005.

2 Resolucija Evropskega parlamenta o strategijah za preprečevanje trgovanja z ženskami in otroki, ki so žrtve spolnega izkoriščanja (2004/2216(INI)), 17. januar 2006.

3 Mnenje EESO glede predloga za sklep Evropskega parlamenta in Sveta o vzpostavitvi posebnega programa „Boj proti nasilju (Daphne) ter preprečevanje uporabe drog in obveščanje“ v okviru splo šnega programa „Temeljne pravice in pravosodje“, EESO 32/2006, 19. januar 2006.

združitev prav tako ne preprečuje iskanje najboljšega načina za zagotovitev dopolnjevanja med tema programoma in tudi z drugimi finančnimi instrumenti.

7. Z vidika finančnih sredstev pomeni razdelitev na dva programa naslednjo členitev za obdobje 2007–2013:

Program	Odhodki iz poslovanja	Upravni odhodki
Daphne	114,4 milijona EUR	2,45 milijona EUR
Preprečevanje uporabe drog in obveščanje	21 milijonov EUR	0,35 milijona EUR

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EVROPSKI PARLAMENT IN SVET EVROPSKE UNIJE STA –

ob upoštevanju Pogodbe o ustanovitvi Evropske skupnosti in zlasti člena 152 Pogodbe,

ob upoštevanju predloga Komisije[4],

ob upoštevanju mnenja Evropskega ekonomsko-socialnega odbora[5],

ob upoštevanju mnenja Odbora regij[6],

v skladu s postopkom, določenim v členu 251 Pogodbe[7],

ob upoštevanju naslednjega:

(1) Pogodba o ustanovitvi Evropske skupnosti določa, da je treba pri opredeljevanju in izvajanju vseh politik in ukrepov Skupnosti zagotoviti visoko raven varovanja zdravja ljudi. V členu 3(1)(p) Pogodbe se zahteva, da dejavnosti Skupnosti vključujejo prispevek k doseganju visoke ravni varovanja zdravja.

(2) Dejavnost Skupnosti bi morala dopolnjevati nacionalne politike, usmerjene k izbolj ševanju javnega zdravja in odpravljanju vzrokov, ki ogrožajo zdravje ljudi.

(3) Fizično, spolno in psihično nasilje nad otroki, mladimi in ženskami, vključno z gro žnjami s tovrstnimi dejanji, prisilo ali samovoljnim odvzemom prostosti, ki se pojavlja v javnem ali zasebnem življenju, predstavlja kršitev njihovih pravic do življenja, varnosti, svobode, dostojanstva ter telesne in čustvene celovitosti, pa tudi ogroženost za telesno in duševno zdravje žrtev takega nasilja. Učinki takega nasilja so tako razširjeni po Skupnosti, da predstavljajo resnično nevarnost za zdravje in ovirajo uživanje varnega, svobodnega in pravičnega državljanstva.

(4) Glede na opredelitev Svetovne zdravstvene organizacije je zdravje stanje popolne telesne, duševne in socialne blaginje ter ne le odsotnost bolezni ali hibe. V skladu z Resolucijo Svetovne zdravstvene organizacije, sprejeto na skupščini leta 1996, je nasilje

[4] UL C […], […], str. […].
[5] UL C […], […], str. […].
[6] UL C […], […], str. […].
[7] UL C […], […], str. […].

največji svetovni zdravstveni problem. Organizacija v svojem poročilu o nasilju in zdravju z dne 3. oktobra 2002 priporoča spodbujanje primarnih preventivnih ukrepov, krepitev ukrepov za žrtve nasilja ter izboljšanje sodelovanja in izmenjave informacij o preprečevanju nasilja.

(5) Ta načela so priznana v številnih konvencijah, deklaracijah in protokolih pomembnih mednarodnih organizacij in institucij, kot so Združeni narodi, Mednarodna organizacija dela, Svetovna konferenca o ženskah in Svetovni kongres proti komercialnemu spolnemu izkoriščanju otrok.

(6) Listina Evropske Unije o temeljnih pravicah[8] med drugim znova potrjuje pravico do dostojanstva, enakosti in solidarnosti. Listina vključuje številne posebne določbe za varovanje in spodbujanje telesne in duševne celovitosti, enako obravnavanje moških in žensk, pravic otrok in nediskriminacije, pa tudi za prepoved nečloveškega ali ponižujočega ravnanja, suženjstva in prisilnega dela ter dela otrok. Listina potrjuje, da se pri opredeljevanju in izvajanju vseh politik in ukrepov Skupnosti zagotavlja visoka raven varovanja zdravja ljudi.

(7) Evropski parlament je pozval Komisijo, med drugim s svojima Resolucijama z dne 19. maja 2000 o sporočilu Komisije Svetu in Evropskemu parlamentu z naslovom „Za nadaljnje ukrepe v boju proti trgovini z ženskami“[9] in z dne 20. septembra 2001 o pohabljanju ženskih spolnih organov[10], da pripravi in izvede akcijske programe za boj proti nasilju.

(8) Akcijski program iz Sklepa Evropskega parlamenta in Sveta št. 293/2000/ES z dne 24. januarja 2000 o sprejetju akcijskega programa Skupnosti (program Daphne) (2000 do 2003) o preventivnih ukrepih za boj proti nasilju nad otroki, mladimi in ženskami[11] je pripomogel k ozaveščanju v Evropski uniji ter povečal in uskladil sodelovanje med organizacijami v državah članicah, ki delujejo na področju boja proti nasilju.

(9) Akcijski program iz Sklepa Evropskega parlamenta in Sveta št. 803/2004/ES z dne 21. aprila 2004 o sprejetju akcijskega programa Skupnosti (2004 do 2008) za preprečevanje nasilja nad otroki, mladimi in ženskami in boj proti njemu ter za zaščito žrtev in ogroženih skupin (program Daphne II)[12] je še naprej razvijal že dosežene rezultate programa Daphne; Komisija v skladu s členom 8(2) programa sprejme ukrepe, potrebne za zagotovitev doslednosti letnih dodeljenih proračunskih sredstev z novim finančnim okvirom.

(10) Zaželeno je, da se zagotovi nadaljevanje projektov v okviru programov Daphne in Daphne II.

(11) Pomembno in potrebno je zavedati se resnih takojšnjih in dolgoročnih učinkov nasilja na zdravje, psihološki in socialni razvoj ter na enake možnosti vpletenih, posameznikov, družin in skupnosti ter visokih socialnih in gospodarskih stroškov za družbo kot celoto.

(12) Glede preprečevanja nasilja, vključno z zlorabljanjem in spolnim izkoriščanjem, ki se

[8] UL C 364, 18.12.2000, str. 1.
[9] UL C 59, 23.2.2001, str. 307.
[10] UL C 77 E, 28.3.2002, str. 126.
[11] UL L 34, 9.2.2000, str. 1.
[12] UL L 143, 30.4.2004, str. 1.

izvaja nad otroki, mladimi in ženskami, ter zaščite žrtev in ogroženih skupin lahko Evropska unija prispeva dodano vrednost ukrepom, ki jih sprejemajo pretežno države članice, in sicer z razširjanjem in izmenjavo informacij, izkušenj ter dobrih praks; spodbujanjem inovativnega pristopa; skupnim oblikovanjem prednostnih nalog; razvijanjem mrež, kadar je to ustrezno; izborom projektov na ravni celotne Skupnosti; ter spodbujanjem in udeležbo vseh zadevnih strank. Ti ukrepi bi morali vključevati tudi otroke in ženske, ki so prispele v države članice v okviru trgovanja z ljudmi.

(13) Evropska federacija za pogrešane in spolno zlorabljene otroke na evropski ravni zdru žuje različne NVO, ki obravnavajo problem izginotja in spolnega izkoriščanja otrok. Federacija ozavešča in se bojuje proti pojavu pogrešanih in spolno zlorabljenih otrok z omogočanjem lažje komunikacije med evropskimi organizacijami na podlagi učinkovitej šega pristopa, podpiranjem ustanovitve Evropskega študijskega centra za centralizacijo in analiziranje podatkov v zvezi s temi pojavi ter spodbujanjem in vodenjem dejavnosti za izboljšanje razmer mladoletnikov, žrtev izginotja in/ali spolne zlorabe ter uvedbo sprememb zakonodaje, mentalitete in obnašanja v Evropi.

(14) Zaradi potrebe po izmenjavi informacij na ravni EU in razširjanja dobrih praks po vsej Skupnosti države članice ne morejo zadovoljivo doseči ciljev predlaganih ukrepov, in sicer preprečevati vse oblike nasilja nad otroki, mladimi in ženskami ter bojevati se proti temu nasilju. To se lahko bolje doseže na ravni Skupnosti. Skupnost lahko zaradi potrebe po usklajenem in interdisciplinarnem pristopu ter zaradi obsega ali vpliva pobude sprejme ukrepe v skladu z načelom subsidiarnosti iz člena 5 Pogodbe. V skladu z načelom sorazmernosti iz navedenega člena ta sklep ne presega tistega, kar je potrebno za dosego teh ciljev.

(15) Treba je sprejeti tudi ustrezne ukrepe za preprečevanje nepravilnosti in goljufij ter izvesti potrebna dejanja za izterjavo izgubljenih, nepravilno plačanih ali nepravilno porabljenih sredstev.

(16) Ta sklep določa za celotno trajanje programa finančni okvir, ki v smislu točke 37 Medinstitucionalnega sporazuma z dne 17. maja 2006 med Evropskim parlamentom, Svetom in Komisijo o proračunski disciplini in izboljšanju proračunskega postopka[13] predstavlja glavni referenčni okvir za proračunski organ.

(17) Uredbo Sveta (ES, Euratom) št. 1605/2002 z dne 25. junija 2002 o finančni uredbi, ki se uporablja za splošni proračun Evropskih skupnosti[14], v nadaljnjem besedilu „finančna uredba“, in Uredbo Komisije (ES, Euratom) št. 2342/2002 z dne 23. decembra 2002 o določitvi podrobnih pravil za izvajanje Uredbe Sveta 1605/2002[15], ki ščiti finančne interese Skupnosti, je treba uporabljati ob upoštevanju načel enostavnosti in doslednosti pri izbiri proračunskih instrumentov, omejitev števila primerov, kjer je Komisija neposredno odgovorna za njihovo izvajanje in upravljanje, ter zahtevane sorazmernosti med zneskom sredstev in upravnim bremenom, povezanim z njihovo uporabo.

(18) Finančna uredba zahteva, da se določi temeljni akt za pokrivanje donacij za poslovanje.

(18) Ukrepe, potrebne za izvajanje tega sklepa, je treba sprejeti v skladu s Sklepom Sveta

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13 UL C 172, 18.6.1999, str. 1.
14 UL L 248, 16.9.2002, str. 1.
15 UL L 357, 31.12.2002, str. 1.

1999/468/ES z dne 28. junija 1999 o določitvi postopkov za uresničevanje Komisiji podeljenih izvedbenih pooblastil[16] na podlagi svetovalnega postopka iz člena 3 navedenega sklepa. Ker program nima znatnega vpliva na proračun Skupnosti, je to primerno –

SKLENILA:

Člen 1
Oblikovanje programa

1. Ta sklep vzpostavlja program „Boj proti nasilju (Daphne)“, v nadaljnjem besedilu „program“, v okviru splošnega programa „Temeljne pravice in pravosodje“, ki naj bi prispeval h krepitvi območja svobode, varnosti in pravice.

2. Program zajema obdobje od 1. januarja 2007 do 31. decembra 2013.

Člen 2
Splošni cilji

1. Splošni cilji tega programa so:

   (a) prispevati k vzpostavitvi območja svobode, varnosti in pravice z bojem proti nasilju;

   (b) zaščititi državljane pred nasiljem in doseči visoko raven varovanja zdravja, blaginje in socialne kohezije.

2. Splošni cilji programa brez poseganja v cilje in pooblastila Evropske skupnosti prispevajo k razvoju politik Skupnosti, natančneje politik, povezanih z varovanjem javnega zdravja, enakostjo spolov, varstvom pravic otrok in bojem proti trgovini z ljudmi in spolnemu izkoriščanju.

Člen 3
Posebni cilji

Posebni cilji programa so:

(a) preprečevati vse oblike nasilja, ki se pojavljajo na javnem ali zasebnem podro čju, nad otroki, mladimi in ženskami ter bojevati se proti njim s sprejetjem preventivnih ukrepov ter zagotavljanjem podpore žrtvam in ogroženim skupinam, in sicer:

- s pomočjo in spodbujanjem NVO in drugih organizacij, ki delujejo na področju zaščite pred nasiljem in preprečevanja nasilja ter pomoči žrtvam;

- z razvijanjem in izvajanjem ukrepov za ozaveščanje, usmerjenih k

[16] UL L 184, 17.7.1999, str. 23.

posebnim skupinam, z izdelavo gradiv za dopolnjevanje že razpoložljivih gradiv ali s prilagoditvijo in uporabo obstoječih gradiv na drugih geografskih območjih ali za druge ciljne skupine;

- z razširjanjem rezultatov, doseženih v okviru obeh programov Daphne, vključno z njihovo prilagoditvijo, prenosom in uporabo s strani drugih upravičencev ali na drugih geografskih območjih;

- z opredelitvijo in izboljšanjem ukrepov, ki prispevajo k pozitivnemu obravnavanju oseb, ogroženih zaradi nasilja, in sicer na podlagi pristopa, ki spodbuja njihovo spoštovanje in si prizadeva za njihovo blaginjo in samozadovoljstvo.

(b) spodbujati nadnacionalne ukrepe za

- vzpostavitev multidisciplinarnih mrež;

- zagotovitev širjenja temeljnega znanja, izmenjave informacij ter opredelitve in razširjanja dobre prakse, vključno z usposabljanjem, študijskimi obiski in izmenjavo osebja;

- ozaveščanje o nasilju pri ciljnih skupinah, kot so posebni poklici, zato da se izboljša medsebojno razumevanje in spodbudi usvojitev nične strpnosti do nasilja ter spodbudi podpora žrtvam in poročanje o primerih nasilja pristojnim organom;

- proučevanje pojavov, povezanih z nasiljem, raziskovanje in obravnavanje osnovnih vzrokov nasilja na vseh ravneh družbe.

Člen 4
Ukrepi

Za uresničevanje splošnih in posebnih ciljev iz členov 2 in 3 bo ta program podpiral naslednje oblike ukrepov:

(a) posebne ukrepe Komisije, kot so študije in raziskave, javnomnenjske raziskave in statistični pregledi, oblikovanje kazalnikov in skupnih metodologij, zbiranje, razvijanje in razširjanje podatkov in statistik, seminarji, konference in srečanja strokovnjakov, organizacija javnih kampanj in dogodkov, oblikovanje in vzdr ževanje spletnih strani, priprava in razširjanje informativnega gradiva, podpora pri vzpostavljanju in upravljanju mrež nacionalnih strokovnjakov, dejavnosti analiz, spremljanja in vrednotenja; ali

(b) posebne nadnacionalne projekte v interesu Skupnosti, ki so jih predložile najmanj tri države članice pod pogoji iz letnih delovnih programov; ali

(c) podporo dejavnostim nevladnih organizacij ali drugih subjektov, ki si prizadevajo za cilj v splošnem evropskem interesu v skladu s splošnimi cilji programa pod pogoji iz letnih delovnih programov;

(d) donacijo za poslovanje z namenom sofinanciranja izdatkov, povezanih s stalnim delovnim programom Evropske federacije za pogrešane in spolno zlorabljene otroke, ki si prizadeva za cilj v splošnem evropskem interesu na področju pravic in zaščite otrok.

Člen 5
Sodelovanje

Pri ukrepih programa lahko sodelujejo naslednje države, v nadaljnjem besedilu „sodelujoče dr žave“:

(a) države EFTA, ki so pogodbenice Sporazuma EGP v skladu z določbami navedenega sporazuma;

(b) pridružene države kandidatke EU in države zahodnega Balkana, ki so vključene v stabilizacijsko-pridružitveni proces v skladu s pogoji iz pridružitvenih sporazumov ali njihovih dodatnih protokolov, ki se nanašajo na sodelovanje v programih Skupnosti, ki so ali bodo sklenjeni s temi državami;

(c) projekti lahko vključujejo države kandidatke, ki ne sodelujejo pri tem programu, če bi to prispevalo k njihovim pripravam na pristop, ali druge tretje države, ki ne sodelujejo pri tem programu, če bi to ustrezalo cilju projektov.

Člen 6
Ciljne skupine

1. Program je namenjen vsem skupinam, ki neposredno ali posredno obravnavajo nasilje.

2. Poglavitne ciljne skupine na področju boja proti nasilju so žrtve nasilja in ogrožene skupine. Druge ciljne skupine so med drugim učitelji in pedagoško osebje, policija in socialni delavci, nacionalni organi in organi lokalnih skupnosti, zdravstveno in re ševalno osebje, sodno osebje, NVO, sindikati in verske skupnosti. S ciljem prepre čevanja nasilja je prav tako pomembno razmišljati o programih za obravnavanje žrtev na eni strani in storilcev dejanj na drugi strani.

Člen 7
Dostop do programa

Ta program je odprt za sodelovanje javnih ali zasebnih organizacij in institucij (lokalni organi na pristojni ravni, univerzitetni oddelki in raziskovalni centri), ki delujejo na področju prepre čevanja nasilja nad otroki, mladimi in ženskami ter boja proti temu nasilju ali zaščite pred njim ali zagotavljanja podpore žrtvam, izvajanja ciljnih ukrepov za spodbujanje zavračanja takega nasilja ali spodbujanja sprememb v odnosu in vedenju do ranljivih skupin in žrtev nasilja.

Člen 8
Vrste intervencij

1. Financiranje Skupnosti ima lahko naslednji pravni obliki:

   – donacije,

   – pogodbe o javnih naročilih.

2. Donacije Skupnosti se dodelijo na podlagi pozivov k oddaji predlogov, razen v upravi čenih izjemnih in nujnih primerih ali kadar lastnosti upravičenca pri posameznem ukrepu ne dopuščajo druge možnosti, in se zagotavljajo v obliki donacij za poslovanje in donacij za ukrepe. Najvišja stopnja sofinanciranja bo navedena v letnih delovnih programih.

3. Izdatki so poleg tega predvideni za spremljevalne ukrepe na podlagi pogodb o javnih naročilih, v tem primeru se nakup storitev in blaga financira iz sredstev Skupnosti. To bo med drugim krilo izdatke za obveščanje in komunikacijo, pripravo, izvajanje, spremljanje, preverjanje in vrednotenje projektov, politik, programov in zakonodaje.

Člen 9
Izvedbeni ukrepi

1. Komisija izvaja pomoč Skupnosti v skladu s Finančno uredbo Sveta (Uredba Sveta (ES/Euratom) št. 1605/2002 z dne 25. junija 2002), ki se uporablja za splošni prora čun Evropskih skupnosti.

2. Za izvajanje programa Komisija v okviru omejitev splošnih ciljev iz člena 2 sprejme letni delovni program, v katerem opredeli svoje posebne cilje, tematske prednostne naloge, opiše spremljevalne ukrepe iz člena 8 in po potrebi sestavi seznam drugih ukrepov.

3. Letni delovni program bo sprejet v skladu s postopkom iz člena 10(2).

4. Postopki vrednotenja in oddaje javnih naročil v zvezi z donacijami za ukrepe med drugim upoštevajo naslednja merila:

   (a) usklajenost z letnim delovnim programom, splošnimi cilji iz člena 2 in ukrepi iz členov 3 in 4, sprejetimi na različnih področjih;

   (b) kakovost predlaganega ukrepa glede njegove zasnove, organizacije, predstavitve in pričakovanih rezultatov;

   (c) znesek, zahtevan za financiranje Skupnosti, in njegovo ustreznost glede na pri čakovane rezultate;

   (d) vpliv pričakovanih rezultatov na splošne cilje iz člena 2 in na ukrepe iz členov 3 in 4, sprejete na različnih področjih.

5. Vloge za donacije za poslovanje iz člena 4(c) in (d) se ocenijo ob upoštevanju:

   – doslednosti s cilji programa;

– kakovosti načrtovanih dejavnosti;

– verjetnega multiplikacijskega učinka teh dejavnosti v javnosti;

– geografskega vpliva dejavnosti, ki se izvajajo;

– vključenosti državljanov v organizacijo zadevnih organov;

– razmerja med stroški in koristjo predlagane dejavnosti.

6. V skladu s členom 113(2) finančne uredbe se načelo postopnega zniževanja ne uporablja za donacije za poslovanje Evropske federacije za pogrešane in spolno zlorabljene otroke, ki si prizadeva za cilj v splošnem evropskem interesu na področju pravic in zaščite otrok.

Člen 10
Odbor

1. Komisiji pomaga odbor, ki je sestavljen iz predstavnikov držav članic in mu predseduje predstavnik Komisije, v nadaljnjem besedilu „odbor“.

2. Pri sklicevanju na ta odstavek se uporabljata člena 3 in 7 Sklepa 1999/468/ES ob upoštevanju določb člena 8 Sklepa.

3. Odbor sprejme svoj poslovnik.

Člen 11
Dopolnjevanje

1. Iskale se bodo sinergije in dopolnjevanje z drugimi instrumenti Skupnosti, zlasti s splošnima programoma „Varnost in varstvo svoboščin“ ter „Solidarnost in upravljanje migracijskih tokov“, sedmim okvirnim programom za raziskave in razvoj, pa tudi s programi za varovanje zdravja in programom „Safer Internet Plus“. Statistični element obveščanja o nasilju se bo razvijal v sodelovanju z državami članicami, po potrebi z uporabo statističnega programa Skupnosti.

2. Za izvajanje ukrepov, ki izpolnjujejo cilje vseh programov, si program lahko deli sredstva z drugimi instrumenti Skupnosti, zlasti s splošnima programoma „Varnost in varstvo svoboščin“ ter „Solidarnost in upravljanje migracijskih tokov“ ter sedmim okvirnim programom za raziskave in razvoj.

3. Dejavnosti, ki se financirajo v okviru tega sklepa, ne prejemajo pomoči za isti namen na podlagi drugih finančnih instrumentov Skupnosti. Upravičenci iz tega sklepa Komisiji pošljejo informacije o sredstvih, prejetih iz proračuna Skupnosti in drugih virov, pa tudi o tekočih vlogah za sredstva.

Člen 12
Proračunska sredstva

1. Proračun za izvajanje tega instrumenta je določen v višini 116,85 milijona EUR za obdobje iz člena 1.

2. Proračunska sredstva, dodeljena za ukrepe, predvidene v tem programu, se vključijo v letna dodeljena sredstva splošnega proračuna Evropske unije. Razpoložljiva letna dodeljena proračunska sredstva odobri proračunski organ v mejah finančnega okvira.

Člen 13
Spremljanje

1. Upravičenec za kateri koli ukrep, ki se financira s programom, predloži tehnična in finančna poročila o napredovanju dela. V treh mesecih od zaključka ukrepa predloži tudi končno poročilo. Komisija določi obliko in vsebino poročil.

2. Brez poseganja v revizije, ki jih izvaja Računsko sodišče v sodelovanju s pristojnimi nacionalnimi revizijskimi organi ali službami na podlagi člena 248 Pogodbe, ali kakršen koli pregled, opravljen v skladu s členom 279(c) Pogodbe, lahko uradniki in drugi uslužbenci Komisije na kraju samem izvedejo preglede ukrepov, ki se financirajo v okviru programa, vključno s pregledi vzorcev.

3. Pogodbe in sporazumi, ki izhajajo iz tega sklepa, urejajo zlasti spremljanje in finančni nadzor s strani Komisije (ali katerega koli predstavnika, ki ga pooblasti Komisija), po potrebi na kraju samem, in revizije Računskega sodišča.

4. Upravičenec do finančne pomoči pet let po zadnjem plačilu za kateri koli ukrep hrani vso dokazno dokumentacijo o izdatkih za ukrep, tako da je na voljo Komisiji.

5. Komisija na podlagi rezultatov poročil in pregledov vzorcev iz odstavkov 1 in 2 po potrebi prilagodi obseg ali pogoje dodelitve prvotno odobrene finančne pomoči in časovni razpored plačil.

6. Komisija stori tudi vse potrebno, da preveri, ali se financirani ukrepi izvajajo primerno in v skladu z določbami tega sklepa in finančne uredbe.

Člen 14
Zaščita finančnih interesov Skupnosti

1. Komisija zagotovi, da se ob izvajanju ukrepov, ki se financirajo na podlagi tega sklepa, zaščitijo finančni interesi Skupnosti z uporabo preventivnih ukrepov proti goljufiji, korupciji in katerimi koli drugimi nezakonitimi dejavnostmi, z izvajanjem učinkovitih pregledov in z izterjavo neutemeljeno plačanih zneskov, v primeru odkritja nepravilnosti pa z učinkovitimi, sorazmernimi in odvračilnimi kaznimi v skladu z uredbama Sveta (ES, Euratom) št. 2988/95 in (Euratom, ES) št. 2185/96 ter Uredbo Evropskega parlamenta in Sveta (ES) št. 1073/1999.

2. Za ukrepe Skupnosti, ki se financirajo v okviru tega programa, se Uredba (ES, Euratom) št. 2988/95 in Uredba (Euratom, ES) št. 2185/96 uporabljata v primeru kakršne koli kršitve določb zakonodaje Skupnosti, vključno s kršitvami pogodbenih obveznosti, sklenjenih na podlagi programa, ki izhajajo iz dejanja ali opustitve s strani

gospodarskega subjekta, ki z neupravičenimi postavkami izdatkov ogroža ali bi lahko ogrožal splošni proračun Evropskih skupnosti ali proračune, s katerimi upravljajo Skupnosti.

3. Komisija lahko zmanjša, začasno ustavi ali izterja odobreni znesek finančne pomoči za ukrep, če ugotovi nepravilnosti, vključno z neskladnostjo z določbami tega sklepa ali s posamezno odločbo, pogodbo ali sporazumom o odobritvi zadevne finančne podpore, ali če se izkaže, da je bil ukrep spremenjen, ne da bi se zahtevala odobritev Komisije, tako da je v nasprotju z vrsto ali pogoji izvajanja projekta.

4. Če roki niso upoštevani ali če napredovanje pri izvajanju ukrepa upravičuje le del dodeljene finančne pomoči, Komisija zahteva od upravičenca, da v določenem roku predloži pripombe. Če upravičenec ne poda zadovoljivega odgovora, lahko Komisija ukine preostalo finančno pomoč in zahteva vračilo že plačanih zneskov.

5. Vsako nepravilno izplačano plačilo se vrne Komisiji. Vsem zneskom, ki niso bili pravo časno vrnjeni pod pogoji iz finančne uredbe, se prištejejo obresti.

Člen 15
Vrednotenje

1. Zaradi spremljanja izvajanja dejavnosti v okviru programa se bo program redno spremljal.

2. Komisija zagotovi redno, neodvisno, zunanje vrednotenje programa.

3. Komisija predloži Evropskemu parlamentu in Svetu:

   (a) najpozneje do 31. marca 2011 poročilo o vmesnem vrednotenju doseženih rezultatov ter kakovostnih in količinskih vidikov izvajanja tega programa;

   (b) najpozneje do 30. avgusta 2012 sporočilo o nadaljevanju tega programa;

   (c) najpozneje do 31. decembra 2014 poročilo o naknadnem vrednotenju.

Člen 16
Prehodni ukrepi

Sklep Evropskega parlamenta in Sveta št. 803/2004/ES z dne 21. aprila 2004 o sprejetju akcijskega programa Skupnosti (2004 do 2008) za preprečevanje nasilja nad otroki, mladimi in ženskami in boj proti njemu ter za zaščito žrtev in ogroženih skupin (program Daphne II) se razveljavi.

Ukrepe, ki so se na podlagi navedenega sklepa začeli izvajati pred 31. decembrom 2006, še naprej ureja ta sklep do njihovega zaključka. Odbor iz člena 7 Sklepa se nadomesti z odborom iz člena 10 tega sklepa.

Člen 17
Začetek veljavnosti

Ta sklep začne veljati dvajseti dan po objavi v *Uradnem listu Evropske unije*. Uporablja se od 1. januarja 2007.

V Bruslju, […]

Za Evropski parlament
Predsednik
[...]

Za Svet
Predsednik
[...]

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 final of 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 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..

[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. MONITORING AND EVALUATION

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, paragraph 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 final of 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)

EUR million (to 3 decimal places)

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 final of 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.

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)

Spremenjeni predlog

SKLEP EVROPSKEGA PARLAMENTA IN SVETA

o vzpostavitvi posebnega programa za obdobje 2007–2013
„Preprečevanje uporabe drog in obveščanje“
v okviru
splošnega programa „Temeljne pravice in pravosodje“

EVROPSKI PARLAMENT IN SVET EVROPSKE UNIJE STA –

ob upoštevanju Pogodbe o ustanovitvi Evropske skupnosti in zlasti člena 152 Pogodbe,

ob upoštevanju predloga Komisije[19],

ob upoštevanju mnenja Evropskega ekonomsko-socialnega odbora[20],

ob upoštevanju mnenja Odbora regij[21],

v skladu s postopkom, določenim v členu 251 Pogodbe[22],

ob upoštevanju naslednjega:

(1) Pogodba o ustanovitvi Evropske skupnosti določa, da je treba pri opredeljevanju in izvajanju vseh politik in ukrepov Skupnosti zagotoviti visoko raven varovanja zdravja ljudi. V členu 3(1)(p) Pogodbe se zahteva, da dejavnosti Skupnosti vključujejo prispevek k doseganju visoke ravni varovanja zdravja.

(2) Dejavnost Skupnosti bi morala dopolnjevati nacionalne politike, usmerjene k izbolj ševanju javnega zdravja, odpravljanju vzrokov, ki ogrožajo zdravje ljudi, in zmanj ševanju škode za zdravje zaradi odvisnosti od drog.

(3) Ob upoštevanju raziskave, na podlagi katere stopnja razširjenosti in umrljivost zaradi odvisnosti od drog prizadeneta veliko število evropskih državljanov, je škoda za zdravje ljudi zaradi odvisnosti od drog glavni problem na področju javnega zdravja.

(4) Sporočilo Komisije Svetu in Evropskemu parlamentu o rezultatih končnega vrednotenja strategije in akcijskega načrta EU na področju drog (2000–2004)[23] je poudarilo potrebo po rednem vključevanju civilne družbe pri oblikovanju politik EU na področju drog.

(5) Sklep Evropskega parlamenta in Sveta o sprejetju akcijskega programa na področju

[19] UL C […], […], str. […].
[20] UL C […], […], str. […].
[21] UL C […], […], str. […].
[22] UL C […], […], str. […].
[23] COM(2004) 707.

javnega zdravja (2003–2008) vključuje razvoj strategij in ukrepov na področju odvisnosti od drog kot enega od pomembnih dejavnikov zdravja, povezanih z načinom življenja.

(6) Svet je v svojem Priporočilu z dne 18. junija 2003 o preprečevanju in zmanjševanju škode za zdravje ljudi zaradi odvisnosti od drog[24] priporočil, da si države članice na področju javnega zdravja zastavijo cilj preprečevati odvisnost od drog in zmanjševati s tem povezana tveganja ter v skladu z navedenim oblikujejo in izvajajo celovite strategije.

(7) Evropski svet je decembra 2004 potrdil strategijo Evropske unije na področju drog za obdobje 2005–2012, ki zajema vse dejavnosti Evropske unije na področju drog in dolo ča poglavitne cilje. Ti cilji vključujejo doseganje visoke ravni varovanja zdravja, blaginje in socialne kohezije s preprečevanjem in zmanjševanjem uporabe drog, odvisnosti od drog in škode za družbo in zdravje zaradi uporabe drog.

(8) Komisija je sprejela svoj akcijski načrt na področju drog za obdobje 2005–2008[25] kot odločilni instrument za uresničitev Strategije Evropske unije na področju drog 2005–2012 s konkretnimi ukrepi. Končni cilj akcijskega načrta je občutno zmanjšati raz širjenost uporabe drog med prebivalstvom ter zmanjšati socialno škodo in škodo za zdravje ljudi zaradi uporabe prepovedanih drog in prometa z njimi.

(9) Pomembno in potrebno je zavedati se resnih takojšnjih in dolgoročnih učinkov drog na zdravje, psihološki in socialni razvoj ter na enake možnosti vpletenih, posameznikov, družin in skupnosti ter visokih socialnih in gospodarskih stroškov za družbo kot celoto.

(10) Evropska unija lahko prispeva dodano vrednost ukrepom držav članic na področju preprečevanja uporabe drog in obveščanja z dopolnjevanjem teh ukrepov in spodbujanjem sinergij.

(11) Zaradi potrebe po izmenjavi informacij na ravni EU in razširjanja dobrih praks po vsej Skupnosti države članice ne morejo zadovoljivo doseči ciljev predlaganih ukrepov, in sicer preprečevati uporabo drog in obveščanje. To se lahko bolje doseže na ravni Skupnosti. Skupnost lahko zaradi potrebe po usklajenem in interdisciplinarnem pristopu ter zaradi obsega ali vpliva pobude sprejme ukrepe v skladu z načelom subsidiarnosti iz člena 5 Pogodbe. V skladu z načelom sorazmernosti iz navedenega člena ta sklep ne presega tistega, kar je potrebno za dosego teh ciljev.

(12) Treba je sprejeti tudi ustrezne ukrepe za preprečevanje nepravilnosti in goljufij ter izvesti potrebna dejanja za izterjavo izgubljenih, nepravilno plačanih ali nepravilno porabljenih sredstev.

(13) Ta sklep določa za celotno trajanje programa finančni okvir, ki v smislu točke 37 Medinstitucionalnega sporazuma z dne 17. maja 2006 med Evropskim parlamentom, Svetom in Komisijo o proračunski disciplini in izboljšanju proračunskega postopka[26] predstavlja glavni referenčni okvir za proračunski organ.

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[24] UL L 165, 3.7.2003, str. 31.
[25] COM(2005) 45, 14.2.2005.
[26] UL C 172, 18.6.1999, str. 1.

(14) Uredbo Sveta (ES, Euratom) št. 1605/2002 z dne 25. junija 2002 o finančni uredbi, ki se uporablja za splošni proračun Evropskih skupnosti[27], v nadaljnjem besedilu „finančna uredba“, in Uredbo Komisije (ES, Euratom) št. 2342/2002 z dne 23. decembra 2002 o določitvi podrobnih pravil za izvajanje Uredbe Sveta 1605/2002[28], ki ščiti finančne interese Skupnosti, je treba uporabljati ob upoštevanju načel enostavnosti in doslednosti pri izbiri proračunskih instrumentov, omejitev števila primerov, kjer je Komisija neposredno odgovorna za njihovo izvajanje in upravljanje, ter zahtevane sorazmernosti med zneskom sredstev in upravnim bremenom, povezanim z njihovo uporabo.

(15) Finančna uredba zahteva, da se določi temeljni akt za pokrivanje donacij za poslovanje.

(16) Ukrepe, potrebne za izvajanje tega sklepa, je treba sprejeti v skladu s Sklepom Sveta 1999/468/ES z dne 28. junija 1999 o določitvi postopkov za uresničevanje Komisiji podeljenih izvedbenih pooblastil[29] na podlagi svetovalnega postopka iz člena 3 navedenega sklepa. Ker program nima znatnega vpliva na proračun Skupnosti, je to primerno –

SKLENILA:

Člen 1
Oblikovanje programa

1. Ta sklep vzpostavlja program „Preprečevanje uporabe drog in obveščanje“, v nadaljnjem besedilu „program“, v okviru splošnega programa „Temeljne pravice in pravosodje“, ki naj bi prispeval h krepitvi območja svobode, varnosti in pravice.

2. Program zajema obdobje od 1. januarja 2007 do 31. decembra 2013.

Člen 2
Splošni cilji

1. Splošni cilji tega programa so:

   (a) prispevati k vzpostavitvi območja svobode, varnosti in pravice z obveščanjem ter preprečevanjem uporabe drog;

   (b) preprečevati in zmanjševati uporabo drog, odvisnost od drog in škodo zaradi uporabe drog.

2. Splošni cilji programa brez poseganja v cilje in pooblastila Evropske skupnosti prispevajo k razvoju politik Skupnosti in zlasti politik, ki se nanašajo na varstvo javnega zdravja.

Člen 3
Posebni cilji

[27] UL L 248, 16.9.2002, str. 1.
[28] UL L 357, 31.12.2002, str. 1.
[29] UL L 184, 17.7.1999, str. 23.

Posebni cilji programa so:

(a) spodbujati nadnacionalne ukrepe za

- vzpostavitev multidisciplinarnih mrež;
- zagotovitev širjenja temeljnega znanja, izmenjave informacij ter opredelitve in razširjanja dobre prakse, vključno z usposabljanjem, študijskimi obiski in izmenjavo osebja;
- ozaveščanje o zdravstvenih in socialnih problemih, ki jih povzroča uporaba drog, in spodbujanje odprtega dialoga za izboljšanje razumevanja pojava drog.

(b) vključiti civilno družbo v izvajanje ter razvijanje strategije in akcijskih načrtov Evropske unije na področju drog.

(c) spremljati, izvajati in vrednotiti izvajanje posebnih ukrepov v okviru akcijskih načrtov na področju drog v obdobjih 2005–2008 in 2009–2012.

Člen 4
Ukrepi

Za uresničevanje splošnih in posebnih ciljev iz členov 2 in 3 bo ta program podpiral naslednje oblike ukrepov:

(a) posebne ukrepe Komisije, kot so študije in raziskave, javnomnenjske raziskave in statistični pregledi, oblikovanje kazalnikov in skupnih metodologij, zbiranje, razvijanje in razširjanje podatkov in statistik, seminarji, konference in srečanja strokovnjakov, organizacija javnih kampanj in dogodkov, oblikovanje in vzdrževanje spletnih strani, priprava in razširjanje informativnega gradiva, podpora pri vzpostavljanju in upravljanju mrež nacionalnih strokovnjakov, dejavnosti analiz, spremljanja in vrednotenja; ali

(b) posebne nadnacionalne projekte v interesu Skupnosti, ki so jih predložile najmanj tri države članice pod pogoji iz letnih delovnih programov; ali

(c) podporo dejavnostim nevladnih organizacij ali drugih subjektov, ki si prizadevajo za cilj v splošnem evropskem interesu v skladu s splošnimi cilji programa pod pogoji iz letnih delovnih programov.

Člen 5
Sodelovanje

Pri ukrepih programa lahko sodelujejo naslednje države, v nadaljnjem besedilu „sodelujoče države“:

(a) države EFTA, ki so pogodbenice Sporazuma EGP v skladu z določbami navedenega sporazuma;

(b) pridružene države kandidatke EU in države zahodnega Balkana, ki so vključene v stabilizacijsko-pridružitveni proces v skladu s pogoji iz pridružitvenih sporazumov ali njihovih dodatnih protokolov, ki se nanašajo na sodelovanje v programih Skupnosti, ki so ali bodo sklenjeni s temi državami;

(c) projekti lahko vključujejo države kandidatke, ki ne sodelujejo pri tem programu, če bi to prispevalo k njihovim pripravam na pristop, ali druge tretje države, ki ne sodelujejo pri tem programu, če bi to ustrezalo cilju projektov.

Člen 6
Ciljne skupine

1. Program je namenjen vsem skupinam, ki neposredno ali posredno obravnavajo pojav drog.

2. Mladi, ranljive skupine in problematične soseske so na področju drog ogrožene skupine in jih je treba opredeliti kot ciljne skupine. Druge ciljne skupine so med drugim učitelji in pedagoško osebje, socialni delavci, nacionalni organi in organi lokalnih skupnosti, zdravstveno in reševalno osebje, sodno osebje, NVO, sindikati in verske skupnosti.

Člen 7
Dostop do programa

Program je prav tako odprt za sodelovanje javnih ali zasebnih organizacij in institucij (lokalni organi na ustrezni ravni, univerzitetni oddelki in raziskovalni centri), ki delujejo na področju obveščanja in preprečevanja uporabe drog.

Člen 8
Vrste intervencij

1. Financiranje Skupnosti ima lahko naslednji pravni obliki:

– donacije,

– pogodbe o javnih naročilih.

2. Donacije Skupnosti se dodelijo na podlagi pozivov k oddaji predlogov, razen v upravi čenih izjemnih in nujnih primerih ali kadar lastnosti upravičenca pri posameznem ukrepu ne dopuščajo druge možnosti, in se zagotavljajo v obliki donacij za poslovanje in donacij za ukrepe. Najvišja stopnja sofinanciranja bo navedena v letnih delovnih programih.

3. Izdatki so poleg tega predvideni za spremljevalne ukrepe na podlagi pogodb o javnih naročilih, v tem primeru se nakup storitev in blaga financira iz sredstev Skupnosti. To bo med drugim krilo izdatke za obveščanje in komunikacijo, pripravo, izvajanje, spremljanje, preverjanje in vrednotenje projektov, politik, programov in zakonodaje.

Člen 9
Izvedbeni ukrepi

1. Komisija izvaja pomoč Skupnosti v skladu s Finančno uredbo Sveta (Uredba Sveta (ES/Euratom) št. 1605/2002 z dne 25. junija 2002), ki se uporablja za splošni prora čun Evropskih skupnosti.

2. Za izvajanje programa Komisija v okviru omejitev splošnih ciljev iz člena 2 sprejme letni delovni program, v katerem opredeli svoje posebne cilje, tematske prednostne naloge, opiše spremljevalne ukrepe iz člena 8 in po potrebi sestavi seznam drugih ukrepov.

3. Letni delovni program bo sprejet v skladu s postopkom iz člena 10(2).

4. Postopki vrednotenja in oddaje javnih naročil v zvezi z donacijami za ukrepe med drugim upoštevajo naslednja merila:

   (a) usklajenost z letnim delovnim programom, splošnimi cilji iz člena 2 in ukrepi iz členov 3 in 4, sprejetimi na različnih področjih;

   (b) kakovost predlaganega ukrepa glede njegove zasnove, organizacije, predstavitve in pričakovanih rezultatov;

   (c) znesek, zahtevan za financiranje Skupnosti, in njegovo ustreznost glede na pri čakovane rezultate;

   (d) vpliv pričakovanih rezultatov na splošne cilje iz člena 2 in na ukrepe iz členov 3 in 4, sprejete na različnih področjih.

5. Vloge za donacije za poslovanje iz člena 4(c) se ocenijo ob upoštevanju:

   – doslednosti s cilji programa;

   – kakovosti načrtovanih dejavnosti;

   – verjetnega multiplikacijskega učinka teh dejavnosti v javnosti;

   – geografskega vpliva dejavnosti, ki se izvajajo;

   – vključenosti državljanov v organizacijo zadevnih organov;

   – razmerja med stroški in koristjo predlagane dejavnosti.

Člen 10
Odbor

1. Komisiji pomaga odbor, ki je sestavljen iz predstavnikov držav članic in mu predseduje predstavnik Komisije, v nadaljnjem besedilu „odbor“.

2. Pri sklicevanju na ta odstavek se uporabljata člena 3 in 7 Sklepa 1999/468/ES ob upo

števanju določb člena 8 Sklepa.

3. Odbor sprejme svoj poslovnik.

Člen 11
Dopolnjevanje

1. Iskale se bodo sinergije in dopolnjevanje z drugimi instrumenti Skupnosti, zlasti s splo šnim programom „Varnost in varstvo svoboščin“, sedmim okvirnim programom za raziskave in razvoj, pa tudi programi na področju varovanja zdravja. Zagotovljeno bo dopolnjevanje z Evropskim centrom za spremljanje drog in odvisnosti, zlasti glede statističnega elementa obveščanja o drogah.

2. Za izvajanje ukrepov, ki izpolnjujejo cilje vseh programov, si program lahko deli sredstva z drugimi instrumenti Skupnosti, zlasti s splošnima programoma „Varnost in varstvo svoboščin“ ter „Solidarnost in upravljanje migracijskih tokov“ ter sedmim okvirnim programom za raziskave in razvoj.

3. Dejavnosti, ki se financirajo v okviru tega sklepa, ne prejemajo pomoči za isti namen na podlagi drugih finančnih instrumentov Skupnosti. Upravičenci iz tega sklepa Komisiji pošljejo informacije o sredstvih, prejetih iz proračuna Skupnosti in drugih virov, pa tudi o tekočih vlogah za sredstva.

Člen 12
Proračunska sredstva

1. Proračun za izvajanje tega instrumenta je določen v višini 21,35 milijona EUR za obdobje iz člena 1.

2. Proračunska sredstva, dodeljena za ukrepe, predvidene v tem programu, se vključijo v letna dodeljena sredstva splošnega proračuna Evropske unije. Razpoložljiva letna dodeljena proračunska sredstva odobri proračunski organ v mejah finančnega okvira.

Člen 13
Spremljanje

1. Upravičenec za kateri koli ukrep, ki se financira s programom, predloži tehnična in finančna poročila o napredovanju dela. V treh mesecih od zaključka ukrepa predloži tudi končno poročilo. Komisija določi obliko in vsebino poročil.

2. Brez poseganja v revizije, ki jih izvaja Računsko sodišče v sodelovanju s pristojnimi nacionalnimi revizijskimi organi ali službami na podlagi člena 248 Pogodbe, ali kakr šen koli pregled, opravljen v skladu s členom 279(c) Pogodbe, lahko uradniki in drugi uslužbenci Komisije na kraju samem izvedejo preglede ukrepov, ki se financirajo v okviru programa, vključno s pregledi vzorcev.

3. Pogodbe in sporazumi, ki izhajajo iz tega sklepa, urejajo zlasti spremljanje in finančni nadzor s strani Komisije (ali katerega koli predstavnika, ki ga pooblasti Komisija), po

potrebi na kraju samem, in revizije Računskega sodišča.

4. Upravičenec do finančne pomoči pet let po zadnjem plačilu za kateri koli ukrep hrani vso dokazno dokumentacijo o izdatkih za ukrep, tako da je na voljo Komisiji.

5. Komisija na podlagi rezultatov poročil in pregledov vzorcev iz odstavkov 1 in 2 po potrebi prilagodi obseg ali pogoje dodelitve prvotno odobrene finančne pomoči in časovni razpored plačil.

6. Komisija stori tudi vse potrebno, da preveri, ali se financirani ukrepi izvajajo primerno in v skladu z določbami tega sklepa in finančne uredbe.

Člen 14
Zaščita finančnih interesov Skupnosti

1. Komisija zagotovi, da se ob izvajanju ukrepov, ki se financirajo na podlagi tega sklepa, zaščitijo finančni interesi Skupnosti z uporabo preventivnih ukrepov proti goljufiji, korupciji in katerimi koli drugimi nezakonitimi dejavnostmi, z izvajanjem u činkovitih pregledov in z izterjavo neutemeljeno plačanih zneskov, v primeru odkritja nepravilnosti pa z učinkovitimi, sorazmernimi in odvračilnimi kaznimi v skladu z uredbama Sveta (ES, Euratom) št. 2988/95 in (Euratom, ES) št. 2185/96 ter Uredbo Evropskega parlamenta in Sveta (ES) št. 1073/1999.

2. Za ukrepe Skupnosti, ki se financirajo v okviru tega programa, se Uredba (ES, Euratom) št. 2988/95 in Uredba (Euratom, ES) št. 2185/96 uporabljata v primeru kakršne koli kršitve določb zakonodaje Skupnosti, vključno s kršitvami pogodbenih obveznosti, sklenjenih na podlagi programa, ki izhajajo iz dejanja ali opustitve s strani gospodarskega subjekta, ki z neupravičenimi postavkami izdatkov ogroža ali bi lahko ogrožal splošni proračun Evropskih skupnosti ali proračune, s katerimi upravljajo Skupnosti.

3. Komisija lahko zmanjša, začasno ustavi ali izterja odobreni znesek finančne pomoči za ukrep, če ugotovi nepravilnosti, vključno z neskladnostjo z določbami tega sklepa ali s posamezno odločbo, pogodbo ali sporazumom o odobritvi zadevne finančne podpore, ali če se izkaže, da je bil ukrep spremenjen, ne da bi se zahtevala odobritev Komisije, tako da je v nasprotju z vrsto ali pogoji izvajanja projekta.

4. Če roki niso upoštevani ali če napredovanje pri izvajanju ukrepa upravičuje le del dodeljene finančne pomoči, Komisija zahteva od upravičenca, da v določenem roku predloži pripombe. Če upravičenec ne poda zadovoljivega odgovora, lahko Komisija ukine preostalo finančno pomoč in zahteva vračilo že plačanih zneskov.

5. Vsako nepravilno izplačano plačilo se vrne Komisiji. Vsem zneskom, ki niso bili pravo časno vrnjeni pod pogoji iz finančne uredbe, se prištejejo obresti.

Člen 15
Vrednotenje

1. Zaradi spremljanja izvajanja dejavnosti v okviru programa se bo program redno

spremljal.

2. Komisija zagotovi redno, neodvisno, zunanje vrednotenje programa.

3. Komisija predloži Evropskemu parlamentu in Svetu:

   (a) najpozneje do 31. marca 2011 poročilo o vmesnem vrednotenju doseženih rezultatov ter kakovostnih in količinskih vidikov izvajanja tega programa;

   (b) najpozneje do 30. avgusta 2012 sporočilo o nadaljevanju tega programa;

   (c) najpozneje do 31. decembra 2014 poročilo o naknadnem vrednotenju.

Člen 16
Začetek veljavnosti

Ta sklep začne veljati dvajseti dan po objavi v *Uradnem listu Evropske unije*. Uporablja se od 1. januarja 2007.

V Bruslju, […]

Za Evropski parlament	*Za Svet*
Predsednik	*Predsednik*
[…]	*[…]*

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 final of 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 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 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.

[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. MONITORING AND EVALUATION

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, paragraph 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 final of 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)

EUR million (to 3 decimal places)

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 final of 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.

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