General Programme "Fundamental rights and justice": specific programme "Civil Justice", 2007-2013

2005/0040(COD) - 19/06/2007 - Commission communication on Council's position

The Council common position preserves the essence of the original Commission proposal and takes the European Parliament’s main amendments at first reading into account. The differences of substance between the common position and the original Commission proposal are as follows:

- Article 4(b): a proposal for a specific project will be eligible for financing if it involves at least two Member States or one Member State and one acceding or applicant state (instead of three Member States, as originally proposed by the Commission).

- Article 4(d): operating grant for the whole period to the Network of the Presidents of the Supreme Judicial Courts of the European Union and the European Network of Councils for the Judiciary.

- Article 7: access to the programme opened to international organisations.

- Article 10: comitology: the double committee principle is introduced (management committee for the adoption of the annual work programme and advisory committee for other questions).

The common position is based on a compromise between the European Parliament, the Council and the Commission. The compromise concerns the text as a whole, except for the part on comitology, where there remains a difference of opinion between the Council and Commission on one side and Parliament on the other.

The European Parliament passed an amendment that would apply the new committee procedure (regulatory procedure with scrutiny); the Council and Commission consider that this procedure is not applicable in this case.

The Commission accepts the common position, which incorporates the main elements of its original proposal and the main amendments adopted by the European Parliament.