

# **Daphne Programme 2000-2003: action relating to violence against children, young persons and women**

1998/0192(COD) - 30/03/1999

The Committee has unanimously adopted the report by Francisca BENNASAR TOUS (EPP, E) on the Commission's amended proposal on the Daphne programme (2000-2004). This programme, which was launched in 1997 for a two-year period, is designed to prevent and combat sex-related violence and trafficking in women and children for purpose of sexual exploitation. The rapporteur pointed out that Daphne was aimed at NGOs, which have to present their projects and cooperate, possibly with local and regional authorities, although these are not directly involved in the programme. As regards the new legal basis (Article 129 of the Maastricht Treaty - on public health), Ms HAUTALA explained that until now the representatives of the Member States to whom she had written had not given clear answers about their position on the codecision procedure entailed by Article 129. Under this article, Parliament will enjoy full legislative powers on an equal footing with the Council, which will probably deliver its common position on Daphne under Article 152 of the Amsterdam Treaty, the entry into force of which is imminent (instead of Article 129 of the Maastricht Treaty). Elena MARINUCCI (PES, I) pointed out that many of the amendments adopted today, from the inclusion in the title of the idea of "fighting" violence to the World Health Organisation's interpretation of health as "a state of complete physical, mental and social well-being", would prove pointless if the Council were to follow the letter of the treaty provisions in force on public health by rejecting any amendments of Parliament which went beyond the scope of Article 152. The change of legal basis by the Commission would then result in the programme's scope being restricted. This possibility was, however, rejected by Ms BENNASAR, who emphasised that the old legal basis proposed (Article 235) had no chance of achieving unanimity in the Council. Parliament's Legal Service, while pointing out that the choice of a legal basis must be justified by the substance and the aim of the act in question, expressed just one cautionary remark concerning the changes made by the parliamentary proposal, namely that the amendments distorted the initial text. The Commission representative said that Article 152 went further than Article 129 and that it could therefore not be seen as an obstacle to the pursuit of certain objectives of the new Daphne programme such as the fight against trafficking in women. The amendments adopted firstly encouraged cooperation as much between Member States as between NGOs and regional and local authorities, secondly provided for multidisciplinary networks extending to cover the NGOs of east European countries and lastly called on the media to show some understanding of the causes underlying violence and any attacks on the dignity of women and the rights of children.