General programme "Fundamental Rights and Justice": specific programme "Drugs prevention and information", 2007-2013

2005/0037B(COD) - 06/04/2005 - Initial legislative proposal

PURPOSE: to present a specific programme ‘Drugs prevention and information’ for the period 2007-2013.

PROPOSED ACT: Decision of the European Parliament and of the Council.

CONTEXT: The Communication establishing a ‘Fundamental Rights and Justice’ Framework Programme forms part of a coherent set of legislative proposals. The purpose of these proposals is to offer support to the development of an area of freedom, security, and justice within the context of the upcoming financial perspective, 2007-2013. For that reason, the European Council in November 2004 adopted what is known as the Hague Programme. Building upon the results of the 1999 Tampere programme, the programme adopted in The Hague presents a new agenda to enable the Union to build upon past achievements as well as being well placed to meet new challenges. It also emphasizes that the creation of a Europe for citizens requires not only the full respect of Fundamental Rights, but, in addition, the active promotion of those rights. The ‘Fundamental Rights and Justice’ Framework Programme has several specific objectives. They are:

- To promote the development of a European society based on the European Union citizenship and respectful of the fundamental rights provided for in the Charter of Fundamental Rights; to fight anti-Semitism, racism and xenophobia and to strengthen civil society in the field of fundamental rights.

- To combat all forms of public or private violence against children, young people and women.

- To contribute to the setting-up of an area of freedom, security and justice by providing information on and preventing the use of drugs.

- To promote judicial cooperation with the aim of contributing to the creation of a genuine European area of justice in civil and commercial matters.

- To promote judicial cooperation with the aim of contributing to the creation of a genuine European area of justice in criminal matters.

As these objectives have different legal bases in the Treaties, the programme is composed of several separate legislative instruments. Political coherence will be ensured, as each specific programme reflects the objectives of a policy which, in association with the three others, will allow for the development of European citizenship and a genuine area of Justice. Furthermore, the grouping together of these complementary policy areas under the same Framework programme will not only enhance their overall coherence but will also ensure a better response to citizens’ needs. It will enable new, unexpected problems to be tackled with increased flexibility.

A key objective of the ‘Fundamental Rights and Justice’ Framework programme is to simplify and rationalise instruments both in legal and management terms, to streamline the budget structure, to increase

coherence and consistency between programmes and to avoid duplication of instruments. It will be managed directly by the Commission. The cost of the Framework Programme for the period 2007-2013 is EUR 543 million.

CONTENT: A series of actions are envisaged to be taken under the specific programme "Drugs prevention and information". These include:

Specific actions taken by the Commission, such as, studies and research, opinion polls and surveys, formulation of indicators and common methodologies, collection, development and dissemination of data and statistics, seminars, conferences and expert meetings, organisation of public campaigns and events, development and maintenance of websites, preparation and dissemination of information material, support for and management 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;
- An operating grant to the European Federation for Missing and Sexually Exploited Children which pursues an aim of general European interest in the field of children's rights and protection.

With respect to the fight against the use of drugs, the main challenges will be the dissemination of information as well as further research resulting into education, prevention and harm-reduction programmes. Not only the reduction of drug demand, but also the reduction of drug supply will be important issues. This is an area in which measures need to be taken in order to stop drug-trafficking and drug-related criminality, in particular when new synthetic drugs or their chemical precursors are involved and to fight money-laundering.

Community funding may take the following legal forms: grants and public procurement contracts. Access to this programme shall be open to public or private organisations and institutions such as local authorities, university departments and research centres, working to inform and prevent drugs use. It will also be open to participants from various third countries such as candidate countries, Western Balkans, EFTA countries).

The Commission will ensure that, when actions financed under the present Decision are implemented, the financial interests of the Community are protected by the application of preventative 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. It will ensure regular, external and independent evaluation of the programme. It will submit to the other institutions an interim evaluation report on the results obtained and on the qualitative and quantitative aspects of the implementation of the programme not later than 31/03/2011; a Communication on the continuation of the programme not later than 30/08/2012 and an ex-post evaluation report not later than 31 /12/2014. It is intended that the programme's activities cover the period 1 January 2007 – 31 December 2013.

This specific programme is complemented by the other specific programmes under the general programme "Fundamental Rights and Justice" in particular the specific programme "Fundamental Rights and Citizenship" that seeks to promote the European Union fundamental rights and values while preserving and respecting the diversity of the culture and traditions of the peoples of Europe. Complementarity will also be sought with the European Monitoring Centre for Drugs and Drug Addiction that has as its main mission to collect and disseminate objective, reliable and comparable information on the phenomenon of drugs and drug addiction in Europe. In order to do so, the Centre works in partnership with non-EU countries as well as with international organisations concerned with this issue. The general programmes "Security and Safeguarding Liberties" and "Solidarity and Management of Migration Flows"

will be given special attention as they complement the present programme and synergy with the two will certainly be achieved in particular in the area of fighting against crime be it violence, such as racially-motivated violence and violence related to gender or sexual preference or drugs related crimes. Other programmes may also complement the present programme such “Safer Internet Plus”, “Health programme”, “Injury Protection Programme” the 7th RTD Framework Programme and the “Youth” programme.

The specific programme "Drugs prevention and information” falls within the general programme “Fundamental Rights and Justice” and is based on Art. 152 of the Treaty establishing the European Community. Art. 152, which relates to public health, clearly states that the definition and implementation of all Community policies and activities shall ensure a high level of protection of human health.

This specific programme will be allocated a budget of EUR 138.2 million for the period 2007-2013.

For further information concerning the financial implications of this measure, please refer to the financial statement.