Basic information

2001/0262(CNS) CNS - Consultation procedure Decision	Procedure completed
Police and judicial cooperation in criminal matters: framework programme AGIS for 2003-2007 **Subject** 7.30.05 Police cooperation 7.30.30 Action to combat crime 7.40.04 Judicial cooperation in criminal matters	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
LIBE Citizens' Freedoms and Rights, Justice and Home Affairs	COELHO Carlos (PPE-DE)	18/12/2001

Committee for opinion	Rapporteur for opinion	Appointed
BUDG Budgets	JENSEN Anne E. (ELDR)	22/01/2002
CONT Budgetary Control	The committee decided not to give an opinion.	
JURI Legal Affairs and Internal Market	The committee decided not to give an opinion.	
FEMM Women's Rights and Equal Opportunities	The committee decided not to give an opinion.	

Council of the European Union

Council configuration	Meetings	Date
General Affairs	2447	2002-07-22

European Commission

Commission DG	Commissioner
Justice and Consumers	

Key events

Date	Event	Reference	Summary
09/11/2001	Legislative proposal published	COM(2001)0646	Summary
16/01/2002	Committee referral announced in Parliament		
19/03/2002	Vote in committee		Summary
19/03/2002	Committee report tabled for plenary, 1st reading/single reading	A5-0082/2002	
08/04/2002	Debate in Parliament		
09/04/2002	Decision by Parliament	T5-0150/2002	Summary
22/07/2002	Act adopted by Council after consultation of Parliament		
22/07/2002	End of procedure in Parliament		
01/08/2002	Final act published in Official Journal		

Technical information

Procedure reference	2001/0262(CNS)
Procedure type	CNS - Consultation procedure
Procedure subtype	Legislation
Legislative instrument	Decision
Legal basis	Treaty on European Union (after Amsterdam) M 034-p2 Treaty on European Union (after Amsterdam) M 031
Stage reached in procedure	Procedure completed
Committee dossier	LIBE/5/15465

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee report tabled for plenary, 1st reading/single reading		A5-0082/2002	19/03/2002	
Text adopted by Parliament, 1st reading/single reading		T5-0150/2002 OJ C 127 29.05.2003, p. 0028-0132 E	09/04/2002	Summary

European Commission

Document type	Reference	Date	Summary
Legislative proposal	COM(2001)0646 OJ C 051 26.02.2002, p. 0345 E	09/11/2001	Summary
Follow-up document	SEC(2005)0542	19/04/2005	Summary
	SEC(2005)1764		

Follow-up document		15/12/2005	Summary
Follow-up document	SEC(2006)0333	07/03/2006	Summary
Follow-up document	SEC(2006)1535	21/11/2006	Summary

Additional information		
Source	**Document**	**Date**
European Commission	EUR-Lex	

Final act	
Decision 2002/0630 OJ L 203 01.08.2002, p. 0005-0008	Summary

Police and judicial cooperation in criminal matters: framework programme AGIS for 2003-2007

2001/0262(CNS) - 09/04/2002 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted a resolution based on the report drafted by Carlos COELHO (EPP-ED, Portugal) on police and judicial cooperation in criminal matters. (Please refer to the document dated 19/03/02.) Parliament curtailed the length of the programme, stipulating that it must expire on 31/12/06 rather than 2007. It could be extended following the approval of the budgetary and legislative authority. An interim evaluation of the programme's implementation needs to be completed by 30/06/04, and a final evaluation by 30/06/07. The results of any studies or research which have been cofinanced under the programme must be published on the Internet.

Police and judicial cooperation in criminal matters: framework programme AGIS for 2003-2007

2001/0262(CNS) - 09/11/2001 - Legislative proposal

PURPOSE : to present the new framework programme on the basis of Title VI of the Treaty - police and judicial cooperation in criminal matters. CONTENT : On 31 December 2002, the five biennial financing programmes covered by Title VI will expire. They are Grotius II - Criminal, Oisin II, Stop II, Hippokrates, and Falcone. Following approval by the Feira European Council in June 2000 of the European Union Action Plan on Drugs (2000-2004) a new budget heading was created for preparatory measures for a programme to combat drug trafficking. This budget heading is also included in the programme. Following encouragement from the Parliament, the Commission has decided to propose the creation of a single framework programme governed by the provisions of Tile VI to replace the existing instruments. This should result in better use of resources, simplify budget procedures, make activities more visible and increase the synergy between the five currently separate programmes. The framework programme is designed to increase cooperation between legal practitioners and between departments involved with law enforcement and crime prevention in the Member States, and between them and other public, civil-society, and business partners, on combating certain forms of crime, and promote assistance to the victims of crime. The proposed instruments are: - training programmes on legislation, operational procedures and good practice, including training of the judiciary. - exchanges and mobility schemes - seminars and conferences - research projects and studies on law and new methods of cooperation between Member States. - projects to disseminate information and build on achievements. The restructuring also involves new terminology and types of project, for example: - an annual work programme, with projects which may last two years - specific projects and complementary measures on subjects in the annual work programme (see below) - more clearly defined criteria for evaluation and selection. Community assistance is limited to a maximum of 70%, except in the case of specific projects and complementary measures, which can be financed up to 100%. Participation by applicant countries is also a major objective in preparation for enlargement. Specific projects could be used for fields in which applicant countries have expressed an interest. An organisation from a Member State will remain formally responsible for introducing a proposal and for implementation of the action. It is proposed that the annual work programme identify specific projects, indicating their type (information campaign, conference, training programme, exchange programme, research, etc) and the required topics and objectives. Complementary measures are envisaged as support for projects already co-financed under the programme. (e.g. development of websites or databases containing information drawn from the programmes

activities). The proportion of annual appropriations that can be used for specific projects islimited to 10% of the annual budget. 10% is also set aside for complementary measures. Measures implementing the programme will be adopted in accordance with the management procedure (annual work programme, specific projects and complementary measures) and the advisory procedure (decisions on co-financing).

Police and judicial cooperation in criminal matters: framework programme AGIS for 2003-2007

2001/0262(CNS) - 07/03/2006 - Follow-up document

This Commission staff working document consists of a report on the ex post evaluation of Grotius II, Oisin II, Stop II, Falcone and Hippokrates Programmes and the interim evaluation of the AGIS Programme.

To recall, since January 2003, the five former Programmes established under Title VI (Grotius, Oisin, Stop, Falcone and Hippokrates), that ran from 1996 until 2002, were brought together into a single Programme - the AGIS Framework Programme (2003-2007).

The main objectives of this document are as follows:

- to present a summary of the main results and conclusions of this evaluation;
- to assess the main recommendations;
- to present concrete proposals for the next programming period and, notably, to draw conclusions relevant to the implementation of the Programmes that are to replace the AGIS Programme.

The Commission has already presented to the Council and the European Parliament proposals for Programmes to replace the AGIS Programme (the Security Programme and, to some extent, the Justice Programme) in the next programming period. It must be underlined that the recommendations both general and specific that are discussed in this paper can be fully implemented under the new legal framework.

As regards the former Title VI Programmes, the ex post evaluation was centred on the last 2 years of implementation – 2001 and 2002. The evaluation exercise therefore focused on STOP II, Oisin II and Grotius II, which are the so-called second generation of Programmes, as well as in Hippokrates (2001/2002) and Falcone (2001/2002).

In the case of the interim evaluation of the AGIS Programme, the analysis focused on the 2 first years of implementation – 2003 and 2004**,** where a majority of grant-aided projects was still ongoing.

In geographical terms, the study covered all the countries that participated in the Programme - Member States (then 15), candidate countries (now the new 10 Member States) and third countries.

The main overall conclusions of the evaluation are as follows:

- the former Title VI programmes as well as the AGIS programme have been useful programmes that have made a very positive contribution to increasing knowledge, understanding and trust among target groups, which are crucial factors for increasing cross-national co-operation in the area, and ultimately to creating an area of justice, freedom and security;
- all programmes have led to the implementation of effective projects that in most cases would not have existed without the financial support of the programmes, or would have existed in a different format, where less focus would have been on the transnational aspects. While most stakeholders recognise the need and the benefits arising from transnational co-operation projects, there are few alternative funding opportunities that allow similar projects to take place;
- the transnational element is strong in most of the projects that have been implemented. It has, however, been more predominant or better integrated under the AGIS programme, as compared to the former Title VI programmes. The main explanation for this could be the strengthened requirements concerning partnerships;
- the programmes have led to the creation and strengthening of many formal and informal networks and this can be said to be one of their main merits. For the former Title VI programmes, it can be concluded that sustainable benefits do arise from these networks and that networks are generally found to be useful beyond the scope and lifetime of projects.
- the programmes were generally not found to be demand driven, in the sense that policy priorities and objectives do not determine the portfolio of projects. Objectives are broad and not clearly prioritised, allowing applicants to claim that most of their ideas match the programme objectives. Rather than being EU demand driven, most projects are thus supply driven, resulting from the specific interest of possible promoters;
- related to the previous point, Member States (programme committees) generally play a limited role in the formulation of specific objectives for annual work programmes, despite a specific AGIS Committee meeting every year being devoted to an examination of the annual work programme. Instead, the role of Member States' representatives in the committees is mainly found to be as advocates for national interests in the selection of particular projects.

The report concludes that the aim of the external evaluation and, even more so, of this paper is to feed into the implementation of the remainder of the AGIS Programme as well as the new programmes after 2006. The proposals from the Commission for new programmes from 2007 are compatible with the conclusions and recommendations of this document, as the former set quite a broad legislative framework and the latter pertain more to the policy use of the programmes and their implementation mechanisms.

As concerns the specific recommendations on implementing mechanisms, there is no doubt that they have to be applied during the next programming period.

Furthermore, the selection criteria for objectives and priority areas for the funding programmes need to be defined and agreed by all involved in the management of the programme. It is clear that founding documents, such as the Hague Programme and Action Plan, provide commonly agreed overall political objectives, which then need to be translated into concrete milestones for programme implementation. It is suggested that this is an iterative process between the Commission and the relevant management structures of the programmes, once views from relevant stakeholders have been collected and integrated.

In conclusion, all-embracing programmes as they currently exist would give way to much more specific ones, with outcomes, results and eventually impacts being more systematically disseminated and monitored.

Police and judicial cooperation in criminal matters: framework programme AGIS for 2003-2007

2001/0262(CNS) - 22/07/2002 - Final act

PURPOSE : to establish a framework programme for police and judicial cooperation in criminal matters (AGIS). COMMUNITY MEASURE : Council Decision 2002/630/JHA establishing a framework programme on police and judicial cooperation in criminal matters (AGIS). CONTENT : the Council adopted a Decision establishing a framework programme for police and judicial cooperation in criminal matters (AGIS). The AGIS Programme is established for the period from 1 January 2003 to 31 December 2007, with a total amount for the whole period of EUR 65 million. The programme will support projects in the following areas: a) judicial cooperation in general and criminal matters, including training; b) cooperation between law enforcement authorities; c) cooperation between law enforcement authorities or other public or private organisations in the Member States involved in preventing and fighting crime, organised or otherwise; and d) cooperation between Member States to achieve effective protection of the interests of victims in criminal proceedings. This Decision establishes a framework programme for police and judicial cooperation in criminal matters in the context of the area of freedom, security and justice. The programme is established for the period from 1 January 2003 to31 December 2007 and may be extended beyond the latter date. The programme shall contribute to the general objective of providing European Union citizens with a high level of protection in an area of freedom, security and justice. In this context, it aims, in particular, to: a) develop, implement and evaluate European policies in this field; b) promote and strengthen networking, mutual cooperation on general subjects of common interest to the Member States, the exchange and dissemination of information, experience and best practice, local and regional cooperation, and the improvement and adaptation of training and technical and scientific research; c) encourage Member States to step up cooperation with the applicant countries, other third countries and appropriate regional and international organisations. The programme shall support projects in the following areas relating to Title VI of the Treaty on European Union: a) judicial cooperation in general and criminal matters including training; b) cooperation between law enforcement authorities; c) cooperation between law enforcement authorities or other public or private organisations in the Member States involved in preventing and fighting crime, organised or otherwise; d) cooperation between Member States to achieve effective protection of the interests of victims in criminal proceedings. The programme shall co-finance projects of a maximum duration of two years presented by public or private institutions and bodies, including professional organisations, non-governmental organisations, associations, organisations representing business, research and basic and further training institutes. To be eligible for co-financing, the projects must involve partners in at least three Member States, or two Member States and one applicant country. The applicant countries mayparticipate in the projects in order to familiarise themselves with the acquis in this area and help them to prepare for the accession. Other third countries may also participate when this serves the aims of the projects. The programme shall be directed at the following target groups: a) legal practitioners: judges, public prosecutors, lawyers, law officials, criminal investigation officers, bailiffs, experts, court interpreters and other professionals associated with the judiciary; b) law-enforcement officials and officers: public bodies in Member States which are responsible under national law for preventing, detecting and combating criminal offences; c) officials in other government departments and representatives of associations, professional organisations, research and business involved in fighting and preventing crime, organised or otherwise; d) representatives of victim assistance services, including public departments responsible for immigration and social services. The Commission shall be assisted by a committee composed of the representatives of the Member States and chaired by the representative of the Commission. The Commission shall regularly monitor the programme. It shall inform the European Parliament of the work programme adopted and the list of projects co-financed and shall present to the European Parliament and the Council: a) an annual report on the implementation of the programme. The first report shall be submitted by 30 June 2004; b) an interim evaluation of the implementation of the programme by 30 June 2005; c) a communication on the continuation of the programme, if necessary accompanied by an appropriate proposal, by 30 September 2006; d) a final evaluation of the entire programme by 30 June 2008. ENTRY INTO FORCE : 1 August 2002.

Police and judicial cooperation in criminal matters: framework programme AGIS for 2003-2007

2001/0262(CNS) - 19/04/2005 - Follow-up document

PURPOSE: to present the first annual report (2003) on the implementation of the AGIS programme.

CONTENT: this document constitutes the first annual report on the implementation of the programme that aims to promote police and judicial cooperation in criminal matters. The high number of proposals received shows clearly the interest that the programme has among its potential beneficiaries. The demand was indeed much greater than the budget available.

The report reveals that the two most important fields of intervention are: a) the cooperation between law enforcement authorities (36.1% of the number of projects received and 48.2% of those co-financed)

and b) crime prevention together with the fight of specific forms of crime (43.5% and 37.5%, respectively).

Moreover, it highlights that conferences and seminars are by far the most important type of action and they account for almost half (46.4%) of the total number of projects co-financed. With 26.8%, the second most relevant group concerns research, studies and the establishment of networks. Training and exchange programmes, which are by nature more difficult to implement than the above mentioned actions, contribute to a fifth (20.5%) of the number of projects co-financed.

Furthermore, a high proportion of the applications received presented administrative and/or substantive failings by comparison with the requirements set out in the call. The decision was then taken, in the interests of equality amongst all candidates and recognising that this first year of the programme was a 'learning period' for candidates, to examine all proposals which presented similar failings.

As 2003 was the first year of implementation of the AGIS Programme, it can be considered as an experimental year in the sense that certain procedures were subsequently improved and subject to clarification.

Despite the difficulties encountered, the AGIS Programme fulfilled its role in 2003 of providing financial resources to meet the Member States' needs in terms of the full implementation of the legal instruments proposed and adopted by the EU (European Arrest Warrant, legislation against the terrorism, victim's assistance, trafficking of human beings, etc.), as well as the instrument that enhances and encourages transnational actions of national organizations in a European perspective.

Lastly, given that the new financial perspectives will apply in 2007, the Commission has proposed that the AGIS programme be replaced from 2007 by the new Framework Programme on Security and Safeguarding Liberties (Please refer to procedure reference 2005/0035(CNS)).

Police and judicial cooperation in criminal matters: framework programme AGIS for 2003-2007

2001/0262(CNS) - 15/12/2005 - Follow-up document

This is the Commission's second Annual Report on the implementation of the AGIS programme and covers the year 2004. To recall, the AGIS programme, adopted in 2002, brings together, under one legislative act, a number of disparate, though related Community judicial co-operation programmes.

The AGIS programme has a total budget of EUR 77 million covering the period 2003-2007. For the new financial perspective running from 2007-2013 the Commission has proposed that the AGIS programme be replaced by a new *"Framework Programme on Security and Safeguarding Liberties"*. For a summary of this proposal see CNS/2005/0035.

The total AGIS budget for 2004 was EUR 15 270 000. Of this amount EUR 14 470 000 was dedicated to project grants, EUR 400 000 for operating grants and EUR 400 000 for evaluation reports. The Commission received a total of 217 proposals of which only one was for an operating grant (later rejected). Of the 217 proposals received the Commission adopted 112 projects. A complete list and description of the projects can be found in Annex to the Annual Report. Projects funded include, for example, an *International Conference on Fighting Outlaw Motorcycle Gangs in the Baltic Sea Area*, the purpose of which was to exchange information and experience in the fight against this form of criminality and a UK led *European Healthcare Fraud and Corruption Conference*.

The Annual Report for 2004 makes the following overall findings:

- The amount co-financed by the Commission was down slightly in 2004 compared to 2003 – from EUR 3.53 million in 2003 to EUR 3.37 million in 2004.
- The total amount of funding requested was also down marginally – a negligible EUR 6000 per project.
- The amount awarded to research and studies increased significantly from EUR 3.16 million to EUR 7.22 million.
- The amount awarded to training also increased significantly – from EUR 1.99 million to EUR 3.09 million.
- The average cost per project increased by 65%. The average cost per project in 2004 was EUR 128 000 compared to an average cost of EUR 83 000 per project in 2003.
- 95.7% of the total 2004 budget was committed. In total the Commission approved funding totalling EUR 13 843 255.48 million (out of the EUR 14 470 000 million allocated for project grants)

The rise in the average cost per project the Commission attributes to an increase in the number of research studies as opposed to the number of conferences and seminars funded. The Commission is also pleased that 95.7% of the budget for 2004 was committed – all the more so given that there was a strict respect of the formal criteria of eligibility. Indeed a number of proposals were not accepted on the grounds that they were not eligible (including the only proposal submitted for an operating grant). Were the Commission to include the funding given to an outside contractor for an evaluation report the Commission's execution rate of the AGIS funding would amount to 98.1% of the total.

Police and judicial cooperation in criminal matters: framework programme AGIS for 2003-2007

2001/0262(CNS) - 21/11/2006 - Follow-up document

PURPOSE: to present the third annual report (2005) on the implementation of the AGIS programme.

CONTENT: this annual report highlights the following:

- Compared to 2004, there was a reduction of the co-financing of conferences and seminars (from EUR 3.38 to EUR 2.35 million), as well as of training, (from EUR 3.09 to EUR 2.61 million) and a small increase of the amounts awarded to research and studies (from EUR 7.23 to EUR 7.40 million).

- The total amount requested, i.e. the demand, decreased from EUR 30.31 million, in 2004, to EUR 24.24 million in 2005.

As for the **beneficiaries**, some aspects are worth underlining. The weight of National Authorities increased, in terms of the number of projects co-financed, from 49.1%, in 2004, to 51.7 %, in 2005, and from 37.1%, in 2004, to 43.9%, in 2005, in terms of the awarded grants.

In 2005, the average subvention amounted to approx. **EUR 117.000** per project (EUR 13.3 million/114 projects), which represents **a decrease of 9.4%** from the average of EUR 128.000 (EUR 13.8 million/108).

From the total amount of appropriations of 2005 – EUR 15.745.000 million – the total amount committed added up to EUR 13.334.545.12 million, a **high rate of execution of 84.7%**.