Basic information

2003/0250(COD) COD - Ordinary legislative procedure (ex-codecision procedure) Regulation	Procedure completed
Developing and consolidating democracy and the rule of law, respecting human rights and fundamental freedoms: requirements for the implementation of development cooperation operations Amending Regulation (EC) No 975/1999 1997/0191A(SYN) **Subject** 6.10.08 Fundamental freedoms, human rights, democracy in general 6.30 Development cooperation	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
DEVE Development and Cooperation	FERNÁNDEZ MARTÍN Fernando (PPE-DE)	09/07/2003

Committee for opinion	Rapporteur for opinion	Appointed
AFET Foreign Affairs, Human Rights, Common Security, Defense (Associated committee)	MCMILLAN-SCOTT Edward (PPE-DE)	08/07/2003
BUDG Budgets	DELL'ALBA Gianfranco (NI)	26/11/2003

Council of the European Union

Council configuration	Meetings	Date
Justice and Home Affairs (JHA)	2626	2004-12-02
Agriculture and Fisheries	2592	2004-06-21

European Commission

Commission DG	Commissioner
External Relations	

Key events

Date	Event	Reference	Summary
28/10/2003	Legislative proposal published	COM(2003)0639	Summary

05/11/2003	Committee referral announced in Parliament, 1st reading		
19/04/2004	Vote in committee, 1st reading		
19/04/2004	Committee report tabled for plenary, 1st reading	A5-0279/2004	
21/04/2004	Debate in Parliament		
22/04/2004	Decision by Parliament, 1st reading	T5-0360/2004	Summary
02/12/2004	Act adopted by Council after Parliament's 1st reading		
15/12/2004	Final act signed		
15/12/2004	End of procedure in Parliament		
31/12/2004	Final act published in Official Journal		

Technical information

Procedure reference	2003/0250(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Regulation
Amendments and repeals	Amending Regulation (EC) No 975/1999 1997/0191A(SYN)
Legal basis	EC Treaty (after Amsterdam) EC 179-p1 EC Treaty (after Amsterdam) EC 181A-p2 Rules of Procedure EP 57_o
Stage reached in procedure	Procedure completed
Committee dossier	DEVE/5/20858

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee report tabled for plenary, 1st reading/single reading		A5-0279/2004	19/04/2004	
Text adopted by Parliament, 1st reading/single reading		T5-0360/2004 OJ C 104 30.04.2004, p. 0744-0953 E	22/04/2004	Summary

European Commission

Document type	Reference	Date	Summary
Document attached to the procedure	COM(2003)0294	21/05/2003	Summary
Legislative proposal	COM(2003)0639	28/10/2003	Summary
Document attached to the procedure	SEC(2003)1170	28/10/2003	

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

Final act	
Regulation 2004/2240 OJ L 390 31.12.2004, p. 0003-0005	Summary

Developing and consolidating democracy and the rule of law, respecting human rights and fundamental freedoms: requirements for the implementation of development cooperation operations

2003/0250(COD) - 28/10/2003 - Legislative proposal

PURPOSE : to amend Regulation 975/1999/EC and Regulation 976/1999/EC on he implementation of development co-operation operations which contribute to the general objective of developing and consolidating democracy and the rule of law and to that of respecting human rights and fundamental freedoms PROPOSED ACT : Regulation of the European Parliament and of the Council. CONTENT : Operations within the framework of the European Initiative for Democracy and Human Rights (EIDHR) focus on four thematic priorities: - support to strengthen democratisation, good governance and the rule of law; - activities in support of the abolition of the death penalty; - support for the fight against torture and impunity and for international tribunals and the International Criminal Court, and - combating racism and xenophobia, and discrimination against minorities and indigenous peoples. The EIDHR support concentrates on a limited number of identified "focus countries", while also supporting global and regional projects, election observation and assistance in selected third countries. These two Council Regulations have proved to be adequate legal instruments for the implementation of the Community's technical and financial support for human rights and democratisation activities in developing and other third countries in pursuit of the overall objectives in this field. The period of validity of those Regulations, however, expires on 31 December 2004. It is, therefore, necessary to extend that period. In addition, an extended financial framework should be included in the Regulations for the extended duration of the programme. The provisions of Regulation 975/1999/EC and Regulation 976/1999/EC on procedures for the implementation of aid will be aligned with the legal requirements of Council Regulation 1605/2002/EC on the Financial Regulation in the implementation of EU Election Observation Missions. Implementing powers need to be conferred on the Commission. The financial reference amount for the implementation of Regulation 975/1999/EC during the period 2005 to 2006 is EUR 134 million. The financial reference amount for the implementation of Regulation 976 /1999/EC during the period 2005 to 2006 is EUR 78 million. FINANCIAL IMPLICATIONS : - Budget Headings: -19.04.03 (ex B7-7010) "Development and consolidation of Democracy and the rule of law - Respect for human rights and fundamental freedoms"; -19.04.04 (ex B7-702) "Support for the activities of international criminal tribunals and the International Criminal Court"; -19.01.04.11 (ex B7-7010A) "Development and consolidation of Democracy and the rule of law - respect for human rights and fundamental freedoms - Expenditure on administrative management" - Calculation of total cost: The total cost of the operation for the period of extension of the two Regulations is the sum of the budget headings involved for 2005 and 2006. On the basis of the amounts available each year, the relevant Commission servicescarry out the annual commitments for operations in developing and other third countries taking into account the multiannual programming of interventions and the annual programming updates. - Total commitment appropriations: EUR 198 million. - Total operational expenditure for studies, experts: EUR 14 million. - Number of permanent posts: 8.5 in DG Relex and 31 in Europeaid - Number of temporary posts: 3.5 in DG Relex and 91 in Europeaid - Overall financial impact of human resources: EUR 1,095,192 in DG Relex and EUR 11,049,936 in Europeaid. - Other administrative expenditure (missions, meetings etc.): EUR 295,000 in DG Relex and EUR 570,000 in Europeaid.

Developing and consolidating democracy and the rule of law, respecting human rights and fundamental freedoms: requirements for the implementation of development cooperation operations

2003/0250(COD) - 21/05/2003 - Document attached to the procedure

PURPOSE : to promote respect for Human Rights and democracy in the Mediterranean. CONTENT : this Communication, to be presented to the EU Mediterranean partners at the Euro-Med Ministerial Conference of May 26-27 in Crete, sets out working guidelines to promote Human Rights and fundamental freedoms in co-operation with the Mediterranean partners. The Communication fits within the Action Plan agreed by all participants at the Valencia Euro-Med Ministerial meeting on 22-23 April 2002, in which the parties committed to reinforce efforts in this vital area. The Communication is

also consistent with the recently laid out new EU neighbourhood policy ("Wider Europe" - refer to INI/2003/2018). The Communication outlines ways to maximise the effectiveness of the instruments at the disposal of the EU and its Mediterranean partners with a view to the implementation of their common goal of promoting and protecting universal human rights and fundamental freedoms. It proposes ten concrete recommendations to improve the dialogue between the EU and its Mediterranean partners, as well as EU financial co-operation on Human Rights issues. - a deeper and more operational focus for political dialogue on Human Rights and democratisation at all levels with MEDA partners; - upgrading of shared knowledge and expertise on Human Rights and democratisation issues in the region; - better coordination between Commission Delegations and Member States' Embassies on Human Rights and democratisation issues and related cooperation; - regular contacts between Commission Delegations and civil society, in close coordination with EU Member States' Embassies; - the development of MEDA National Action Plans on Human Rights and democracy with those partners willing to engage in such an exercise; - the establishment of Regional Action Plans on Human Rights and democracy issues with MEDA partners willing to develop further cooperation on concrete issues; - Increased attention to Human Rights and democratisation issues in the Commission's Country Strategy Papers and greater account taken of progress made in these areas in the National Indicative Programmes, including through a special additional facility; - improved focus on Human Rights and democratisation issues in the Commission's Regional Strategy and Regional Indicative Programme; - enhanced complementarity between the MEDA programme and the European Initiative for Democracy and Human Rights; - enhanced efforts at all levels in the area of improvement of electoral frameworks. Their implementation will be enhanced by three levels of complementarity between: 1) the political dialogue and financial assistance; 2) the MEDA programme and assistance under the European Initiative for Democracy and Human Rights (EIDH); 3) the national and regional dimensions.

Developing and consolidating democracy and the rule of law, respecting human rights and fundamental freedoms: requirements for the implementation of development cooperation operations

2003/0250(COD) - 15/12/2004 - Final act

PURPOSE : to extend the period of validity of Council Regulation 975/1999/EC.

LEGISLATIVE ACT : Regulation 2240/2004/EC of the European Parliament and of the Council amending Council Regulation 975/1999/EC laying down the requirements for the implementation of development cooperation operations which contribute to the general objective of developing and consolidating democracy and the rule of law and to that of respecting human rights and fundamental freedoms.

CONTENT : Regulation 975/1999/EC has proved to be an adequate legal instrument for the implementation of the Community's technical and financial support for human rights and democratisation activities in developing and other third countries in pursuit of the overall objectives in this field. The period of validity of that Regulation, however, expires on 31 December 2004. This Regulation extends that period until 31/12/2006.

Furthermore:

- The financial framework for the implementation of this Regulation for the period from 1 January 2005 to 31 December 2006 is set at EUR 134 million;

- The provisions of Regulation 975/1999/EC on procedures for the implementation of aid are

aligned with the legal requirements of Council Regulation 1605/2002/EC on the Financial Regulation applicable to the general budget of the European Communities in the implementation of EU Election Observation Missions;

- The protection of the Community's financial interests and the fight against fraud and irregularities form an integral part of Regulation 975/1999. In particular, agreements and contracts concluded pursuant to that Regulation now authorise the Commission to carry out the measures provided for in Council Regulation 2185/96/EC concerning on-the-spot checks and inspections carried out by the Commission in order to protect the European Communities' financial interests.

This Regulation is closely linked to the amendment of Regulation 976/1999/EC (please see procedure CNS/2004/0807).

ENTRY INTO FORCE : 1 January 2005.

Developing and consolidating democracy and the rule of law, respecting human rights and fundamental freedoms: requirements for the implementation of development cooperation operations

2003/0250(COD) - 22/04/2004 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted a non-binding resolution from Fernando FERNANDEZ MARTIN (EPP-ED, E) on operations for developing and sustaining democracy and the rule of law and respect for human rights. Such operations are financed from the European Initiative for Democracy and Human Rights, under a budget line created by Parliament in 1994. This is the only programme which the agreement of the national authorities in the country where the activity takes place is not required, which makes it highly politically sensitive. The present proposal extends the existing regulation (adopted in 1999) for a further two years and makes a number of changes required by the new Financial Regulation adopted in 2002. New aspects include better information for Parliament on the work of the committee which implements the regulation. Parliament adopted amendments to clarify the list of eligible partners for funding. As well as governmental and non-governmental organisations, individuals will be able to obtain community funding

for observing elections or taking part in a trial. Parliament also wants to be informed regularly and in detail of the programmes set up by the Commission and their implementation. More specifically, the Parliament has included the following amendments: - in the case of EU election observation missions and 'amicus curiae' proceedings natural persons are eligible for financing under this Regulation; - the following point is inserted into Article 2 of Regulation 975/1999/EC "supporting efforts to foster the establishment of groupings of democratic countries within United Nations bodies, specialised agencies and regional organisations"; - the Commission shall produce an annual report setting out programming for the coming year by region and by sector, and shall report back on the implementation to the European Parliament; - the Commission shall be responsible for managing and adapting, in conformity with this Regulation and according to the requirements of flexibility, the annual work programmes that were defined in the overall framework of the multiannual setting. The decisions made shall reflect the priorities and main concerns of the European Union for the consolidation of democracy, the rule of law and respect for human rights, and be determined by the unique nature of the programmes. The Commission shall keep the European Parliament fully informed of the proceedings.