

Basic information

2005/0037A(COD)

COD - Ordinary legislative procedure (ex-codecision procedure)
Decision

General programme "Fundamental Rights and Justice": specific programme "Fight against violence" - Daphne III Programme 2007-2013

See also [2015/2827\(RSP\)](#)

Subject







4.10.03 Child protection, children's rights
4.10.09 Women condition and rights
7.30.30.02 Action to combat violence, trafficking in human beings and migrant smuggling

Procedure completed

Key players

European Parliament	Committee responsible		Rapporteur	Appointed
	FEMM Women's Rights and Gender Equality		GRÖNER Lissy (PSE)	20/03/2007
	Former committee responsible		Former rapporteur	Appointed
	FEMM Women's Rights and Gender Equality		GRÖNER Lissy (PSE)	24/11/2005
	Former committee for opinion		Former rapporteur for opinion	Appointed
	BUDG Budgets		The committee decided not to give an opinion.	
	LIBE Civil Liberties, Justice and Home Affairs		ANGELILLI Roberta (UEN)	23/01/2006
Council of the European Union	Council configuration		Meetings	Date
	General Affairs		2788	2007-03-05
	Employment, Social Policy, Health and Consumer Affairs		2767	2006-11-30
European Commission	Commission DG		Commissioner	
	Justice and Consumers		FRATTINI Franco	

Key events

Date	Event	Reference	Summary
06/04/2005	Initial legislative proposal published	COM(2005)0122 	Summary
30/11/2005	Committee referral announced in Parliament, 1st reading		
15/05/2006	Vote in committee, 1st reading		Summary
19/05/2006	Committee report tabled for plenary, 1st reading	A6-0193/2006	
24/05/2006	Legislative proposal published	COM(2006)0230 	Summary
05/09/2006	Decision by Parliament, 1st reading	T6-0333/2006	Summary
05/09/2006	Results of vote in Parliament		
05/09/2006	Debate in Parliament		
05/03/2007	Council position published	16367/1/2006	Summary
15/03/2007	Committee referral announced in Parliament, 2nd reading		
12/04/2007	Vote in committee, 2nd reading		Summary
18/04/2007	Committee recommendation tabled for plenary, 2nd reading	A6-0147/2007	
21/05/2007	Debate in Parliament		
22/05/2007	Decision by Parliament, 2nd reading	T6-0188/2007	Summary
22/05/2007	Results of vote in Parliament		
20/06/2007	Final act signed		
20/06/2007	End of procedure in Parliament		
03/07/2007	Final act published in Official Journal		

Technical information

Procedure reference	2005/0037A(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Decision
Amendments and repeals	See also 2015/2827(RSP)
Legal basis	EC Treaty (after Amsterdam) EC 152
Stage reached in procedure	Procedure completed
Committee dossier	FEMM/6/47096

Documentation gateway








European Parliament

Document type	Committee	Reference	Date	Summary
Committee draft report		PE372.097	06/04/2006	
Committee opinion	LIBE	PE370.115	20/04/2006	
Amendments tabled in committee		PE372.207	26/04/2006	
Committee report tabled for plenary, 1st reading/single reading		A6-0193/2006	19/05/2006	
Text adopted by Parliament, 1st reading/single reading		T6-0333/2006	05/09/2006	Summary
Committee draft report		PE386.559	21/03/2007	
Committee recommendation tabled for plenary, 2nd reading		A6-0147/2007	18/04/2007	
Text adopted by Parliament, 2nd reading		T6-0188/2007	22/05/2007	Summary

Council of the EU

Document type	Reference	Date	Summary
Council statement on its position	06483/2007	27/02/2007	
Council position	16367/1/2006	05/03/2007	Summary
Draft final act	03626/2007	20/06/2007	

European Commission

Document type	Reference	Date	Summary
Initial legislative proposal	COM(2005)0122 	06/04/2005	Summary
Document attached to the procedure	SEC(2005)0434 	06/04/2005	Summary
Legislative proposal	COM(2006)0230 	24/05/2006	Summary
Document attached to the procedure	COM(2006)0239 	24/05/2006	Summary
Commission response to text adopted in plenary	SP(2006)4772	19/10/2006	
Commission communication on Council's position	COM(2007)0102 	12/03/2007	Summary
Follow-up document	COM(2011)0254 	11/05/2011	Summary
Follow-up document	COM(2017)0055 	06/02/2017	Summary

Other institutions and bodies

Institution/body	Document type	Reference	Date	Summary
EESC	Economic and Social Committee: opinion, report	CES0032/2006 OJ C 069 21.03.2006, p. 0001-0005	19/01/2006	

Additional information

Source	Document	Date
National parliaments	IPEX	
European Commission	EUR-Lex	

Final act

[Decision 2007/0779](#)
[OJ L 173 03.07.2007, p. 0019](#)

[Summary](#)

General programme "Fundamental Rights and Justice": specific programme "Fight against violence" - Daphne III Programme 2007-2013

2005/0037A(COD) - 20/06/2007 - Final act

PURPOSE: in the context of the framework programme on "Fundamental Rights and Justice" 2007-2013, to establish a specific programme to combat violence against children, young people and women and to protect victims and groups at risk (Daphne III programme).

LEGISLATIVE ACT: Decision No 779/2007/EC of the European Parliament and of the Council establishing for the period 2007-2013 a specific programme to prevent and combat violence against children, young people and women and to protect victims and groups at risk (Daphne III programme) as part of the General Programme "Fundamental Rights and Justice".

BACKGROUND: the framework programmes in the area of Justice, Freedom and Security, under the [new Financial Perspectives 2007-2013](#) have been established to provide coherent support to an area of freedom, security and justice under the financial perspectives 2007 - 2013. The three key objectives of freedom, security and justice are to be developed in parallel and to the same degree of intensity, thus allowing for a balanced approach, based on the principles of democracy, respect for fundamental rights and freedoms and the rule of law. Each of the three key objectives is supported by a Framework programme underpinning and linking each policy area. This structure represents a major simplification and rationalisation of existing financial support.

The three framework programmes are:

- 1) "Fundamental rights and Justice" which includes 5 specific measures: i) "[Fundamental rights and citizenship](#)"; ii) "[Civil justice](#)". iii) "[Criminal justice](#)"; iv) "[Daphne III](#)"; v) "[Drugs prevention and information](#)";
- 2) "Security and safeguarding Liberties" comprising of 2 specific programmes : i) the programme on [prevention of terrorism](#); ii) the specific programme on the "[Prevention and the fight against crime](#)";
- 3) "Solidarity and Management of Migration Flows" includes 4 specific funds: i) [the European Fund for the Integration of Third-country nationals](#) ; ii) [External Borders Fund](#); iii) [Refugee Fund](#); iv) [Return Fund](#).

Each of these framework programmes have been given an overall financial envelope covering the 2007-2013 period which will be broken between each specific programme, except for the Funds which have individual budgets.

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.

It should be noted that initially the Commission had presented the "Daphne" and "Drugs prevention and information" together. However, at the request of the European Parliament the two programmes were split so as to clarify the objectives and the implementing measures.

CONTENT: building on the policies and objectives laid down in the Daphne and Daphne II programmes, this Decision establishes the Daphne III programme as referred to above, as part of the general programme "Fundamental Rights and Justice". The programme covers the period from 1 January 2007 to 31 December 2013. It should be noted that for the purposes of the programme, the term "children" covers an age range of 0-18 years, in accordance with international instruments concerning the rights of the child. However, projects with actions particularly designed for beneficiary groups such as, for example, "teenagers" (13 to 19 years old) or people from 12 to 25 years old, will be considered as targeting the category of "young people".

General objectives: the aim of the programme is to contribute to the protection of children, young people and women against all forms of violence and to attain a high level of health protection, well-being and social cohesion. The general objectives of the programme must contribute, to the development of Community policies, and more specifically to those related to public health, human rights and gender equality, as well as to actions aimed at protection of children's rights, and the fight against trafficking in human beings and sexual exploitation.

Specific objective: this involves contributing to the prevention of, and the fight against, all forms of violence occurring in the public or the private domain against children, young people and women, including sexual exploitation and trafficking in human beings, by taking preventive measures and by providing support for victims and groups at risk. This will be achieved by means of the following transnational actions, or other types of actions as referred to in the Decision:

- assisting non-governmental organisations (NGOs) and other organisations active in this field;
- developing awareness-raising actions targeting specific audiences, such as specific professions, competent authorities, identified sectors of the general public and groups at risk, with a view both to promoting the adoption of zero tolerance towards violence, and to encouraging support for victims and the reporting of incidences of violence;
- disseminating the results obtained under the Daphne and Daphne II programmes;
- enhancing actions contributing to positive treatment of people at risk of violence, following an approach that encourages respect and promotes their well-being and self-fulfilment;
- setting up multidisciplinary networks with a view to strengthening cooperation between NGOs and other organisations active in this field;
- ensuring the expansion of evidence-based information and the knowledge base, the exchange, identification and dissemination of information and good practice, including through research, training, study visits and staff exchange;
- designing and testing awareness-raising and educational materials regarding the prevention of violence against children, young people and women, and supplementing and adapting those already available for use in other geographical areas or for other target groups;
- studying phenomena related to violence and its impact, both on victims and on society as a whole, including the health-care, social and economic costs, in order to address the root causes of violence at all levels of society;
- developing support programmes for victims and people at risk and intervention programmes for perpetrators, whilst ensuring the safety of victims.

Types of actions: these include the following:

- specific actions taken by the Commission, such as studies and research, opinion polls and surveys, development of indicators and methodologies, collection, development and dissemination of data and statistics, seminars, conferences and experts meetings, organisation of public campaigns and events, development and maintenance of a helpdesk service and websites, preparation and dissemination of information materials (including IT applications and training resources), establishment and facilitation of a stakeholder think-tank providing expert advice related to violence, support to other networks of national experts, and analytical, monitoring and evaluation activities;
- specific transnational projects involving at least two Member States under the conditions set out in the annual work programmes;
- support to the activities of NGOs or other organisations, under the conditions set out in the annual work programmes.

Funding: the financial envelope for the implementation of the Decision is set at **EUR 116.85 million** for the period 1 January 2007 to 31 December 2013. Community funding may take the form of grants, or public procurement contracts.

Access to the programme is open to private or public organisations and institutions (local authorities at the appropriate level, university departments and research centres) working to prevent and combat violence against children, young people and women or to provide support for victims or to implement targeted actions to promote rejection of such violence or to encourage attitude and behaviour change towards vulnerable groups and victims of violence

Evaluation: the Commission must ensure the regular, independent, external evaluation of the programme, and submit the following to the European Parliament and the Council:

- an interim evaluation report on the results obtained and the qualitative and quantitative aspects of the implementation of the programme not later than 31 March 2011 accompanied by a list of the projects and measures financed;
- a communication on the continuation of the programme not later than 31 May 2012;
- an ex-post evaluation report, on the implementation and results of the programme not later than 31 December 2014.

ENTRY INTO FORCE : 04/07/2007

General programme "Fundamental Rights and Justice": specific programme "Fight against violence" - Daphne III Programme 2007-2013

2005/0037A(COD) - 30/11/2006

The Council reached political agreement with a view to the adoption of a common position on the Decision establishing for the period 2007-2013 the specific programme "Fight against violence (Daphne)" as part of the general programme "Fundamental rights and justice".

The agreed text is the result of informal negotiations with the European Parliament.

The specific aim of the programme is to prevent and combat all forms of violence occurring in the public and private domain against children, young people and women, including sexual exploitation and trafficking in human beings, by taking preventive measures and by providing support and protection for victims and groups at risk.

This should be achieved by means, inter alia, of the following steps:

- assisting and encouraging NGOs and other organisations active in this field;
- developing and implementing awareness-raising measures targeting specific audiences;
- disseminating and making use of the results achieved under the two previous Daphne programmes;
- identifying and enhancing measures contributing to positive treatment of people at risk of violence, following an approach that encourages respect for them and promotes their well-being and self-fulfilment;
- designing and testing awareness-raising and educational materials regarding the prevention of violence against children, young people and women;
- studying phenomena related to violence and its impact, both on victims and on society as a whole, including the healthcare, social and economic costs, in order to address the root causes of violence at all levels of society;
- developing and implementing support programmes for victims and people at risk and intervention programmes for perpetrators, whilst ensuring the safety of victims;
- specific measures taken by the Commission;
- specific transnational projects of Community interest involving at least two Member States under the conditions set out in the annual work programmes.

Community financing may take two legal forms: grants and public procurement contracts.

Access to this programme will be open to public or private organisations and institutions (local authorities at the appropriate level, university departments and research centres) working to prevent and combat violence. It will also be open to participants from various third countries such as the candidate countries, the Western Balkans and the EFTA countries.

This specific programme is complemented by other specific programmes under the general programme "Fundamental Rights and Justice", in particular the specific programme "Fundamental Rights and Citizenship", as well as the general programmes "Security and Safeguarding Liberties" and "Solidarity and Management of Migration Flows".

The Council agreed to a budget of **EUR 116,85 million** for the period 2007-2013, as proposed by the Commission for Daphne III.

General programme "Fundamental Rights and Justice": specific programme "Fight against violence" - Daphne III Programme 2007-2013

2005/0037A(COD) - 05/09/2006 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted a resolution drafted by Lissy **Gröner** (PES, DE) by 552 votes in favour to 51 against with 64 abstentions, and called for an increase in financing for the Daphne (III) Programme aimed at combating violence against children, young people and women. Parliament inserted a budget of EUR 125 million for the 2007-2013 period as opposed to the EUR 116.85 million proposed by the European Commission.

Other principal amendments include the following:

- Parliament amended the emphasis of this specific programme from preventing violence against victims to specifically dealing with violence against children, young people and women, and assisting victims, both at national and European level and in third countries.
- Parliament inserted further definitions: for the purposes of the programme, the term "children" covers an age range of 0-18 years, in accordance with international instruments concerning the rights of the child. However, projects with actions particularly designed for beneficiary groups such as, for example, "teenagers" (13 to 19 years old) or people from 12 to 25 years old, shall be considered as targeting the category of so-called "young people".

- Parliament referred to the aims of the programme and made more specific reference to the protection of public health, especially where it concerns children, young people and women, to the fight against domestic violence, the fight against gender-based violence in conflict situations, and the fight against female genital mutilation.

- The programme will establish a think-tank to provide guidelines to the Commission on the social, cultural and political context as regards the selection of projects and complementary actions. The think-tank would be composed of representatives of the European Parliament's competent committee and include representatives of the major NGOs in the field. The programme will also continue to provide a helpdesk service to NGOs and other organisations in order to help them draw up their projects and enter into contact with other partners.

- Daphne (III) should be opened to a wider range of NGOs, for example organisations combating child kidnapping and paedophilia and the European Network of Ombudsmen for Children (ENOC). The European Network of Ombudspersons for Children links independent children's rights institutions in twenty-four Member States of the Council of Europe. Its aims are to encourage the fullest possible implementation of the Convention on the Rights of the Child, to support collective lobbying for children's rights, to share information, approaches and strategies, and to promote the development of effective independent offices for children.

- Parliament inserted additional activities for the programme. These include: to promote the European Year against violence against women; to take measures targeting women who are members of culturally specific communities or ethnic minority groups and the specific forms of violence which these women encounter; to develop and implement actions to reintegrate victims of violence into the labour market and social life; to carry out research into the causes and current situation of trafficking in women and children for the purposes of sexual exploitation, and to carry out effective public awareness campaigns on that subject; support actions specifically designed for groups at risk so as to prevent newborn children being abused, as well as actions specifically designed for groups at risk, for example street children. Parliament also made reference to the particular vulnerability of migrant women.

- The programme will support the setting up of a Europe-wide child helpline, which should take the form of a standard free international number for children.

- An interim evaluation report must be presented by 31 March 2010 (rather than 2011), accompanied by a list of the subsidised projects and measures. A Communication on the continuation of the programme will be presented no later than 31 December 2011 (rather than 2012.)

- Lastly, the Commission shall, together with the Member States, publish annually a list of the projects financed under this programme together with a brief description of each project.

To recall, this initiative forms part of the programme's third phase, Daphne III, after Daphne (2000-2003) and Daphne II (2004-2008). The Commission had initially proposed a single programme, which would also cover the prevention and information on drugs and drug abuse. Parliament required a separate proposal on this specific programme as part of the general programme on "Fundamental Rights and Justice".

General programme "Fundamental Rights and Justice": specific programme "Fight against violence" - Daphne III Programme 2007-2013

2005/0037A(COD) - 12/03/2007 - Commission communication on Council's position

The Commission has agreed to accept the Council's common position, which incorporates the main elements of its original proposal as well as amendments proposed by the European Parliament. To recall, discussions between the European Parliament, the Council and the Commission produced a compromise text which then served as the basis for the Council's Common Position.

The main differences between the original initial proposal and the new text are as follows:

- A split between "Daphne III" on the one hand and "Drugs prevention and information" programmes, on the other. For the sake of greater clarity the general and specific objectives of the programme have been redrafted.
- Specific programmes will be eligible for financing if it involves at least two Member States (rather than three, as was originally proposed by the Commission).
- The deletion of a specific reference to the "European Federation for Missing and Sexually Exploited Children".
- The adoption of a double committee principle for implementing measures. Thus, the management committee will be used for the adoption of the annual work programme and the "advisory" committee for all other questions.

On a final point, the European Parliament and Council statement called on the Commission to consider a possible initiative for a European year against violence against children, adolescents and women.

General programme "Fundamental Rights and Justice": specific programme "Fight against violence" - Daphne III Programme 2007-2013

2005/0037A(COD) - 24/05/2006 - Legislative proposal

On 6 April 2005, the Commission published a draft European Parliament and Council decision establishing, for the period 2007-2013, the specific programme: "Fight against violence (Daphne), and drugs prevention and information". This specific programme is part of the framework programme "Fundamental rights and justice".

The planned allocation for the whole period is EUR 138.2 million (EUR 134.4 million for operational expenditure and EUR 2.8 million for administrative expenditure).

Following the inter-institutional agreement on the financial framework 2007-2013, signed on 17 May 2006, the Commission plans to adopt, on the 24th of May, amended proposals regarding the new financial instruments in the field of justice, security and freedom. The amended legislative acts proposed by the Commission are consistent with the annual expenditure ceilings agreed in the new financial framework (**please refer to the financial statement for details of the new expenditure ceilings**).

The European Parliament, in particular, and also the European Economic and Social Committee requested the splitting of the two actions. This is a position which appears to be shared by the Council.

The Commission previously presented the "Daphne" and "Drugs prevention and information" under a common programme for the following reasons:

- § the need to rationalise and simplify the financial instruments in the field of justice, freedom and security by reducing their number and increasing their efficiency;
- § acts of violence and drug addiction have strong links to public health in all Member States;
- § there is a common legal basis (Article 152 of the TEC concerning EU health policy).

The presentation of the actions concerning "Daphne" and "Drugs prevention and information" together under one single programme has been criticized out of the concern that the Daphne programme, whose importance in fighting violence against women and children should be stressed, might lose visibility, if combined with measures related to drug addiction, under a single instrument. Additionally, splitting the two actions will facilitate a quick decision making process.

This change is taking place with no modifications to content, whether the legal basis, explanatory memorandum, recitals, or the articles of the proposals for decision.

This split ensures that the two programmes, as well as other financial instruments, are complementary.

Concerning the financial resources, the division of the two programmes implies the following breakdown for the period 2007-2013 (**please refer to the financial statement**):

1. Daphne : EUR 114.4 million (operational expenditure); EUR 2.45 million (administrative expenditure);
2. Drugs prevention and Information : EUR 21 million (operational expenditure); EUR 350.000 (administrative expenditure).

General programme "Fundamental Rights and Justice": specific programme "Fight against violence" - Daphne III Programme 2007-2013

2005/0037A(COD) - 05/03/2007 - Council position

Of the 55 amendments tabled by the European Parliament, the Council took 32 into account. Out of these, the Council accepted seven in full (as did the Commission); accepted 17 amendments in principle or in part; and reached a compromise with the Parliament on 8 other amendments. In total, 19 amendments were not accepted. Further, the Council could not accept amendments 20; 69 and 72 relating to the European Network of Ombudspersons for Children (ENOC). Most of the other changes made by the Council are of a purely technical nature. The other main changes relate to:

- a new reference, in the recitals, to the role that local and regional organisations play in combating the root causes and consequences of violence;
- under the "General Objectives" the Council preferred to focus directly on the question of protecting children, young people and women against all forms of violence rather than mentioning the broader objective of setting an area of freedom, security and justice;
- under the "Specific Objectives" the Council changed the structure of the article, for the sake of clarity, so that there is only one specific objective, followed by a list of the various transnational actions;
- under "types of actions", the Council preferred to revert to the situation in Daphne II where, to be eligible for funding under the programme, transnational projects of Community interest had to involve at least two, rather than three, Member States;
- under "Participation of third countries", the structure has been changed to reflect the formula recently used in a Decision on the European Year of Equal Opportunities;
- under "Beneficiary and target groups" the Council decided to make a distinction between beneficiaries of the programme (children, young people and women who are, or who risk becoming victims of violence) and the main target groups of the programme, such as families, teachers, social workers and non-governmental organisations, etc.

- under "Implementing measures", the amended Decision now stipulates that the annual work programme will establish minimum percentage of annual expenditure to be awarded to grants; that there the "management" comitology procedure for the annual work programme will be used (as was the case in the Daphne II programme) and that for other measures the "advisory" committee procedure will be used;

- in addition, the Council considered it appropriate to insert a reference to the recently adopted Community Programme PROGRESS dealing with Employment and Social Solidarity issues;

- on "Monitoring", the Council decided to replace anti-fraud provisions with standard provisions concerning the protection of the Communities' financial interests and on-the-spot checks and inspections, and provision concerning investigations conducted by the European Anti-Fraud Office.

To conclude, the Council considers that, as a whole, the Common Position is fully in line with the fundamental objectives of the Commission's amended proposal. The Common Position, argues the Council, is a good compromise and in conformity with an agreement reached with the EP in the course of informal negotiations.

General programme "Fundamental Rights and Justice": specific programme "Fight against violence" - Daphne III Programme 2007-2013

2005/0037A(COD) - 24/05/2006

Package of legislative proposals following the Interinstitutional Agreement on budgetary discipline and sound financial management

The conclusion on 17 May 2006 by the Commission, the Council and the European Parliament of the agreement on the 2007-2013 financial framework (Interinstitutional Agreement on budgetary discipline and sound financial management – please refer to procedure ACI/2004/2099) marks a real success for Europe, providing a stable financial framework for the political priorities of the enlarged Union for the next seven years. It is now up to the institutions and Member States to ensure that the financial resources available are used and implemented as well as possible. Action at European level must contribute true added value to that taken at national, regional or local level and must have an optimum impact on each European player. The Commission is ready to play a full role in all these areas.

The agreement marks a decisive step forward towards the ultimate objective of providing the Union with operational programmes by the beginning of 2007. Work must now be continued on each legislative act. To this end, the Commission intends to continue to provide momentum and act as a facilitator, as it has been doing since the start of the negotiations.

As part of the negotiations on the 2007-2013 financial framework, in October 2005 the European Parliament, the Council and the Commission adopted a joint declaration in which they undertook to continue work on the legislative proposals currently being discussed and then, once the interinstitutional agreement had been adopted and on the basis of amended proposals by the Commission, to reach agreement on each of these proposals. Thus, in accordance with Article 250(2) of the EC Treaty and in order to facilitate this phase for each legislative act, the Commission has adopted a total of 30 proposals, 26 of which are amended and 4 new.

The **proposals amended as a result of the IIA** are as follows:

Programmes concerning the external policy of the Union and development cooperation:

- Ø **COD/2004/0219 (European Neighbourhood and Partnership Instrument)**
- Ø **COD/2004/0220 (development co-operation and economic co-operation instrument)**

Solidarity and Management of Migration Flows Programme(JHA):

- Ø **COD/2005/0046 (European Refugee Fund)**
- Ø **COD/2005/0047 (External borders fund, 2007-2013)**
- Ø **COD/2005/0049 (European Return Fund)**

Fundamental Rights and Justice Programme (JHA):

- Ø **COD/2005/0037/A(DAPHNE)**
- Ø **COD/2005/0037/B (drugs prevention and information)**

RDT Framework Programme and specific programmes :

- Ø **COD/2005/0043 (RDT Framework Programme)**
- Ø **CNS/2005/0044(Nuclear Research Programme)**
- Ø **CNS/2005/0184 (Joint Research Centre - JRC)**
- Ø **CNS/2005/0185 (Transnational cooperation specific programme)**

- Ø CNS/2005/0186 (Specific programme Ideas, frontier research)
- Ø CNS/2005/0187(Specific programme supporting researchers)
- Ø CNS/2005/0188 (RDT Capacities specific programme)
- Ø CNS/2005/0189 (specific programme direct actions by the Joint Research Centre JRC)
- Ø CNS/2005/0190 (fusion energy, nuclear fission and radiation protection specific programme)

Employment and social cohesion Programme:COD/2004/0158

- Programmes in the fields of youth and education:
 - Ø COD/2004/0152 (Youth)
 - Ø COD/2004/0153 (Education – lifelong learning)
- Consumer Protection and Public Health Framework programme:
 - Ø COD/2005/0042/A (Public health)
 - Ø COD/2005/0042/B (Consumers)
- Programme in the fields of energy, environment and transport :
 - Ø COD/2004/0218 (LIFE+)
 - Ø COD/2004/0154 (TransEuropean networks in the areas of energy and transport)
 - Ø CNS/2004/0221 (Decommissioning of the Bohunice nuclear plant)
- GALILEO (radio-navigation by satellite): COD/2004/0156

In terms of **new proposals**, the Commission has already submitted three in the area of agriculture and rural development policy and fisheries and aquaculture policy:

- Ø CNS/2006/0081 (fisheries and aquaculture)
- Ø CNS/2006/0082 (rural development)
- Ø CNS/2006/0083 (common agricultural policy).

Certain legislative acts do not form part of this package of measures, in particular those on which political agreement has been reached since 17 May. For these measures, the Commission has played a full part in helping to bring about agreement between the arms of the legislative authority. The same applies to the acts for which conclusion of the interinstitutional agreement does not modify the Commission's original proposal. For all the others, which are included in the package presented, the changes proposed by the Commission take account of the content of the interinstitutional agreement adopted, either in a simplified form, where the financial resources allocated to each programme must be adapted, or in a more detailed form where the structure or even the content of the act must be revised. It should also be noted that four of the amended proposals contain amendments already voted on by the European Parliament at first reading and that one proposal has been divided into two amended proposals in response to a request by the Council and the European Parliament, although Parliament has not yet proceeded to a first reading of this proposal.

Based on these amended proposals, the Commission calls on the European Parliament and the Council to continue their discussions of these proposals and conclude them as soon as possible in order to ensure that all the legal instruments are available in time for the effective launch of the programmes in January 2007.

General programme "Fundamental Rights and Justice": specific programme "Fight against violence" - Daphne III Programme 2007-2013

2005/0037A(COD) - 06/04/2005 - Document attached to the procedure

General programme "Fundamental Rights and Justice": specific programme "Fight against violence" - Daphne III Programme 2007-2013

2005/0037A(COD) - 22/05/2007 - Text adopted by Parliament, 2nd reading

The European Parliament adopted a resolution drafted by Lissy GRÖNER (PES, DE) approving the Council's common position regarding the proposal for a decision establishing the Daphne III programme for the period 2007-2013. (Please see the summary of 12/04/2007).

General programme "Fundamental Rights and Justice": specific programme "Fight against violence" - Daphne III Programme 2007-2013

2005/0037A(COD) - 11/05/2011 - Follow-up document

This report on the interim evaluation of the Daphne III programme aims at providing an insight into the results achieved so far by the programme and the qualitative and quantitative aspects of its implementation. The obligation to submit this evaluation to the European Parliament and the Council is expressed in Article 15 of the legal base of the Daphne III programme.

The evaluation of the programme focused on the results obtained so far by the programme and the qualitative and quantitative aspects of the implementation of Daphne III. More specifically, the evaluation of the programme assessed the relevance in terms of the programme's objectives and approach, the effectiveness of the programme (the extent to which the programme is successful in achieving its objectives) and the efficiency of the programme (the extent to which the Commission and the funded organisations have made the best use of resources – financial, human, technical – to implement the programme).

This report highlights the main results of the evaluation, the conclusions and the recommendations for the remaining period of the programme's implementation.

Implementation of the Daphne Programme: the report recalls that the total financial envelope foreseen for the Daphne III programme is € 116.85 million for the period 2007-2013. The budget of the Daphne III programme allows funding of an average of 41 Action Grants and 10 Operating Grants per year with the average amount of EU grant of € 362,000 and € 175,000 respectively.

The evaluation concludes that overall **the Daphne III programme is highly relevant to the problems it was designed to address**. Actions funded through Daphne III are contributing to the prevention of violence against the target groups, to the exchange of best practices between the Member States, and to policy developments at EU and national level. However, a number of procedural and substantive challenges have been identified which affect progress. The impact of some projects remains questionable because they seem to lack innovation in their approach and the actions proposed, and are highly repetitive. Many applicants tend to concentrate too much on the presentation of the project rather than on the question whether the action would bring any changes to the problem of violence. This approach is further strengthened by the Commission's lack of reliable indicators to measure the impact of any project. The evidence suggests that more could be done to promote new partnerships and to ensure that there is a reasonable geographic spread of lead organisations as the participation of organisations from some countries remains limited. This is especially the case for Member States that joined in 2004 and 2007.

As regards the **efficiency of the programme**, the report indicates that the financial resources currently provided by the programme to implement actions are appropriate in that they allow high quality projects to be funded and at the same time the ratio of success in project selection ensures the significant competition among projects. On the whole, the report suggests that the funding of fewer but large-scale projects could be more efficient, provide better value for money and bring results with a significant impact.

Recommendations: in response to challenges and issues identified during the programme evaluation, the Commission plans to implement the following measures in order to strengthen the impact of the programme and improve its implementation:

1. improved focus on EU policy priorities: although the general and specific priorities of the programme remain relevant and the programme is very responsive to new developments through the adoption of annual priorities, the evaluation suggests that the Daphne III programme risks moving away from its main focus and target groups and in this respect could risk causing overlap with other EU programmes. The programme could also do more to achieve stronger links with current policy developments. The Commission will continue to steer Daphne III through the adoption of annual priorities, but it will focus on a short list of priorities of particular importance. In this respect, the annual priorities will make the programme both flexible and responsive to evolving problems and needs. To achieve stronger impact, the Commission will also consider adjusting the scale of funded projects, thus financing those that bring an important EU added value and produce widely disseminated outputs. More focused annual priorities will also allow avoiding any possible overlaps with other sources of funding available. At the same time the Commission will still leave a possibility to finance new and innovative projects outside the annual priorities. The programme should remain open to new ideas on how to combat and prevent violence against women, children and young people and the organisations applying for funding should have an opportunity to develop and present innovative projects. **The number of projects funded outside priorities will nevertheless remain limited to ensure focus on annual priorities;**

2. better dissemination and sustainability of project results: the Commission will take measures to strengthen the impact of projects and their sustainability. First of all, the Commission will further focus the evaluation of projects and the design of the calls on the results and the outputs of the funded actions. This result-oriented approach will ensure that the available funds will be spent only on projects which really contribute to the objectives of Daphne and bring an important added value. Secondly, **funding fewer but bigger projects** could also be a solution to improve sustainability as generally bigger actions have better chances of being properly disseminated. The Commission will also further raise the profile of the "Daphne brand" which, as mentioned on many occasions by the grant beneficiaries, gives the projects an important credibility contributing towards better impact and sustainability. Lastly, the Commission will make use of some other tools to improve the availability of information about the Daphne funded projects;

3. balanced participation in the Daphne programme: participation in the Daphne programme is not equal among Member States. The Commission will step up efforts to raise the profile of Daphne in countries where the participation of organisations is lower than the average. This could include a targeted information campaign consisting of information meetings and distribution of Daphne booklets. Possibilities of cooperation with national and regional authorities to disseminate information on the programme will also be explored. To this end, the Commission could involve more Member States in the Daphne Programme Committee to disseminate relevant information to civil society organisations in the Member States;

4. more efficient management of the Daphne programme: some measures have already been taken to improve the application process. These are the introduction of the electronic system of application (PRIAMOS). The Commission will take further measures to reduce the time between the publication of the calls and the conclusion of contracts, especially for Operating Grants which are awarded only for a given budgetary year. It has to be also noted that the large number of grants awarded and, consequently, the number of final evaluations and the extent of support requested by the grant beneficiaries create a constantly increasing workload. In order to improve the efficiency of the management of Daphne, the Commission would identify solutions to achieve economies of scale, improving at the same time the impact of projects funded under the Daphne III programme.

Conclusions: in order to improve the reach and impact of the programme the Commission will strengthen the links of the programme with policy developments, ensure balanced participation and improve the dissemination of the results of the projects and the management of the selection process. Lessons learned during this evaluation will be integrated into the reflection and preparatory work for the next multiannual financial framework.

General programme "Fundamental Rights and Justice": specific programme "Fight against violence" - Daphne III Programme 2007-2013

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

PURPOSE: to present a specific programme "Fight against violence (**Daphne**)" 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 "Fight against violence (Daphne)". 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 out 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.

The fight against violence in all its forms (sexual, psychological and physical), occurring in the public or the private domain will include: support for victims and groups at risk (children, young people and women); assisting and encouraging NGOs and other organisations active in this field; dissemination of the results obtained under the two Daphne programmes including their adaptation, transfer and use by other beneficiaries or in other

geographical areas; and identification of actions contributing to the positive treatment of people at risk of violence. 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 (local authorities at the competent level, university departments and research centres) working to prevent and combat violence against children, young people and women or to protect against such violence or to provide support for victims or to implement targeted actions to promote rejection of such violence or to encourage attitude and behaviour change towards vulnerable groups and victims of violence. The programme shall also be open to public or private organisations and institutions (local authorities at the competent level, 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. 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, "Fight against violence (Daphne)" falls within the general programme "Fundamental Rights and Justice" and is based on Art. 152 of the Treaty establishing the European Community. 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.

General programme "Fundamental Rights and Justice": specific programme "Fight against violence" - Daphne III Programme 2007-2013

2005/0037A(COD) - 06/02/2017 - Follow-up document

The Commission presents an *ex post* evaluation report on the Daphne programme (2007-2013).

The main aspects evaluated are:

relevance;

coherence and compatibility;

effectiveness;

sustainability and transferability;

efficiency;

the scope for simplification and EU added value.

An independent external evaluator assisted by the Commission's staff carried out the evaluation.

To recall, the programme had the following general objectives:

to help protect children, young people and women against all forms of violence and to help them attain a high level of health protection, wellbeing and social cohesion;

to help develop Community policies (in public health, human rights and gender equality) and action to protect children's rights and combat trafficking in human beings and sexual exploitation.

The total budget earmarked for Daphne III (2007-2013) was almost **EUR 123.88 million**.

Main conclusions:

1) Relevance of the programme: in general, the initiatives carried out under the Daphne III programme were relevant to the programme and its objectives and priorities. Priority setting was not a standardised process.

The programme funded many initiatives that informed and supported policy and legislative development. Overall, initiatives appear to have been designed to respond to beneficiaries' identified needs and developed on the basis of needs assessments.

2) Coherence and complementarity: there was substantial scope for complementarity and thus also the risk of overlap between Daphne III and the Criminal Justice (JPEN) and Fundamental Rights and Citizenship (FRC) DG Justice programmes, as well as - to a lesser extent - the Safer Internet Plus programme (DG DIGIT). Even though there is some overlap, the stage of the process involving calls for proposals helped differentiate them to some extent.

3) Effectiveness: most measures helped improve protection for victims of violence or groups at risk, either directly or indirectly. A significant number also appear to have contributed to policymaking and law making at national level – and to some extent at EU level. Most projects achieved their own objectives and there is already good evidence of positive results, as well as evidence of unexpected positive results.

4) Sustainability: it was found that the Commission had been less successful in projects' outputs dissemination. This was mainly due to lack of human resources and emphasis on financial reporting and production of project outputs. Although arrangements have been made in some cases to continue using the outputs and making them available (e.g. a website), grant beneficiaries say additional funding is needed to be able to continue project activities. On the other hand, a significant part of activities developed under the programme would have not been developed had the programme not existed.

5) Efficiency: demand for Daphne III funding was high, mainly because of the nature of the programme and the type of eligible grant beneficiaries. The funding made available was sufficient for grants to achieve their objectives. However, the needs of procurement as a funding tool were overestimated.

As regards scope of simplification, the level of detail required in the application form has increased from the 2010 call. This has benefited both the Commission and the applicants.

6) EU added value: most grant beneficiaries found that the transnational partnerships required under the programme enabled them to learn from other countries. For many others, the chance to disseminate the outputs and results of their project at EU level was also a real advantage.

EU 'branding' also gave added momentum to some projects and greater leverage with policymakers and other key stakeholders.

For networks, such as *EuroNet-FGM* and *Missing Children Europe*, it is likely that only an EU programme would have enabled them to achieve their goals.

However, the geographic coverage of the project was rather limited, with the main lead organisations being based in the UK, Italy, Germany and Belgium.

Key recommendations: amongst the main recommendations made by the Commission following the evaluation of the programme are the following:

better define the priorities, to ensure that these help the programme to achieve specific objectives relevant to the programmes' general objectives ;

support the achievement of longer-term objectives, and influence policymakers and target audiences;

make realistic assessments of **project risks** and better risk mitigation strategies, by asking for brief progress reports that identify any potential risks as they arise during the implementation of the project;

increase focus on **assessment of impacts at all levels** and not merely on outputs, as regards monitoring and evaluation;

explore ways of enhancing the uptake of project outputs, results and best practices by other organisations, including in other Member States, with **more resources for dissemination**;

sharpen the **programme's intervention logic**.