



COMMISSION OF THE EUROPEAN COMMUNITIES

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Proposal for a

DECISION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

**establishing a second phase of a programme of Community action (2004-2008)
to prevent violence against children, young people and women and to protect victims
and groups at-risk (the DAPHNE II programme)**

(presented by the Commission)

EXPLANATORY MEMORANDUM

1. INTRODUCTION

On 31 December 2003, the Daphne programme (2000-2003)¹ to combat violence against children, young people and women will expire.

This programme was set up with a financial appropriation of € 20 million. For each year of implementation, an annual programme setting objectives and thematic priorities, and a call for proposals inviting organisations to submit projects for possible co-financing have been adopted. This budget allowed for the co-financing of 140 projects.

Annually, external evaluations, by way of visits to projects, have been carried out. Annual synthesis reports present the results and impact of the funded projects and showed the gradual building up of solid and sustainable networks, methodologies and field work in favour of victims of violence.

The Daphne Programme, its projects and results, are recognised, in Europe and beyond, as a major programming tool against violence and a model of good practice in linking regional policy and frameworks with regional co-operative action. This was clearly acknowledged, *inter alia*, in the 2nd World Congress against Commercial Sexual Exploitation of Children in Yokohama in December 2001.

The Commission has reported in April 2002² to the European Parliament and the Council on the implementation of the programme for its first two years. This report was based on annual monitoring and ex-post evaluations of the results and impact of the funded projects. The report shows that the programme is achieving its objectives and added value at European level, in complement to national actions.

In September 2002, in its resolution³ on this Commission's Daphne report, the European Parliament requested that the Daphne programme be continued beyond 2003 with an increased financial appropriation.

At the Sevilla Council, in June 2002, the Spanish presidency presented a "*Good practice Guide to mitigate the effects of and eradicate violence against women*", quoting the Daphne programme as a good practice in networking NGO, but also as producer of good results. The Council called for continued actions at European level in the area of violence against women.

According to the World Health Organisation's definition, health is a state of complete physical, mental and social well being and not merely the absence of disease or infirmity. This is also recognised in the United Nations Convention of 1979 on the Elimination of All Forms of Discrimination against Women (CEDAW), the United Nations Convention of 1989 on the Rights of the Child and its Optional Protocol on the Sale of Children, Child prostitution and Child pornography, the 1999 International Labour Organisation's Worst Forms of Child Labour Convention (No.182), the Vienna Declaration of 1993 on the Elimination of Violence

¹ Decision 293/2000/EC, OJ L 34, 9.2.2000, p. 1

² COM(2002) 169 final, SEC(2002) 338

³ A5-0233/2002 final.

against Women, the Declaration and Platform of Action adopted at the IVth Conference on Women held in Beijing in 1995 and the Council Conclusions on the review of the implementation by the Member States and the EU institutions of the Beijing Platform for Action⁴ in 2002, the Declaration and Plan of Action against Commercial Sexual Exploitation of Children adopted at the first World Congress in Stockholm in 1996 and supplemented by the Yokohama Global Commitment adopted at the 2nd World Congress in 2001, the Declaration and Plan of Action of the Europe/Central Asia Regional Preparatory Conference for the Yokohama Congress (Budapest, November 2001), the Lisbon Declaration of 1998 on Youth Policies and Programmes adopted at the World Conference of Ministers Responsible for Youth, and the UN Protocol on Trafficking in Persons, particularly in women and children, supplementing the UN Convention on transnational organised crime.

The Commission has been called upon to draw up and implement action programmes to combat such violence by the European Parliament, *inter alia* in its resolutions of 18 January 1996 on trafficking in human beings⁵, of 19 September 1996 on minors who are victims of violence⁶, of 12 December 1996 on measures to protect minors in the European Union⁷, of 16 December 1997 on trafficking in women for the purpose of sexual exploitation⁸, of 2 May 2000⁹ on the Commission's communication *Further actions in the fight against trafficking in women*¹⁰, and of 20 September 2001 on female genital mutilation¹¹.

The nature of the issues raised is such that a co-ordinated and multidisciplinary approach involving the various parties responsible for combating these crimes at European Union level is essential. Creating a framework for training, information, study and exchange of good practice for those responsible for combating violence in all its forms should enable such violence to be prevented and combated more effectively.

2. THE PROPOSAL FOR A DECISION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL : DEVELOPMENTS

The proposal for a decision of the European Parliament and of the Council establishing a second phase of the Daphne programme build on the experience gained during the implementation of the current programme. The structure of this proposal is similar to the one of the original Daphne programme in 2000. There is no intention to change the scope of it.

All areas of violence (domestic violence, violence in schools, in institutions, in the work place, commercial sexual exploitation, genital mutilation, health impact, gender violence, trafficking, treatment of offenders, etc.) remain important and should be the subject of actions. Organisations responsible for assistance to victims are still the best relay to reach and help the beneficiaries of these actions. In addition, training bodies, universities, voluntary associations, research centres and local authorities such as municipal councils are also eligible under the programme.

⁴ Doc 14074/02, not yet published in the OJ.

⁵ OJ C 32, 5.2.1996, p 88

⁶ OJ C 320, 28.10.1996, p. 190

⁷ OJ C 20, 20.1.1997, p. 170

⁸ OJ C 14, 19.1.1998, p. 39

⁹ A5-0127/2000, OJ C 59, 23.2.2001, p. 307

¹⁰ COM(1998) 726

¹¹ 2001/2035(INI), OJ C 77E, 28.3.2002, p. 22-126

The programme shall contribute to the general objective of providing citizens with a high level of protection from violence, including the protection of their physical and mental health, within the framework of an area of freedom, security and justice. It is intended to prevent and combat all forms of violence against children, young people and women. By so doing, the programme will contribute to health and social well being.

The proposed instruments are :

- identification and exchanges of good practice and work experience;
- mapping surveys, studies and research;
- field work with the involvement of the beneficiaries ;
- creation of sustainable multidisciplinary networks;
- training and design of educational packages;
- development and implementation of treatment programmes for aggressors, on one side, and for victims on the other side;
- creation and implementation of awareness-raising activities targeted to specific audiences; design of materials to supplement those already available, or adaptation and use of existing materials in other geographical areas or for other target groups;
- dissemination of the results obtained under the Daphne programme : their adaptation, transfer and use by other beneficiaries or in other geographical areas.

The proposed structure reflects also the requests made by the European Parliament in its resolution and build on initiatives taken by the Spanish and the Danish presidencies of the Council and on lessons learnt by the Commission in the implementation of the current Daphne Programme. This led to the introduction of some new terminology and types of actions :

- the proposal suggests that a share of the annual financial appropriation be reserved for *large-scale projects* enabling wider partnerships to implement extended activities. The maximum community funding for these projects could be raised up to 250.000 € (compared to 125.0000 € presently);
- the proposal introduces *complementary actions*, such as studies, development of indicators, data gathering, dissemination of results, seminars, meetings of experts or other activities to reinforce the knowledge base of the programme and to disseminate the information and results obtained under the programme.

The co-financing is proposed to be limited to a maximum of 80% of the project total costs.

The proposed financial reference amount for the programme is increased in view of the wide interest shown in the previous programme and of the accession of new countries. The proposal indicates a financial reference of € 65 million. The increase is justified firstly by the fact that, in the previous Daphne programme, only 13% of the received proposals can be funded and that, in fact, at least the double are worth being carried out. Secondly, the accession of 10 new Member States will increase the demand. Their population is less

important but the problems of violence are more serious. As a consequence, the need for actions in these countries is real.

There are sometimes gaps in the topics covered by the proposals submitted to the Commission compared to the thematic priorities set in the annual plans of work. This has been noticed thanks to the external evaluations carried out on the past programme. Consequently, it is proposed that the annual work programme identifies, every year, a few specific actions indicating their types (campaign, studies, specific areas of violence, etc.), and well-defined topics and targets. This measure will help better focusing the actions and should increase their impact.

Based on the experience gained, but also on the suggestions made in the EP resolution, it appears that the programme should foresee complementary measures to more effectively achieve the objectives of the programme, in terms of dissemination of the results and in the knowledge of the various phenomena of violence. The Commission could indicate in the annual work programme subjects and themes where the Commission would like that direct actions can be carried out. For example, to develop indicators on violence, to set up a procedure for regular and sustainable data collection, to extract and deduce policy issues from the work achieved by funded projects, or to disseminate good practices stemming from funded projects. These actions are of direct interest of the Commission and this is why the technical specifications of these actions should be designed by the Commission, instead of relying on outside proposals. These activities will reinforce the knowledge base of the programme and assist the dissemination of the good practice, which is the ultimate goal of the programme. The co-financing of these actions can be up to 100%. However, a limit of the percentage of the annual appropriation that can be used for these complementary measures is set to 15 %.

The proposed Committee procedure for the implementation of the programme is modelled on the Council Decision of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission¹², as for the past Daphne programme. The measures implementing the programme are proposed to be adopted in accordance with the Advisory procedure.

3. THE PROPOSAL FOR A DECISION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL : ARTICLES

Article 1

Article 1 establishes the second phase of the Daphne programme and indicates that it is established for a five-year period beginning on 1 January 2004.

Article 2

Article 2 sets the objectives of the programme. It then develops the actions to be implemented under the programme, namely transnational actions and complementary actions. The first ones are to select projects following calls for proposals; the latter will be implemented at the initiative of the Commission.

¹² OJ L 184, 17/07/1999 p. 23 – 26

Article 3

Article 3 describes who can participate to the programme, in terms of types of organisations and of geographical coverage. There is also an indication on the minimal conditions for eligibility, such as the minimal number of partners and the duration.

Article 4

Article 4 lists the activities of the programme. These activities are further developed and explained in the Annex.

Article 5

Paragraph 1 concerns the budgetary appropriation for the programme, while the following paragraphs indicates the basic principles for the financing of actions.

Article 6

Article 6 deals with the implementation of the programme. Paragraph 1 indicates that the implementation shall be carried out by the Commission. The following two paragraphs indicate basic rules to be observed for the selection of projects. Paragraph 4 explains that the implementation of the programme will follow the rules concerning the assistance of a Committee.

Article 7

Paragraph 1 establishes that the Commission shall be assisted in the implementation of the programme by a Committee, composed of a representative from each Member State. Paragraph 2 expresses that the advisory procedure is to be used in the implementation of the programme. This procedure follows the Council Decision No 1999/468/EC of 28 June 1999.

Article 8

Article 8 puts an obligation on the Commission to ensure evaluation and monitoring of the programme. It also obliges the Commission to report at mid-term and upon completion of the programme to the European Parliament and the Council.

Article 9

Article 9 indicates that the decision to establish the programme enters into force 20 days after its publication in the Official Journal of the European Communities.

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THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 152 thereof,

Having regard to the proposal from the Commission,¹³

Having regard to the opinion of the European Economic and Social Committee,¹⁴

Having regard to the opinion of the Committee of the Regions,¹⁵

Acting in accordance with the procedure laid down in Article 251 of the Treaty,

Whereas:

- (1) Physical, sexual and psychological violence against children, young people and women constitute a breach of their right to life, safety, freedom, dignity and physical and emotional integrity and a serious threat to the physical and mental health of the victims of such violence. The effects of such violence are so widespread throughout the Community as to constitute a major health scourge and an obstacle to the enjoyment of safe, free and just citizenship.
- (2) It is important to recognise the serious immediate and long-term implications of violence for health, psychological and social development, and for the equal opportunities of those concerned, for individuals, families and communities, and the high social and economic costs to society as a whole.

¹³ OJ C , , p. .

¹⁴ OJ C , , p. .

¹⁵ OJ C , , p. .

- (3) According to the World Health Organisation's definition, health is a state of complete physical, mental and social well being and not merely the absence of disease or infirmity. A World Health Assembly resolution¹⁶ adopted at the 49th World Health Assembly in Geneva in 1996 declares that violence is a leading world-wide public health problem. The *World report on violence and health* presented by the World Health Organisation in Brussels on 3 October 2002 recommends to promote primary prevention responses, to strengthen responses for victims of violence and to increase collaboration and exchange of information on violence prevention.
- (4) These principles are recognised in numerous conventions, declarations and protocols claimed by the main International Institutions such as the United Nations, the International Labour Organisation, the World Conference on Women and the World Congress against Commercial Sexual Exploitation of Children. This important work performed by international organisations should be complemented by that of the European Union. Indeed, Article 3(p) of the Treaty requires Community action to include a contribution to the attainment of a high level of health protection.
- (5) The Charter of Fundamental Rights of the European Union reaffirms *inter alia* the rights to dignity, equality and solidarity¹⁷. It includes a number of specific provisions to protect and promote the physical and mental integrity, equal treatment for men and women, the rights of the child and non-discrimination, as well as to prohibit inhuman or degrading treatment, slavery and forced labour, and child labour.
- (6) The Commission has been called upon to draw up and implement action programmes to combat such violence by the European Parliament, *inter alia* in its resolutions of 2 May 2000¹⁸ on the Commission's communication *Further actions in the fight against trafficking in women*¹⁹, and of 20 September 2001 on female genital mutilation²⁰.
- (7) The action programme set up by Decision No 293/2000/EC of the European Parliament and of the Council of 24 January 2000 adopting a programme of Community action (the Daphne programme) (2000 to 2003) on preventive measures to fight violence against children, young people and women²¹, has helped increase awareness within the European Union and increase and consolidate co-operation between organisations in the Member States active in combating violence.
- (8) The Daphne programme (2000-2003) has received an overwhelming response and clearly meets a deeply felt need within the voluntary sector. The funded projects have already started to have multiplying effects on activities by non governmental organisations and institutions in Europe. During its first phase, this programme has already substantially contributed to the development of EU policy on violence, trafficking, sexual abuse and pornography, with implications well beyond the boundaries of the European Union, as mentioned in the mid-term report of the Daphne programme.

¹⁶ Resolution WHA49.25

¹⁷ OJ C 364, 18.12.2000, p. 1

¹⁸ A5-0127/2000, OJ C 59, 23.2.2001, p. 307

¹⁹ COM(1998) 726

²⁰ 2001/2035(INI), OJ C 77E, 28.3.2002, p. 22-126

²¹ OJ L 34, 9.2.2000, p. 1

- (9) In its resolution of 4 September 2002²² on the mid-term review of the 2000-2003 Daphne programme²³, the European Parliament stresses that the Daphne programme meets a basic need for effective strategies to combat violence and that it must continue beyond 2003, and calls on the Commission to submit a proposal for a new action programme which incorporates all experience acquired since 1997 and which is allocated appropriate funding.
- (10) It is desirable to ensure continuity for the projects supported by the Daphne programme (2000-2003), to carry on building on the experiences gained and to provide opportunities for ongoing European added value stemming from these experiences and, to this end to renew the programme for a second phase.
- (11) The Community can provide added value to the actions of Member States concerning the prevention of violence, abuse and sexual exploitation perpetrated against women, young people and children and the protection of victims and groups at risk through the dissemination and exchange of information and experience, the promotion of an innovative approach, the joint establishment of priorities, the development of networking as appropriate, the selection of Community-wide projects and the motivation and mobilisation of all parties concerned. It can also identify and stimulate good practice.
- (12) This programme can bring added value by identifying and stimulating good practice, by encouraging innovation and by exchanging relevant experience of actions undertaken in the Member States, including an exchange of information relating to the various laws and the results achieved. In order to achieve the objectives of the programme and use the resources available in the most efficient way, the areas in which work is to be done must be carefully chosen by selecting projects which offer a greater Community added value and show the way towards trying out and disseminating innovative ideas to prevent violence, in the context of a multidisciplinary approach.
- (13) Therefore, in accordance with the principles of subsidiarity and proportionality as set out in Article 5 of the Treaty, the objectives of the proposed action (to prevent and combat all forms of violence against children, young people and women) can be better achieved by the Community, due to the need of a co-ordinated and multidisciplinary approach favouring the setting up of transnational frameworks for training, information, study and exchange of good practice, and the selection of Community-wide projects. This Decision confines itself to the minimum required in order to achieve those objectives and does not go beyond what is necessary for that purpose.
- (14) This phase of the programme should be of a five-year duration in order to allow sufficient time for actions to be implemented to achieve the objectives set and for lessons and experience to be collated and integrated in good practice across the European Union.

²² 2001/2265(INI)

²³ COM(2002) 169 final, SEC(2002) 338

- (15) In accordance with Article 2 of Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission²⁴, measures for the implementation of this Decision should be adopted by use of the advisory procedure provided for in Article 3 of that Decision.
- (16) This Decision establishes a financial framework for the entire duration of the programme which is to be the principal point of reference for the budgetary authority, within the meaning of point 33 of the Interinstitutional Agreement of 6 May 1999 between the European Parliament, the Council and the Commission on budgetary discipline and improvement of the budgetary procedure²⁵.

HAVE DECIDED AS FOLLOWS:

Article 1

Subject matter and scope

The second phase of the Daphne programme to prevent all forms of violence against children, young people and women and to protect victims and groups at risk ("the programme") is hereby established for the period 1 January 2004 to 31 December 2008; it may be extended.

For the purposes of this programme, 'children' shall include adolescents up to the age of 18 years, in accordance with international instruments relating to the rights of the child.

However, projects with activities particularly designed for beneficiary groups such as, for example, 'teenagers' (13-19 years old) or people 12-25 years old, will be considered as targeting the category so-called 'young people'.

Article 2

Programme objectives

1. The programme shall contribute to the general objective of providing citizens with a high level of protection from violence, including protection of physical and mental health.

The aim of the programme shall be to prevent and combat all forms of violence against children, young people and women by taking preventive measures and by providing support for victims, including in particular the prevention of future exposure to violence, and to assist and encourage non governmental organisations and other organisations active in this field.

2. The actions to be implemented under the programme, as set out in the Annex, are intended :

²⁴ OJ L 184, 17.7.1999, p. 23.

²⁵ OJ C 172, 18.6.1999, p. 1

- (a) to promote transnational actions :
 - (i) to set up multidisciplinary networks, particularly in support of victims of violence and groups at risk;
 - (ii) to ensure the expansion of the knowledge base, the exchange of information and the identification and dissemination of good practice, including through training, study visits and staff exchange;
 - (iii) to raise awareness among targeted audiences such as specific professions, competent authorities and identified sectors of the general public with a view both to improving understanding and promoting the adoption of zero tolerance towards violence and to encouraging support for victims and the reporting of incidences of violence to the appropriate authorities;
 - (iv) to study phenomena related to violence, to explore and address the root causes of violence at all levels of society;
- (b) to implement complementary actions, on the initiative of the European Commission, such as studies, the formulation of indicators, data gathering, seminars, and meetings of experts or other activities to reinforce the programme's knowledge base and to disseminate the information obtained under the programme.

Article 3

Access to the programme

1. The programme shall be open to participation by public or private organisations and institutions (local authorities at municipal level, university departments and research centres) working to prevent violence against children, young people and women or to protect against such violence or to provide support for victims.
2. The programme shall be open to the participation of :
 - (a) the EEA countries, in accordance with the conditions established in the EEA Agreement,
 - (b) the associated central and eastern European countries, in accordance with the conditions established in the European Agreements, in their additional protocols and in the decisions of the respective Association Councils,
 - (c) Cyprus, Malta and Turkey on the basis of bilateral agreements to be concluded with these countries.
3. To be eligible for funding under the programme, projects shall involve at least two Member States, have a maximum duration of two years and be geared to the objectives set out in Article 2.

Article 4

Activities under the programme

The programme shall comprise the following types of activities :

- (a) identification and exchanges of good practice and work experience;
- (b) mapping surveys, studies and research;
- (c) field work with the involvement of the beneficiaries, particularly children and youth, in all phases of project design, implementation and evaluation ;
- (d) creation of sustainable multidisciplinary networks;
- (e) training and design of educational packages;
- (f) development and implementation of treatment programmes for aggressors, on one side, and for victims on the other side;
- (g) development and implementation of awareness-raising activities targeted to specific audiences, design of materials to supplement those already available, or adaptation and use of existing materials in other geographical areas or for other target groups;
- (h) dissemination of the results obtained under the Daphne programme including their adaptation, transfer and use by other beneficiaries or in other geographical areas.

Article 5

Budget

1. The financial framework for the implementation of the programme for the period 2004 to 2008 is hereby set at EUR 41 million.
2. The annual appropriations shall be authorised by the budgetary authority within the limits of the financial perspective.
3. Funding decisions shall be followed by grant agreements between the Commission and the beneficiaries of the grant.
4. The proportion of financial support from the Community budget shall not exceed 80 % of the total cost of the project.

However, the complementary actions referred to in Article 2(2b) may be financed up to 100 %, subject to a ceiling of 15 % of the programme's total annual financial allocation.

Article 6

Implementation of the programme

1. The Commission shall be responsible for the management and implementation of the programme.
2. The Commission shall ensure a balanced approach, in respect of the three target groups, namely children, young people and women with regard to the implementation of the programme.
3. The Commission shall ensure a balanced approach, in terms of project scale, by reserving a share of the annual budget for large-scale projects, enabling wider partnerships to implement extended activities.
4. The measures necessary for the implementation of this Decision shall be adopted in accordance with the advisory procedure set out in Article 7(2).

Article 7

Committee

1. The Commission shall be assisted by a Committee, composed of representatives of the Member States and chaired by the representative of the Commission.
2. Where reference is made to this paragraph, the advisory procedure laid down in Article 3 of Decision 1999/468/EC shall apply, in compliance with Article 7(3) and Article 8 thereof.

Article 8

Monitoring and evaluation

1. The Commission shall take all the measures necessary to ensure the monitoring and continuous evaluation of the programme taking account of the general and specific objectives set out in Article 1 and in the Annex.
2. At mid-term, the Commission shall present an evaluation report to the European Parliament and to the Council, assessing the relevance, utility, sustainability, effectiveness and efficiency of the Daphne II activities achieved so far. This report will include an ex-ante evaluation in order to support possible future action.
3. On completion of the programme, the Commission shall submit a final report to the European Parliament and to the Council.
4. The reports referred to under paragraphs 2 and 3 of this article will also be sent to the European Economic and Social Committee and to the Committee of the Regions.

Article 9

Entry into force

This Decision shall enter into force on the 20th day following the date of its publication in the Official Journal of the European Communities.

Done at Brussels,

For the European Parliament
The President

For the Council
The President

ANNEX

SPECIFIC OBJECTIVES AND ACTIONS

I. TRANSNATIONAL ACTIONS:

1. IDENTIFICATION AND EXCHANGE OF GOOD PRACTICE AND EXPERIENCE

Objective: *to support and encourage the exchange, adaptation and use of good practice for application in other contexts or geographical areas*

To stimulate and promote the exchange of good practice at Community level on support for and protection of children, young people and women – victims or groups at risk - with special emphasis on the following areas:

- a) prevention (general or targeting specific groups);
- b) protection and support to victims (psychological and medical assistance, training and reintegration into social and working life);
- c) procedures to protect the best interests of children, young people and women who are the victims of violence;
- d) measurement of the real impact of the different types of violence on victims and society within Europe, in order to establish an appropriate response

2. MAPPING SURVEYS, STUDIES AND RESEARCH

Objective: *to study phenomena related to violence*

To support research activities, studies and mapping surveys in the field of violence in order, inter alia:

- a) to explore and assess the various causes, circumstances and mechanisms of the emergence and growth of violence;
- b) to analyse and compare existing prevention and protection models;
- c) to develop prevention and protection practice;
- d) to assess the impact of violence, also in terms of health, both on victims and on society as a whole, including the economic costs

3. FIELD WORK WITH THE INVOLVEMENT OF THE BENEFICIARIES

Objective: *to actively implement proven methods in the prevention and protection from violence*

To support the implementation of methods, training modules and assistance (psychological, medical, legal, reintegration) directly involving the beneficiaries

4. CREATION OF SUSTAINABLE MULTIDISCIPLINARY NETWORKS

Objective: *to support and encourage both non-governmental organisations (NGOs) and other organisations, including local public authorities (at municipal level), active in the fight against violence to work together.*

To support the establishment and strengthening of multidisciplinary networks and to encourage and support co-operation between NGOs and the various organisations and public bodies, in order to improve the level of knowledge and understanding of one another's roles and to provide comprehensive multi-disciplinary support to victims of violence and to those at risk.

The networks will in particular carry out activities to address the problems of violence geared to :

- a) producing a common framework for the analysis of violence, including the definition of different types of violence, the causes of violence and all its consequences, and for the implementation of appropriate multi-sector responses;
- b) assessing the types and effectiveness of measures and practices for the prevention and detection of violence, and for the provision of support for victims of violence, in particular to ensure that they are never again exposed to violence;
- c) promoting activities to tackle this problem at both international and national level.

5. TRAINING AND DESIGN OF EDUCATIONAL PACKAGES

Objective: *to develop educational packages on the prevention of violence.*

To design and test educational packages on the prevention of violence against children, young people and women, as well as on conflict management, for use in schools and adult educational institutions

6. DEVELOPMENT AND IMPLEMENTATION OF TREATMENT PROGRAMMES

Objective: *to develop and implement treatments for aggressors on one side, and for victims on the other side, with the aim of preventing violence.*

To detect the possible causes, circumstances and mechanisms of the emergence and growth of violence including the nature and motivation of perpetrators of violence and exploiters of commercial violence such as sexual exploitation

To develop, test and implement treatments based on the above findings.

7. AWARENESS-RAISING ACTIVITIES TARGETED TO SPECIFIC AUDIENCES

Objective: *to raise awareness and the level of understanding of violence and the prevention of violence against children, young people and women with the aim of promoting zero tolerance of violence, the provision of support to victims and groups at risk, and the reporting of incidences of violence*

The following types of actions, amongst others, are eligible for support:

- a) development and implementation of information and awareness-raising activities aimed at children, young people and women, in particular on the potential risks of violence and ways of avoiding them ; other publics to be targeted could also include specific professions such as teachers, educators, medical doctors, social workers, lawyers, police authorities, etc ;
- b) development of Community-wide information sources to assist and inform NGOs and public bodies about publicly available information relevant to the field of violence, the means of preventing it and the rehabilitation of victims, compiled by governmental, non-governmental, academic and other sources ; this should enable information to be integrated into all the relevant information systems ;
- c) encouragement of the introduction of measures to increase reporting to the authorities of violence against women, children and young people and different forms of trade in women and children for sexual exploitation.

The design of materials to supplement those already available, or to adapt them for use in other geographical areas or for other target groups will be encouraged.

II. COMPLEMENTARY ACTIONS

In order to ensure that all areas of the programme are fully covered, even in the absence of proposals - or of suitable proposals - for a given area, the Commission will carry out more proactive activities to fill any gaps.

Consequently, the programme will finance complementary actions, on the Commission's initiative, in the following areas, inter alia :

- a. to develop indicators on violence, so that the quantified impact of policies and projects can be measured;
- b. to set up a procedure for regular and sustainable data collection, preferably with the assistance of EUROSTAT, in order to be able to quantify violence in the Union more accurately;
- c. to extract and deduce policy issues, wherever possible, from the work achieved by funded projects, with the aim of suggesting common policies on violence at Community level and reinforcing judicial practice;
- d. to disseminate on a Europe-wide scale good practices stemming from funded projects ; this can be achieved by various means :
 - (1) producing and distributing written material, CD-ROMs, video films, and Internet sites;
 - (2) seconding of or organising exchanges of experienced staff from one organisation to another in order to assist with the implementation of new solutions or practices that have proven to be effective elsewhere;
 - (3) enabling a single NGO to use, adapt or transfer Daphne results to another Union area or another category of beneficiary.

- e. to organise seminars for all stakeholders involved in funded projects in order to improve management and networking capability and to support information exchange;
- f. to carry out studies and organise meetings of experts and seminars directly connected with the realisation of the action of which they form an integral part

In addition, the Commission may have recourse, in carrying out the programme, to technical assistance organisations, the financing of which will be provided for within the overall financial framework and, under the same conditions, to experts.

LEGISLATIVE FINANCIAL STATEMENT

Policy area(s): Immigration, asylum, visas; free movement of person; civil law; citizenship and fundamental rights.

Activit(y/ies): 45.40 : The fight against violence towards children, young people and women

TITLE OF ACTION: DAPHNE PROGRAMME (TO COMBAT VIOLENCE AGAINST CHILDREN, YOUNG PEOPLE AND WOMEN)

1. BUDGET LINE(S) + HEADING(S)

B5-802

2. OVERALL FIGURES

2.1. Total allocation for action (Part B): € million for commitment

38 million € (further explanation can be found in annex).

Following the interinstitutional agreement of 6 May 1999 (OJ C172/1 of 18.06.1999), in particular item E, Art. 33, the above amount may be subject to adaptation following the joining of new Member States in 2004.

2.2. Period of application:

01/01/2004 – 31/12/2008

2.3. Overall multiannual estimate of expenditure:

(a) Schedule of commitment appropriations/payment appropriations (financial intervention) (*see point 6.1.1*)

€ million (*to three decimal places*)

Year	2004	2005	2006	2007	2008	2009	2010	Total
Commitments	6.40	7.90	7.90	7,90	7,90			38.00
Payments	3.20	7.15	7.90	7.90	7.90	1.975	1.975	38.00

(b) Technical and administrative assistance and support expenditure(*see point 6.1.2*)

Commitments	0.60	0.60	0.60	0.60	0.60			3.00
Payments	0.30	0.60	0.60	0.60	0.60	0.30		3.00

Subtotal a+b								
Commitments	7.00	8.50	8.50	8.50	8.50			41.00
Payments	3.50	7.75	8.50	8.50	8.50	2.275	1.975	41.00

- (c) Overall financial impact of human resources and other administrative expenditure
(see points 7.2 and 7.3)

Commitments/ payments	0.594	0.594	0.594	0.594	0.297	0.297		3.564
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TOTAL a+b+c								
Commitments	7.594	9.094	9.094	9.094	9.094	0.297	0.297	44.564
Payments	4.094	8.344	9.094	9.094	9.094	2.572	2.272	44.564

2.4. Compatibility with financial programming and financial perspective

Proposal is compatible with existing financial programming.

- [X] Proposal will entail reprogramming of the relevant heading in the financial perspective.

Proposal may require application of the provisions of the Interinstitutional Agreement.

2.5. Financial impact on revenue:²⁶

Proposal has no financial implications (involves technical aspects regarding implementation of a measure)

OR

- [X] Proposal has financial impact – the effect on revenue is as follows:

Contribution from EFTA/EEE states : 2.128% (2002 figures)

(€ million to one decimal place)

Budget line	Revenue	Prior to action 2003	Situation following action						
			2004	2005	2006	2007	2008	[n+5]	
	<i>a) Revenue in absolute terms</i>	0.1	0.1	0.2	0.2	0.2	0.2	0.2	
	<i>b) Change in revenue</i>	Δ							

²⁶

For further information, see separate explanatory note.

3. BUDGET CHARACTERISTICS

Type of expenditure		New	EFTA contribution	Contributions from applicant countries	Heading in financial perspective
Non-comp	Diff	NO	YES	YES	No [3]

4. LEGAL BASIS

Article 152 TCE.

5. DESCRIPTION AND GROUNDS

5.1. Need for Community intervention

5.1.1. Objectives pursued

The programme shall contribute to the general objective of providing citizens with a high level of protection in an area of freedom, security and justice, including the protection of their physical and mental health. Within this framework, it is intended to prevent and combat all forms of violence against children, young people and women by the prevention of violence and by the provision of support for victims of violence in order, in particular, to prevent future exposure to violence. It further aims to assist and encourage NGOs and other organisations active in this field. By so doing, the programme will contribute to social well-being.

The actions to be implemented under the programme, as set out in the Annex, are intended :

- a) to promote transnational actions :
 - i. to set up multidisciplinary networks, particularly in support of victims of violence and of at-risk groups;
 - ii. to ensure the exchange of information, the identification and dissemination of good practice, including through training, study visits and staff exchange;
 - iii. to raise awareness (general public, targeted audiences such as specific professions, authorities) both to improve understanding and adoption of zero tolerance towards violence and to encourage support to victims and reporting of incidences of violence to appropriate authorities;
 - iv. to study phenomena related to violence;
- b. to implement complementary actions, at the initiative of the European Commission, such as studies, development of indicators, data gathering, seminars, meetings of experts or other activities to reinforce the knowledge base of the programme and to disseminate the information obtained under the programme.

5.1.2. Measures taken in connection with ex ante evaluation

This Decision aims at continuing the former Daphne programme. An evaluation of the Daphne programme has been carried out at mid-term, including explicitly ex-ante elements. Indeed, one of the purposes of this mid-term evaluation was to assess the continued relevance of the programme in view of existing needs. Its results were one of the elements to be taken into account in the decision on the renewal of the programme beyond 2003.

This evaluation has been carried out in the last quarter of 2001 and published in March 2002 (COM(2002) 169 final, SEC(2002) 338). It was an internal evaluation, based on a particular project monitoring system by external experts. This system comprises two on-the-ground visits to **all** the projects at different moments in the project's life: one visit takes place during the implementation of the project and focusses on process issues; the second visit takes place six months after the completion of the project and aims at evaluating its results, including contacts with final beneficiaries. This information was the main data used for the mid-term evaluation of the programme. The report has been sent to DG BUDG on 25th September 2002 and is also available on the Daphne web site.

The ex-ante elements of the mid-term evaluation have been discussed in the programme committee, composed of representatives of the Member States. They have also informed the discussion in the European Parliament on the need for the renewal of the programme, which resulted in the resolution A5-0233 (2002). The main elements in this regard are as follows.

The need for a programme to combat violence against children, young people and women is still present, as shown by the overwhelming response that the Daphne programme received (see Annexe 1). The first Daphne programme has involved more than 1000 NGOs and organisations active in this area in Europe, which in turn have reached several tens of thousands of direct beneficiaries (children, young people and women). The target groups who will benefit from the Daphne II programme remain those of the Daphne programme, i. e. children, young people and women.

The general objective of the programme is to combat violence against these target groups. This general objective remains relevant. More specific objectives are to set up multidisciplinary networks of organisations active in the field of violence, particularly in support of victims of violence and of groups at risks. These networks are to implement exchange of information, identification and dissemination of good practice, including through training, study visits and staff exchange. Also, they will raise awareness (general public, targeted audiences such as specific professions, authorities) both to improve understanding and adoption of zero tolerance towards violence and to encourage support to victims and reporting of incidences of violence to appropriate authorities. Finally, these networks will also study phenomena related to violence.

The mid-term evaluation also suggests useful programme indicators which will be taken up in Daphne II, such as the number of set-up networks, of victims of the various target groups that have been assisted, of information campaigns organised, of good practices that have been used and adapted in other geographical areas and/or for other target groups, of information or awareness raising tools that have been developed (CD-ROM, video, posters, brochures), etc.

One of the conclusions of the mid-term evaluation was that the added value at European level was closely linked to the transnational networking that was created. The nature of the issues addressed is such that a co-ordinated and multidisciplinary approach involving the various parties responsible for combating these crimes at European Union level is essential. The

assumption is that by creating a framework for training, information, study and exchange of good practice for those responsible for combating violence in all its forms, we should be able to prevent and combat such violence more effectively. This assumption remains valid for Daphne II.

The mid-term evaluation has also shown that this community action has a direct benefit on victims of violence and that it complements legislative work achieved by Member States. It has also been detected during the period 2000-2002 that projects funded by the Daphne programme had found a continuation with the support of national authorities, be it with financial support or by use in policies. The Daphne funding has therefore acted as “seed capital” and can generate synergy.

The mid-term evaluation of the Daphne I programme revealed several weaknesses of the programme, such as areas of action that need to be strengthened, more dissemination of achieved results and more detailed guidelines for applicants. These points have been considered as axis for improvement of the current programme but have also been taken into account in the subsequent actions of the programme.

Building on the conclusions of the mid-term evaluation of the Daphne I programme, the monitoring system described above will be improved for Daphne II. The comprehensive monitoring of all projects will be pursued under Daphne II, including the evaluation of the outcomes of the projects 6 months after completion. This will be reinforced with mechanism for an evaluation at programme level. Furthermore, it is also intended to develop indicators and collect data in order to be able to quantify the various outcomes of the programme and the various populations reached.

5.1.3. Measures taken following ex post evaluation

The ex-post evaluation of the Daphne I programme has not taken place yet – indeed the programme is still ongoing, and will be in force until the end of 2003.

A final evaluation is foreseen by then, to be started in 2003. It will include ex-post evaluation of the projects funded under the preparatory actions to Daphne I, i.e. in 1998 and 1999.

5.2. Actions envisaged and budget intervention arrangements

The target populations of this Decision are children, young people and women, victims or at-risk of violence.

The concrete measures to be taken to implement the programme are transnational actions and complementary measures, as specified in 5.1.1 here above.

These measures will strengthen the networking of the concerned organisations, will raise the awareness and level of information of the general public, but also of specific audiences (medical staff, police, journalists, educational staff, etc.), and will improve the dissemination and the use of good practice to combat violence against children, young people and women.

The proportion of financial support from the Community budget shall not exceed 80 % of the total cost of the project for the transnational actions and up to 100 % for the complementary measures.

5.3. Methods of implementation

The implementation of the activities will be as follows :

- all Public authority tasks will be conducted by Commission's officials (amongst others : Policy matters, Annual plan of work, Contractual matters, Financial matters (commitments, payments), etc.);
- the logistics related to the physical handling of files will be seconded to a TAA (Technical and Administrative Assistance) - amongst others : handling of proposals, encoding in a database, maintenance of the database, photocopying, preparation of lists, etc.;
- monitoring visits and evaluation of progress of the projects will be carried out with the help of external experts.

6. FINANCIAL IMPACT

6.1. Total financial impact on Part B - (over the entire programming period)

(The method of calculating the total amounts set out in the table below must be explained by the breakdown in Table 6.2.)

6.1.1. Financial intervention

Commitments (in € million to three decimal places)

Breakdown	Year 2004	2005	2006	2007	2008	2009 & 2010	Total
Transnational actions	5.44	6.72	6.72	6.72	6.72	0	32.30
Complementary measures	0.96	1.19	1.19	1.19	1.19	0	5.70
TOTAL	12.35	12.35	12.35	12.35	12.35		38.00

6.1.2. Technical and administrative assistance, support expenditure and IT expenditure (commitment appropriations)

	Year 2004	2005	2006	2007	2008	2009 & 2010	Total
1) Technical and administrative assistance							
a) Technical assistance offices							

b) Other technical and administrative assistance:	—	—	—	—	—	—	—
- intra muros:	0.20	0.20	0.20	0.20	0.20		1.00
- extra muros (TAA):							
<i>of which for construction and maintenance of computerised management systems</i>							
Subtotal 1	0.20	0.20	0.20	0.20	0.20		1.00
2) Support expenditure							
a) Studies	0.18	0.18	0.18	0.18	0.18		0.90
b) Meetings of experts	0.17	0.17	0.17	0.17	0.17		0.85
c) Information and publications; external evaluation	0.05	0.05	0.05	0.05	0.05		0.25
Subtotal 2	0.40	0.40	0.40	0.40	0.40		2.00
TOTAL	0.60	0.60	0.60	0.60	0.60		3.00

6.2. Calculation of costs by measure envisaged in Part B (over the entire programming period)

Commitments

Breakdown	Type of outputs :	Number of outputs (total for years 2004-2008)	Average annual unit cost (€)	Total cost (total for years 1...n)
	1	2	3	4=(2X3)
<u>Transnational actions</u>				
- Measure 1	Large projects	65	250,000	16,250,000
- Measure 2	Projects	107	150,000	16,050,000
—	—	—	—	—
<u>Complementary measures</u>				
- Measure 1	Studies	24	50,000	1,200,000
- Measure 2	Data collection	—	—	2,000,000
- Measure 3	Dissemination of written material	—	—	500,000
—	—	—	—	—
- Measure 4	Secondment of project's staff	—	—	—
—	—	40	25,000	1,000,000
- Measure 5	Projects for results transfer	40	25,000	1,000,000
TOTAL COST				38,000,000

7. IMPACT ON STAFF AND ADMINISTRATIVE EXPENDITURE

7.1. Impact on human resources

Types of post		Staff to be assigned to management of the action using existing and/or additional resources		Total	Description of tasks deriving from the action
		Number of permanent posts	Number of temporary posts		
Officials or temporary staff	A	1,5		1,5	Programme Management
	B	2		2	Financial management
	C	2		2	Secretarial duties.
Other human resources					
Total		5,5		5,5	

7.2. Overall financial impact of human resources

Type of human resources	Amount (€)	Method of calculation
Officials	594,000	5,5 staff * 108,000/year
Temporary staff		
Other human resources (specify budget line)		
Total	594,000	

The amounts are total expenditure for twelve months.

7.3. Other administrative expenditure deriving from the action

Budget line (number and heading)	Amount €	Method of calculation
Overall allocation (Title A7)		
A0701 – Missions	4,000	5 missions * 1 person
A07030 – Meetings	—	—
A07031 – Compulsory committees : Advisory Committee	41,000	2 meetings * 25 people
A07032 – Non-compulsory committees	—	—
A07040 – Conferences	163,000	1 conf. * 200 people
A0705 – Studies and consultations	—	—
Other expenditure (specify)		
Information systems (A-5001/A-4300)		
Other expenditure - Part A (specify)		
Total	208.000	

The amounts are total expenditure for twelve months.

I.	Annual total (7.2 + 7.3)	802,000€
II.	Duration of action	5 years
III.	Total cost of action (I x II)	4,010,000€

(In the estimate of human and administrative resources required for the action, DGs/Services must take into account the decisions taken by the Commission in its orientation/APS debate and when adopting the preliminary draft budget (PDB). This means that DGs must show that human resources can be covered by the indicative pre-allocation made when the PDB was adopted.

Exceptional cases (i.e. those where the action concerned could not be foreseen when the PDB was being prepared) will have to be referred to the Commission for a decision on whether and how (by means of an amendment of the indicative pre-allocation, an ad hoc redeployment exercise, a supplementary/amending budget or a letter of amendment to the draft budget) implementation of the proposed action can be accommodated.)

8. FOLLOW-UP AND EVALUATION

8.1. Follow-up arrangements

In order to follow and monitor the funded actions, mechanisms already in place within the previous Daphne programme will be pursued. Monitoring visits are paid to all projects during their implementation phase enabling to check progress made, results achieved and to propose advice to ensure a positive outcome.

8.2. Arrangements and schedule for the planned evaluation

The Commission is carrying out annual ex-post evaluations. All funded projects are analysed and visited after their completion in order to assess their overall functioning and output, the real and likely impact on target beneficiaries, the contribution to the general aims of the programme and the value for money. These assessments are synthesised in an annual report presenting a global picture of the achievements in the various fields of the programme.

Based on these data, a mid-term report and a final report on the programme will be presented.

9. ANTI-FRAUD MEASURES

The grant application forms will require information on the identity and nature of potential beneficiaries so that their reliability can be assessed in advance.

Fraud prevention measures (checks, intermediate reports, and final report) are included in the agreements or contracts between the Commission and beneficiaries. The Commission will check reports and ensure that work has been properly carried out before intermediate and final payments are made.

In addition, spot checks are carried out by the Commission to verify how funds have been used.

Annexe to the Legislative Financial Statement

The situation observed in the Daphne I programme is as follows:

	2000	2001	2002	Total		
Received Proposals	415	209	266	890		
<i>Requested funds (M€)</i>	40.2	34.2	42.2	116.5	100%	
"Acceptable" Proposals	245	114	126	485		
<i>Requested funds (M€)</i>	23.7	18.7	20.0	62.3	53%	100%
Projects accepted	47	26	39	112		
<i>Requested funds (M€)</i>	4.6	4.5	5.5	14.6	13%	23%

1. The "Acceptable" proposals are those that are of sufficient quality to be financed, would the budget be available. As can be seen, the budget available to effectively fund projects is a quarter (23%) of what could be financed if all proposals of good quality were selected.

In order to overcome this, it is proposed to increase the budget by 45%, which would enable the funding of 30% (instead of 23%) of the amount requested by valid proposals.

2. Also, from 2004 onwards, the full participation of the new Member States should be ensured. The 10 new countries amount for an additional 100 million people (corresponding to an increase of 25% of the EU population) but presenting more severe problems of violence. In addition, the NGO community of these countries needs an increased support in terms of organisation and management skills.

In order to face this, it is proposed to add a contribution of 6,3 M€, corresponding to 22% of the amount foreseen for the current 15 Member States.

3. In addition, since the Daphne Programme (2000-2003) was put into place, a panoply of new international laws and European instruments have strengthened the framework for action against violence, in particular against children, while calling for more concerted, multi-disciplinary, transnational actions to be implemented²⁷. Furthermore, the annual evaluations of the Daphne programme systematically calls for improved dissemination of the results and for tackling areas of violence that are not proposed by the NGOs and organisations within the calls for proposals. Finally, the Resolution A5-0233(2002) of the European Parliament on the Daphne

²⁷

These include the Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Prostitution, Pornography and Trafficking; ILO Convention 182 (and Recommendation 190) on the Worst Forms of Child Labour; the UN Convention against Transnational Organised Crime and its Supplementary Trafficking Protocol; the outcome documents of the 2nd World Congress against Commercial Sexual Exploitation of Children (Yokohama, 2001) and the Budapest Regional Consultation, and the UN General Assembly Special Session on Children (New York, 2002).

programme calls for actions to be taken with regard to the development of indicators on violence and the corresponding data collection across Europe.

In order to face this, it is proposed to add 5,7 M€, corresponding to 14% of the total Daphne II budget in order to enable these actions to take place.

In summary, the requested budget is as follows :

	Daphne I (2000-2003)	Daphne II (2004-2008)
Projects (only 23% of the amount requested by valid projects can currently be funded; an increase of 45% of the budget is suggested to be able to fund 30% of the requested amount)	20 M€	29 M€
New Member States (10 new MS in 2004 with a population of 100 millions (25% of current EU), but more severe violence problems)	0 M€	6,3 M€
Reinforcement of certain areas and of dissemination by complementary activities :	0 M€	5,7 M€
Total	20 M€	41 M€
Annual appropriation	5 M€	8,2 M€

The proposed Financial intervention would be as follows:

	2004	2005	2006	2007	2008
Budget for Commitments	7	8,5	8,5	8,5	8,5