



Procedure file

| Basic information | |
|---|---------------------------------------|
| COD - Ordinary legislative procedure (ex-codecision procedure) Decision | 2003/0025(COD) Procedure completed |
| Daphne II programme 2004-2008: combating violence against children, young people and women See also 2015/2827(RSP) | |
| Subject 4.10.03 Child protection, children's rights 4.10.09 Women condition and rights | |

| Key players | | | |
|-------------------------------|--|---|------------|
| European Parliament | Committee responsible | Rapporteur | Appointed |
| | FEMM Women's Rights and Equal Opportunities | PSE GRÖNER Lissy | 17/03/2003 |
| | Former committee responsible | | |
| | FEMM Women's Rights and Equal Opportunities | PSE GRÖNER Lissy | 17/03/2003 |
| Council of the European Union | Former committee for opinion | | |
| | LIBE Citizens' Freedoms and Rights, Justice and Home Affairs | PSE HEDKVIST PETERSEN Ewa | 20/03/2003 |
| | BUDG Budgets | ELDR JENSEN Anne E. | 30/04/2003 |
| European Commission | Council configuration | Meeting | Date |
| | Justice and Home Affairs (JHA) | 2574 | 30/03/2004 |
| | Employment, Social Policy, Health and Consumer Affairs2549 | | 01/12/2003 |
| | Employment, Social Policy, Health and Consumer Affairs2535 | | 20/10/2003 |
| European Commission | Commission DG Justice and Consumers | Commissioner | |

| Key events | | | |
|------------|---|-------------------------------|---------|
| 03/02/2003 | Legislative proposal published | COM(2003)0054 | Summary |
| 10/03/2003 | Committee referral announced in Parliament, 1st reading | | |
| 10/07/2003 | Vote in committee, 1st reading | | Summary |

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|------------|--|---|---------|
| 09/07/2003 | Committee report tabled for plenary, 1st reading | A5-0280/2003 | |
| 02/09/2003 | Debate in Parliament |  | |
| 03/09/2003 | Decision by Parliament, 1st reading | T5-0366/2003 | Summary |
| 14/10/2003 | Modified legislative proposal published | COM(2003)0616 | Summary |
| 30/11/2003 | Council position published | 13816/1/2003 | Summary |
| 04/12/2003 | Committee referral announced in Parliament, 2nd reading | | |
| 19/02/2004 | Vote in committee, 2nd reading | | Summary |
| 18/02/2004 | Committee recommendation tabled for plenary, 2nd reading | A5-0083/2004 | |
| 08/03/2004 | Debate in Parliament |  | |
| 09/03/2004 | Decision by Parliament, 2nd reading | T5-0143/2004 | Summary |
| 30/03/2004 | Act approved by Council, 2nd reading | | |
| 21/04/2004 | Final act signed | | |
| 21/04/2004 | End of procedure in Parliament | | |
| 30/04/2004 | Final act published in Official Journal | | |

Technical information

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|----------------------------|--|
| Procedure reference | 2003/0025(COD) |
| Procedure type | COD - Ordinary legislative procedure (ex-codecision procedure) |
| Procedure subtype | Legislation |
| Legislative instrument | Decision |
| | See also 2015/2827(RSP) |
| Legal basis | EC Treaty (after Amsterdam) EC 152 |
| Stage reached in procedure | Procedure completed |
| Committee dossier | FEMM/5/20068 |

Documentation gateway

| | | | | |
|---|---|------------|------|---------|
| Legislative proposal | COM(2003)0054 | 04/02/2003 | EC | Summary |
| Economic and Social Committee: opinion, report | CES0588/2003 OJ C 208 03.09.2003, p. 0052-0054 | 14/05/2003 | ESC | |
| Committee of the Regions: opinion | CDR0063/2003 OJ C 256 24.10.2003, p. 0085-0089 | 02/07/2003 | CofR | |
| Committee report tabled for plenary, 1st reading/single reading | A5-0280/2003 | 10/07/2003 | EP | |
| Text adopted by Parliament, 1st reading/single reading | T5-0366/2003 OJ C 076 25.03.2004, p. 0121-0223 E | 03/09/2003 | EP | Summary |

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|--|--|---|------------|-----|---------|
| Modified legislative proposal | | COM(2003)0616 | 15/10/2003 | EC | Summary |
| Council statement on its position | | 15099/2003 | 21/11/2003 | CSL | |
| Council position | | 13816/1/2003 OJ C 054 02.03.2004, p. 0001-0011 E | 01/12/2003 | CSL | Summary |
| Commission communication on Council's position | | SEC(2003)1371 | 02/12/2003 | EC | Summary |
| Committee recommendation tabled for plenary, 2nd reading | | A5-0083/2004 | 19/02/2004 | EP | |
| Text adopted by Parliament, 2nd reading | | T5-0143/2004 OJ C 102 28.04.2004, p. 0031-0159 E | 09/03/2004 | EP | Summary |
| Commission opinion on Parliament's position at 2nd reading | | COM(2004)0259 | 13/04/2004 | EC | Summary |

Additional information

European Commission

[EUR-Lex](#)

Final act

[Decision 2004/803](#)
[OJ L 143 30.04.2004, p. 0001-0008](#) Summary

Daphne II programme 2004-2008: combating violence against children, young people and women

PURPOSE : to establish the second phase of the Daphne programme (2004-2008) to prevent violence against children, young people and women and to protect victims and groups at risk. **CONTENT** : this proposal establishes a second phase for the Daphne programme built 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 change in the scope of it. 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. The Commission introduces some new terminology and types of actions: - a share of the annual financial appropriation is reserved for large-scale projects enabling wider partnerships to implement extended activities. The maximum community funding for these projects could be raised up to EUR 250.000 (compared to EUR 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 Ç 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. 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. 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. 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 to see direct actions carried out. These include the development of indicators on violence, setting up a procedure for regular and sustainable data collection, extracting policy issues from the work achieved by funded projects, or disseminating good practices stemming from funded projects. 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 %.

Daphne II programme 2004-2008: combating violence against children, young people and women

The committee adopted the report by Lissy GRÖNER (PES, D) amending the proposal under the 1st reading of the codecision procedure. In particular, the committee wanted to increase the programme's budget from EUR 41 million for the period 2004-2008 (as proposed by the Commission) to EUR 50 million. It also specified that the commitment appropriations scheduled after 2006 are subject to an agreement of the

Budgetary Authority on the financial perspective beyond 2006. MEPs also stressed the need to ensure consistency and complementarity with relevant Community policies and instruments, possibly by establishing links with other Community programmes. They added that other countries with which the EU has partnership and cooperation agreements (such as Eastern European, Central Asian, ACP and Mediterranean countries) should be able to participate in the programme. Other amendments sought to ensure that the following measures were also included in the programme: - projects involving women and children brought to the Member States through human trafficking; - programmes to study the situation of street children in cities; - developing filters to prevent the forwarding of paedophile material via the Internet; - the establishment of a European database for missing persons, in conjunction with Interpol and Europol; - preparing for a "European Year against Violence".?

Daphne II programme 2004-2008: combating violence against children, young people and women

The European Parliament adopted a resolution with 506 votes in favour, 0 against and 53 abstentions on the second stage of the Daphne programme (2004 - 2008) to prevent violence against children, young people and women and to protect victims and groups at risk. The rapporteur was Lissy GRONER (PES, Germany). (Please see the summary of 10/07/03). Other key amendments include the following: - the Commission must particularly encourage the participation of NGOs, notably self-help groups; - exchange of good practice should view in particular the implementation of preventive measures and assistance for victims; - measures to be part of the programme include the establishment of a think-tank to provide guidelines and orientations to the Commission on the social, cultural and political context in order to facilitate the priorities for 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 major NGOs in the field; - other measures include the establishment of a help-desk to assist NGOs, especially from the new Member States, to liaise with other partners and to use and benefit from the Daphne acquis.?

Daphne II programme 2004-2008: combating violence against children, young people and women

Parliament adopted 40 amendments. The Commission is able to accept 19 of them, as they comply fully with its approach and constitute valuable additions, expanding on and clarifying the Commission text. Seven others can also be accepted with some minor rewriting. In particular, the Commission accepts Parliament's figure of EUR 50 million. The initial position of the Commission was EUR 41 million, which corresponds to EUR 49,2 million once the budget is adapted in view of the enlargement of the Union. The amount of EUR 50 million is very close to the current position. The Commission states that it cannot accept 14 amendments that fall within the following categories: - a group of 4 amendments that single out specific categories of beneficiaries/victims, such as girls, young women or street children. This would go against the philosophy of the programme which carefully maintains a neutral approach and an equilibrium throughout the text. The Daphne II proposal was written intentionally with a wide scope in terms of violence and in terms of beneficiaries (children, young people and women). The programme therefore concerns all forms of violence and all victims from any of these three categories and people at risk of becoming a victim of violence; - another group deals with inter-institutional relations and interferes with the current comitology as laid out in Decision 1999/468/CE. A think tank will not be set up to provide guidelines; - a third category includes amendments that substantially enlarge either the scope or the responsibilities of the programme in such a way that, on the one hand, the foreseen human and financial resources will not suffice and, on the other hand, will dilute and disperse the impacts of the programme. In particular, third countries may not take part in the programme, nor will a database be set up under the programme for missing people; - a fourth category includes amendments that are not pertinent with the text or are redundant with others.?

Daphne II programme 2004-2008: combating violence against children, young people and women

In adopting its common position, the Council gave its unanimous support to the continuation of the DAPHNE programme for a second phase, from 2004 to the end of 2008, which it considers will contribute to the general objective of providing citizens with a high of protection against violence, including the protection of their physical and mental health. The Council has accepted the main objectives both of the Commission's proposal and the European Parliament's amendments, including the increase in budget to EUR 50 million requested by the European Parliament. The main modifications of the common position, as compared to the Commission's amended proposal concern the measures to be taken by the Commission within the budgetary procedures to ensure the consistency of the budget with the financial perspectives for the period beyond 2006. The Parliament adopted 40 amendments at first reading. The amendments made by the Parliament which were not taken on board by the Commission or the Council concern the following issues: - singling out specific categories of beneficiaries/victims, such as girls, young women or street children, go against the general philosophy of the programme to maintain a neutral approach on terms of categories; - those amendments which are not in conformity with the currently agreed comitology procedures as laid down out in Decision 1999/468/EC of the European Parliament and Council; - increasing the scope or the responsibilities of the programme in such a way as to dilute its impact, with the additional risk that the human and financial resources provided for would be sufficient; - those which are not pertinent to the content of the programme or duplicate other provisions. The Commission accepted 19 of the Parliament's amendments in their entirety. The Council also accepted all of these amendments, but modified the wording of two of the amendments to clarify the situation with regard to the new financial perspective from 2007. In view of the importance of this programme in the fight against violence and in the interests of rapid adoption of the Decision, the Council accepted the increase in the budget to EUR 50 million requested by the Parliament and accepted by the Commission. Moreover, the Council has specified in its common position that EUR 29 million of the total budget of EUR 50 million is for the period until 31 December 2006. The Council also incorporated the substance of an amendment stating that the Commission should hold the responsibility for ensuring that any result or product funded by this programme was made available free of charge and in electronic format. Apart from the number of editorial changes to clarify the meaning of the text, the Council has made the following changes to the Commission's amended proposal: - title: change the title of the programme to include the concept of combating violence as well as its prevention (" a programme of Community action (2004-2008) to prevent and combat violence against children, young people and women"). This concept has been included, as appropriate throughout the text; - Articles 2(1) and 4(g): extension of the programme objectives and activities to include addressing the question of perpetrators and their need for treatment, whilst at the same time ensuring the safety of victims and children; - Article 3(2): alignment of the wording regarding participation in the programme to take into account the Treaty of Accession of 16 April 2003; - Article 4(f): addition of a reference to supporting children and young people who witness domestic violence; - Article 4(i) and Annex I, point 5: addition of activities contributing to positive treatment for people vulnerable to violence; - Article 6(3): deletion of paragraph 3 which reserved a

share of the annual budget for large-scale projects as this was considered to be at the expense of the smaller non-governmental organisations; - Articles 6(4), 6(4a) and 7 : return to the mixed committee procedure (Management/Advisory) of the DAPHNE I programme, as this was judged to have worked well during the implementation of the original programme; - Annex I, points 1(c) and 2(a) : in the context of protecting the best interests of children, addition of a reference to protecting particularly those who are victims of prostitution and to undertaking studies in this area with a view to preventing this phenomenon; - Annex I, point 7(a) : inclusion of "youth" workers in the list of specific professions that could be the target of information and awareness-raising activities. In conclusion, as the Council was able to accept practically the entirety of the amendments of the European Parliament which had been taken up by the Commission in its amended proposal, it considers that the text of the common position meets the fundamental objectives of the Commission's proposal and those that the European Parliament had in mind when proposing its amendments.?

Daphne II programme 2004-2008: combating violence against children, young people and women

The Commission supports the Council's common position because it largely follows the lines of the amended proposal. The text represents a well-balanced compromise that will enable the Community to resume the combat against violence for another 5 years without reasonable financial resource.?

Daphne II programme 2004-2008: combating violence against children, young people and women

The committee unanimously adopted the report by Lissy GRÖNER (PES, D) approving the Council's common position under the 2nd reading of the codecision procedure, subject to a few amendments. MEPs reinstated an amendment adopted by Parliament at 1st reading - which had not been taken up by the Council - providing for a help-desk to be set up to assist any NGOs which so required, especially those fully participating for the first time in the Daphne programme. They argued that such technical assistance was of crucial importance in ensuring that NGOs from the new Member States could have access to the resources and 'acquis' of the programme on an equal footing with those from the current Member States. Other amendments sought to overturn some changes proposed by the Council addressing the question of perpetrators of violence and their need for treatment. The committee was concerned that, by including a reference to perpetrators in the article listing the programme objectives, the Council appeared to be creating a new targeted group alongside victims and people at risk, thereby undermining the Commission's well-balanced proposal. ?

Daphne II programme 2004-2008: combating violence against children, young people and women

The European Parliament adopted a resolution drafted by Lissy GRONER (PES, D) and made some amendments to the common position. (Please see the document of 19/02/04.)?

Daphne II programme 2004-2008: combating violence against children, young people and women

The European Parliament proposed five amendments to the draft Decision on the Daphne II programme during its plenary session in March. They relate to: - Perpetrators: the Parliament proposes deleting reference to perpetrators in those parts of the text which makes mention of the victims. The purpose of the amendment is to avoid giving the impression that perpetrators are a new target group of the programme. Given that the text makes mention of "perpetrators" elsewhere the Commission accepts that deleting reference to them in Article 2.1.2 and 4(g) in no way diminishes the importance attached to perpetrators. - Children and young people who witness domestic violence: Parliament is seeking to delete reference to this category of people given that the programme should apply to all children. The Commission notes that the Council, in its Common Position, argued that this category of people are witnesses and as such not beneficiaries of the programme. The Commission concludes that deletion of "children and young people who witness domestic violence" as proposed by the Parliament can be accepted. Such a strategy fulfils the wishes of both Parliament and Council. The Commission does stress, however, that this category of people are, under amendment 4, deemed "people at risk" and therefore remain potential beneficiaries of the programme. - Setting up Helpdesks: Parliament has re-inserted this amendment, which it originally tabled at first reading. According to Parliament such helpdesks play an invaluable role in helping NGO's apply and participate in the programme. Given that the common position awards the programme EUR 50 million over a five year period (2004-2008) the Commission feels that the inclusion of such helpdesks is both financially feasible as well as being of value to the functioning of the programme. Bearing in mind the above the Commission has decided to accept all five of the amendments tabled in their entirety and has revised its draft Decision accordingly.?

Daphne II programme 2004-2008: combating violence against children, young people and women

PURPOSE : to establish the second phase of the Daphne Programme and combat violence against women, children and young people.
LEGISLATIVE ACT : Decision 803/2004/EC of the European Parliament and of the Council adopting a programme of Community action (2004 to 2008) to prevent and combat violence against children, young people and women and to protect victims and groups at risk (the Daphne II programme).
CONTENT : This Decision establishes a second phase of the Daphne programme building on the experience gained during the implementation of the Daphne I programme (2000-2003). The structure of this proposal is similar to that of the original Daphne programme. The programme will 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. 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 are 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 are also eligible under the programme. It aims to

assist and encourage non-governmental organisations and other organisations active in this field. The programme's budget is EUR 50 million as suggested by the European Parliament. The first phase of the Daphne programme had a budget of EUR 20 million (please see COD/1998/0192). An envelope of EUR 29 million is available until 31.12.2006. Beyond this time the amount will be deemed to be confirmed if it is consistent for this phase with the financial perspectives in force for the period commencing in 2007. The scope of the programme has been extended so that "children" will include adolescents up to the age of 18 years, in accordance with international instruments relating to 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 12 to 25 years old, will be considered as targeting the category of so-called "young people. The actions to be implemented under the Daphne II programme are set out in the Annex, and are intended: - to promote transnational actions: - to set up multidisciplinary networks, particularly in support of victims of violence and groups at risk; - 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; - to raise awareness of violence among targeted audiences such as specific professions, competent authorities and identified sectors of the general public with a view both to improving understanding of, and promoting the adoption of zero tolerance towards violence and to encouraging support for victims and the reporting of incidences of violence to the competent authorities; - to study phenomena related to violence and possible methods of preventing it and explore and address the root causes of violence at all levels of society; - to implement complementary actions, on the initiative of the Commission, such as studies, the formulation of indicators, data gathering, statistics broken down by gender and by age, seminars, and meetings of experts or other activities to reinforce the programme's knowledge base and to disseminate the information obtained under this The list of eligible participants is set out in the Decision. To be eligible for funding under this programme, projects must involve at least two Member States, have a maximum duration of two years and be geared to the objectives set out in the programme. The proportion of financial support from the Community budget will not exceed 80 % of the total cost of the project. However, complementary actions on the commission's initiative may be financed up to 100 %, subject to a ceiling of 15 % of the programme's total annual financial allocation. The Commission is responsible for the management and implementation of the Daphne II programme and must ensure that any result or product funded by the programme is available free of charge and in electronic form. It must also 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. At the latest by 1 June 2006, the Commission must submit an evaluation report to the European Parliament and to the Council, assessing the relevance, utility, sustainability, effectiveness and efficiency of the Daphne II programme so far. ENTRY INTO FORCE : 30/04/2004.?