

Brussels, 8 July 2003

OPINION

of the
Committee of the Regions
of 3 July 2003

on the

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)

COM(2003) 54 final – 2003/0025 (COD)

The Committee of the Regions,

HAVING REGARD TO the 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), COM(2003) 54 final – 2003/0025 (COD);

HAVING REGARD TO the Council Decision of 4 March 2003 to consult it on this subject, under the first paragraph of Article 265 and Article 152 of the Treaty establishing the European Community;

HAVING REGARD TO the decision of its President on 23 January 2003 instructing the Commission for Constitutional Affairs and European Governance to draw up an opinion on the subject;

HAVING REGARD TO its draft opinion (CdR 63/2003 rev. 1) adopted on 16 May 2003 by

the Commission for Constitutional Affairs and European Governance (rapporteur:
Mr Riccardo Ventre, President of the Province of Caserta (I-EPP));

WHEREAS Article 3(p) of the Treaty stipulates that the activities of the Community shall include a contribution to achieving a high level of health protection;

WHEREAS health protection includes all measures for combating violence, which damages the victim's physical and mental health;

WHEREAS the Charter of Fundamental Rights of the European Union prohibits all inhuman and/or degrading treatment as well as guaranteeing the rights of women and children;

WHEREAS the first Daphne programme received an overwhelming response with a large number of projects of which, thus far, only 13% have been financed, due to the lean budget for such a serious problem, whose impact is perhaps not sufficiently recognised;

WHEREAS local and regional authorities are the institutions that must be in the front line in helping victims and eradicating this phenomenon;

unanimously adopted the following opinion at its 50th plenary session of 2 and 3 July (meeting of 3 July).

The position of the Committee of the Regions

1. The Committee of the Regions,

1. **welcomes** a second phase in the Daphne programme as violence against children, young people and women is still a very serious concern, as demonstrated by the sheer number of projects submitted during the first phase of the programme;
2. **appreciates** the wide range of violence against minors (children and young people) and women covered by the draft programme, although there is practically no reference to violence linked to commercial exploitation or the introduction of children, particularly immigrants, to theft or crime;
3. **endorses** the choice of organisations and institutions entitled to submit projects, including municipal councils, in view of their responsibility to help victims;
4. **considers** that eligibility for the programme should also include the regions, which normally control the budget for social measures, and the police, at least as associates, as the latter are at times indispensable for identifying cases of violence and in particular for recognising whether there is an organisation behind the perpetrator of the violence;

5. **agrees** with the Commission that combating violence is a sine qua non for creating an area of freedom, security and justice in the EU;
6. **is convinced**, in accordance with the Commission document, of the need to frame improved and varied action instruments, in the light of the experiences of the first phase of the programme, but considers that some aspects of the proposal could be improved, such as that concerning immigrants;
7. **agrees** there is a need for a more accurate definition of specific actions with precise objectives, fixed for each year of the programme, to increase its impact and avoid disappointing many participants, who are sometimes excluded for reasons that cannot be explained clearly;
8. **considers** as very constructive the Commission's intention to construct an EU network of good practice and measures for the prevention and suppression of all types of violence, as mutual cognisance of measures can help to improve ways of tackling the problem. It is important to remember the very wide and varied scope of the question, from domestic violence to that on the street, in the workplace, exploitation of marginalised people, such as migrants and illegal immigrants, to name but a few of the cases indicating the need for increased cooperation in Europe;
9. **welcomes** the decision to increase the budget (€20 million for the first phase) on the grounds that more countries are involved due to enlargement, and that the first phase of the programme demonstrated the need for further intervention;
10. **considers**, however, that the proposed increase is too small and inadequate considering the significant commitment not only to new Member States but also to those preparing for enlargement. Many women and children may arrive from these countries and become victims of violence. The increase also appears small in relation to the significant number of projects which were submitted and accepted during the first phase of Daphne but not financed due to lack of funds. Only 13% of the submissions were financed;
11. **welcomes** the fact that part of the budget will be set aside for complementary measures, such as studies and research, which will also have to address needs that have been highlighted by the Commission.

2. CoR recommendations

The Committee of the Regions

1. **recommends** that eligibility for project submission or partnership should be extended to include the regions and the police, due to the assistance they can provide in tackling the problem and the specific contributions they can make;
2. **recommends** that attention be paid, at least as regards the particular objectives to be set year by year, to immigrant women and children. These categories

easily become victims of violence due to the hardship they experience, both economically and in general, particularly illegal immigrants or unaccompanied children;

3. **recommends** that violence should not only be considered as commercial sexual exploitation, but also as forcing people into begging, theft and crime;
4. **recommends** that funding be increased further to at least €65 million - the Commission's first proposal - as the €41 million budget limit appears small in relation to the objectives, particularly if part of the allocation is set aside, understandably, for studies and research;
5. **calls on** the Commission to prepare an invitation to tender, in order to define the objectives for studies and research more clearly, as cooperation with and suggestions from those with practical experience of the problem always helps to focus more closely on the objectives.

Recommendation 1

Article 3 (1)

Commission document	Amendment
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 ...	The programme shall be open to participation by public or private organisations and institutions (local authorities at municipal level, <u>regions</u> , university departments, and research centres <u>and local, regional and national police forces</u>) working to prevent violence against children, young people and women ...

Reason

The regions should be included within the institutions and organisations eligible for the programme as they usually have competence and funds as regards actions concerning people's health and quality of life and can benefit all projects relating to the objectives of the second phase of the Daphne programme, as well as the local and national police forces, which are often the first to come up against cases of violence and because point 7(a) of the Annex names them as possible beneficiaries of support.

Recommendation 2

Article 5 (1)

Commission document	Amendment
The financial framework for the implementation of the programme for the period 2004 to 2008 is hereby set at € 41 million.	The financial framework for the implementation of the programme for the period 2004 to 2008 is hereby set at € 41 million <u>65 million</u> .

Reason

The increase in the budget to €65 million, from €41 million in the draft programme, is justified on the grounds that during the first phase of the Daphne programme the €20 million budget only financed 13% of projects received. Furthermore the second phase must also deal with requests from the 12 applicant countries, which can already be regarded as EU states. In addition, the Commission, in the report preceding the draft programme, recommended a budget of €65 million.

Recommendation 3

Annex 2 a)

Commission document	Amendment
to explore and assess the various causes, circumstances and mechanisms of the emergence and growth of violence.	to explore and assess the various causes, circumstances and mechanisms of the emergence and growth of violence, <u>including forcing people into begging, theft and crime.</u>

Reason

It is constructive to include references to forcing people into begging, theft and crime under acts of violence, particularly concerning children, as the programme appears to focus mainly, if not exclusively, on sexual violence, which is extremely serious, but not the only type of violence.

Recommendation 4

Annex 5: Specific objectives and actions

Commission document	Amendment
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.	To design and test educational <u>actions and</u> 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, <u>councils and other training or communication media establishments.</u>

Recommendation 5

Annex 6, second paragraph

Commission document	Amendment
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 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 <u>and non-sexual</u> exploitation

Reason

As referred to in the above reason (Recommendation 3), commercial sexual exploitation is not the only form of violence. There are also the cases listed above, such as forcing people into theft or begging, which constitutes very serious psychological, moral, as well as physical, violence against children.

Recommendation 6

Annex 7 c)

Commission document	Amendment
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.	encouragement of the introduction of measures <u>and specific services</u> to increase reporting to the authorities of violence <u>or abuse against women, children and young people</u> and different forms of trade in women, <u>and children and young people</u> for sexual and non-sexual exploitation.

Reason

See reason for Recommendation 5.

Brussels, 3 July 2003.

The President

The Secretary-General

of the
Committee of the Regions

of the
Committee of the Regions

Albert Bore

Vincenzo Falcone

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CdR 63/2003 fin IT/JS/CAT/ym

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