



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 06.08.2004
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Draft

DECISION OF THE EEA JOINT COMMITTEE

**amending Protocol 31 to the Agreement, on cooperation in specific fields outside the
four freedoms**

- Draft common position of the Community -
(presented by the Commission)

EXPLANATORY MEMORANDUM

1. Protocol 31 to the EEA Agreement contains specific provisions on the cooperation between the Community and the EEA EFTA States outside the four freedoms.
2. The attached draft Decision of the EEA Joint Committee aims to modify Protocol 31 to extend cooperation to include a programme of Community action (2004-2008) to prevent and combat violence against children, young people and women and to protect victims and groups at risk (Daphne II programme). It thus provides the legal basis for the EEA EFTA States to participate in the Community actions under this programme. The decision concerns:

32004 D 0803: Decision No 803/2004/EC of the European Parliament and of the Council adopting a programme of Community action (Daphne II programme 2004-2008)
3. Article 1.3(b) of Council Regulation (EC) No 2894/94 concerning the arrangements for implementing the EEA Agreement envisages that the Council establish the Community position for such Decisions on a proposal from the Commission.
4. The draft decision of the EEA Joint Committee is submitted for the approval of the Council, after which the Commission will put forward the position of the Community in the EEA Joint Committee at the earliest possible occasion.

Draft

DECISION OF THE EEA JOINT COMMITTEE

amending Protocol 31 to the Agreement, on cooperation in specific fields outside the four freedoms

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area, as amended by the Protocol adjusting the Agreement on the European Economic Area, hereinafter referred to as ‘the Agreement’, and in particular Articles 86 and 98 thereof,

Whereas:

- (1) Protocol 31 to the Agreement was amended by Decision of the EEA Joint Committee No.../... of ...¹.
- (2) It is appropriate to extend the cooperation of the Contracting Parties to the Agreement to include Decision No 803/2004/EC of the European Parliament and of the Council of 21 April 2004 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)².
- (3) Protocol 31 to the Agreement should therefore be amended in order to allow for this extended cooperation to take place with effect from 1 January 2004,

HAS DECIDED AS FOLLOWS:

Article 1

Article 5 of Protocol 31 to the Agreement shall be amended as follows:

1. The text of paragraph 5 shall be replaced by the following:

‘The EFTA States shall participate in the Community programmes and actions referred to in the first two indents of paragraph 8 as from 1 January 1996, in the programme referred to in the third indent as from 1 January 2000, in the programme referred to in the fourth indent as from 1 January 2001, in the programmes referred to in the fifth and sixth indents as from 1 January 2002 and in the programmes referred to in the seventh and eighth indents as from 1 January 2004.’

¹ OJ L ...

² OJ L 143, 30.4.2004, p. 1.

2. The following indent shall be added in paragraph 8:

- ‘- **32004 D 0803**: Decision No 803/2004/EC of the European Parliament and of the Council of 21 April 2004 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) (OJ L 143, 30.4.2004, p. 1).’

Article 2

This Decision shall enter into force on the day following the last notification to the EEA Joint Committee under Article 103(1) of the Agreement*.

It shall apply from 1 January 2004.

Article 3

This Decision shall be published in the EEA Section of, and in the EEA Supplement to, the *Official Journal of the European Union*.

Done at Brussels,

*For the EEA Joint Committee
The President*

*The Secretaries
to the EEA Joint Committee*

* No constitutional requirements indicated.