



COMMISSION OF THE EUROPEAN COMMUNITIES

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2003/0113 (COD)

**COMMUNICATION FROM THE COMMISSION
TO THE EUROPEAN PARLIAMENT**

pursuant to the second subparagraph of Article 251 (2) of the EC Treaty

concerning the

**common position of the Council on the adoption of a Decision of the European
Parliament and of the Council establishing a Community action programme to promote
bodies active at European level in the field of youth (2004-2006)**

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1. BACKGROUND

Date of transmission of the proposal to the European Parliament and the Council (document COM(2003) 272 final – 2003/0113 (COD)):	3.6.2003
Date of the opinion of the European Economic and Social Committee:	24.9.2003
Date of the opinion of the European Parliament, first reading:	6.11.2003
Date of Council political agreement	24.11.2003
Date of adoption of the common position:	22.12.2003

2. OBJECTIVE OF THE COMMISSION PROPOSAL

Based on article 149, the proposal seeks to promote participation by young people in the exercise of active European citizenship through civil society. The programme will support the ongoing work programme activities of bodies active at European level in the field of youth. Their activities must contribute to the development of communities actions in the field of youth. Likewise, the programme will support the ongoing programme activities of the European Youth Forum, in so far as it represents and co-ordinates non-governmental youth organisations and relays information on youth to the European institutions.

For several years, support has been provided for bodies active at European level in the field of youth, under headings in part A of the budget (A-3023 co- finances the operating costs of the European Union Youth Forum; A-3029 provides support for international non-governmental youth organisation). The adoption of a New Financial Regulation applicable to the general budget of the European Communities (Council Regulation (EC, Euratom) N° 1605/2002 of 25 June 2002 and the decision to base the structure of the Commission budget on the ABB (Activity Based Budgeting) approach, require basic acts to be adopted for a number of grants hitherto financed under appropriations entered in part A (administrative appropriations) of the Commission section of the budget.

The purpose of this draft Decision is therefore to adopt an act providing a basis for operating grants to bodies active at European level in the field of youth, for a period of three years (2004/2006), until the new Youth Programme comes into force at the beginning of 2007. In

the new programme, participation of young people will be a key priority and support to non-governmental youth organisations is clearly an important part of this priority.

3. COMMENTS ON THE COMMON POSITION

3.1. Consideration of the amendments proposed by the Parliament in the first reading:

3.1.1. Amendments accepted in full or in substance by the Commission and incorporated in the common position:

- Amendment 1 to recital 2, explains in detail how non-governmental youth organisations help to meet the challenges to which the Laeken Declaration refers.
- Amendment 2 to recital 3, includes reference to the European Parliament report on the White Paper "A new Impetus for European Youth".
- Amendment 3 to recital 4, adds a reference to the White Paper on European Governance.
- Amendment 5 to recital 6, adds reference to the representative role of the European Youth Forum vis-à-vis international institutions and introduces the idea that non-governmental youth organisations provide non-formal and informal training and information to young people and constitute networks of non-profit bodies active at European level.
- Amendment 7 to Article 1.2, completes the description of the expected goals of the activities of the non-governmental youth organisations.
- Amendment 9 to Article 3.2, replaces the sentence "Participation in actions under this programme...", by the sentence "Participation in this programme".
- Amendment 10 to Article 4, restricts applicants for an operating grant through call for proposals to international non-governmental youth organisations pursuing an aim of general European interest in the field of youth.
- Amendment 12 (annex), adds details about the activities of non-governmental youth organisations.
- Amendment 13 (annex), provides a more precise description of the work of the European Youth Forum.
- Amendment 16, introduces the obligation for the Commission to give to applicants a period to correct errors of form after submitting the application form.
- Amendment 17, introduces the task for the Commission to regularly inform the European Parliament on the implementation of the programme.
- Amendment 20, introduces the obligation to beneficiaries of operating grants, to make references to EU grants in a prominent place: e.g. website, annual report, etc.

3.1.2. *Amendments accepted by the Commission in full, in part or in spirit and not incorporated in the common position: 5 part 3, 11, 14, 18 and 19.*

As an agreement was reached by the three institutions concerning the budget (EUR 13 million) at the Conciliation meeting of 24 November 2003, and is already included in the common position, amendment 11 is therefore no longer relevant.

Amendment 5 part 3 that considers the actions of non-governmental youth organisations as matters of general European interest and thus in the right to be awarded without the application of the principle of gradual decrease.

Amendment 14 incrementing the budget of the European Youth Forum.

Amendment 18 and 19, as well as amendment 5 part 3, related to the derogation of the principle of gradual decrease, was accepted in spirit. The Trilogue of 13 November 2003 confirmed the necessity of maintaining the principle of gradual decrease in line with the Financial Regulation.

3.2. Common position of the Council

The text of the common position is acceptable to the Commission as it largely respects the substance of the Commission's original proposal and takes account to a great extent of the amendments proposed by the Parliament and accepted by the Commission.

Additions made by the Council to the text which are integrated in the common position of the Council:

- in Article 7 the necessity to inform the Council (besides the European Parliament as per amendment 17 of the EP) on the implementation of the programme;
- a reference to a broadest possible representation of organisations by the European Youth Forum in the annex point 2.1.1;
- adds the possibility that co-financing by the organisations could be "wholly" contributed in kind (points 2.1.3. and 2.2.3 in the Annex);
- some wording additions have been made that clarify the text.

The Commission accepts these modifications and additions to the common position since they improve and clarify the initial proposal.

4. CONCLUSION

The Commission considers that the text of the common position is a good basis for a European Parliament and Council decision.

However, in line with the agreement reached at the budget conciliation meeting on 24 November, transitional clauses covering the period before the approval of the legal base should be added to the basic act as follows:

"For grants awarded in 2004, it will be possible for the period of eligibility of expenditure to start on 1 January 2004, provided that the expenditure does not precede the date on which the grant application was lodged or the date on which the beneficiary's budget year starts.

During 2004, in the case of beneficiaries whose budgetary year starts before 1 March, an exception may be granted to the obligation to sign the grant agreement within the first four months of the start of the beneficiary's budget year, as referred to in Article 112, paragraph 2 of Council Regulation (EC, Euratom) No 1605/2002 on the Financial Regulation applicable to the general budget of the European Communities. In this case, the grant agreement should be signed by 30 June 2004 at the latest".