



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 15.09.1999
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99/ 0194 (COD)

Proposal for a

EUROPEAN PARLIAMENT AND COUNCIL REGULATION (EC)

**extending Regulation (EC) No 443/97 on operations to aid uprooted people in
Asian and Latin American developing countries**

(presented by the Commission)

EXPLANATORY MEMORANDUM

An important part of the Community's contribution to the overall aim of developing and consolidating democracy and the rule of law and respect for human rights and fundamental freedoms is to help those who have felt compelled to leave their homes in the face of serious threats to their personal safety.

Similarly, it is essential that aid instruments be developed that cater to the needs of the communities receiving these people, possibly in another country, and of those to which they return.

Budget headings B7-302 and B7-312 are specifically geared to aiding uprooted people (refugees, displaced persons and returnees) in Asia and Latin America by creating optimum conditions for their integration or reintegration.

Overall, mass migrations have fallen off in recent years (major political and economic crises in Asia and Latin America have been less serious, or at least not worse) and third countries' ability to take in newcomers has been exhausted. It would therefore seem reasonable to envisage directing the use of these budget headings in the next few years to operations for these people's return, reintegration and rehabilitation and the reconstruction of their communities.

The aim of such operations is to span the intervening phase between humanitarian crisis-response and rehabilitation or development cooperation.

They therefore form part of a sequence of action in which coordination with the other aid instruments, and with Member States' own policies, retains high priority.

Regulation (EC) No 443/97, which lays down arrangements for implementing the operations, will expire on 31 December 1999 and therefore needs to be extended for another year.

Proposal for a

EUROPEAN PARLIAMENT AND COUNCIL REGULATION (EC)

extending Regulation (EC) No 443/97 on operations to aid uprooted people in Asian and Latin American developing countries

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

- Having regard to the Treaty establishing the European Community, and in particular Article 179(1) thereof,
- Having regard to the proposal from the Commission,¹
- Acting in accordance with the procedure laid down in Article 251 of the Treaty.²

Whereas:

- (1) Council Regulation (EC) No 443/97 on operations to aid uprooted people in Asian and Latin American developing countries will expire on 31 December 1999.
- (2) It would appear appropriate to extend this Regulation until 31 December 2000 and at the same time to amend the financial reference amount and the relevant period referred to in Article 6(1) of Regulation (EC) No 443/97,

HAVE ADOPTED THIS REGULATION:

Article 1

1. The second subparagraph of Article 14 of Council Regulation (EC) No 443/97 is replaced by the following:

“It shall apply until 31 December 2000.”

2. Article 6(1) of Council Regulation (EC) No 443/97 is replaced by the following:

“1. Community financing of the operations referred to in Article 1 shall cover a period of five years (1996 to 2000).”

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2

The financial reference amount for the implementation of this programme for the period 1996 to 2000 shall be EUR 280 million.

Annual appropriations shall be authorised by the budgetary authority within the limits of the financial perspective.”

Article 2

This Regulation shall enter into force on the third day following that of its publication in the Official Journal of the European Communities.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at ,

*For the European Parliament
The President*

*For the Council
The President*

FINANCIAL STATEMENT

1. TITLE OF OPERATION

Proposal for a European Parliament and Council Regulation on operations to aid uprooted people in Asian and Latin American developing countries (extending Regulation (EC) No 443/97 to 31 December 2000)

2. BUDGET HEADING(S) INVOLVED

B7-302 AID TO UPROOTED PEOPLE IN ASIAN COUNTRIES

B7-312 AID TO UPROOTED PEOPLE IN LATIN AMERICAN COUNTRIES

3. LEGAL BASIS

Articles 177 and 179(1) of the Treaty

4. DESCRIPTION OF OPERATION

4.1. General objective of the operation

An important part of the Community's contribution to the overall aim of developing and consolidating democracy and the rule of law and respect for human rights and fundamental freedoms is to help those who have felt compelled to leave their homes in the face of serious threats to their personal safety.

Similarly, it is essential that aid instruments be developed that cater to the needs of the communities receiving these people, possibly in another country, and of those to which they return.

The general objective is to maintain support for viable projects promoting the self-sufficiency and the social and economic reintegration of refugees, displaced persons, returnees and former combatants. The operations therefore include mine clearance, campaigning against sexual violence, action to help people recover their possessions and property rights, legal assistance in cases of human rights violations against displaced persons, support for local host communities and resettlement areas to promote acceptance and integration of the uprooted people, assisting them in returning to and settling in their countries of origin or the host country, and, if necessary, fostering reconciliation.

4.2. Period covered and arrangements for renewal

Operations cover the period from 1 January to 31 December 2000.

5. CLASSIFICATION OF EXPENDITURE OF REVENUE

5.1. Non-compulsory expenditure

5.2. Differentiated appropriations

5.3. Type of revenue involved

6. TYPE OF EXPENDITURE OR REVENUE

- *100% subsidy*: financial support under the current Regulation is in the form of grants. There are plans for cofinancing with other donors, NGOs and the private sector.
- *Interest rate subsidy*: no.
- *In the event of the action proving economically successful, has any provision been made for all or part of the Community contribution to be reimbursed?* no
- *Does the action proposed entail any change in the level of revenue?* no.
- *Reuse*: none.

7. FINANCIAL IMPACT

7.1. Method of calculating total cost of operation (link between individual costs and total cost)

7.2. Itemised breakdown of costs

This annual breakdown is indicative (expressed as current prices in millions of euro) and is without prejudice to the outcome of the budgetary procedure.

CA in EUR million (current prices)

Breakdown	Year n (2000)	n+1	n+2	n+3	n+4	n+5	Total
	40						40
Total	40						40

7.3.Operational expenditure on studies, expert meetings, etc, included in Part B of the budget

Commitment appropriations in EUR million (current prices)

	Year n 1	n + 1	n + 2	n + 3	n + 4	n + 5 and subs. years	Total
- Studies	0.3						0.3
- Expert meetings	0.1						0.1
- Conferences and congresses	0.05						0.05
- Information and publications	0.11						0.11
Total	0.56						0.56

7.4. Indicative schedule of commitment / payment appropriations

This table sets out payments under the 2000-2006 budgets, excluding those for execution in that period under a previous year's budget.

EUR million

	2000	2001	2002	2003	2004	2005	2006	subsequent	Total
Commitment appropriations (B7 – 302)	40								40
Payment appropriations									
2000	35								35
2001									
2002									
2003									
2004									
2005									
2006									
Total	35								35

8. FRAUD PREVENTION MEASURES

With the setting-up of the Joint Relex Service (“Service Commun Relations Extérieures”, or SCR), administrative monitoring of contracts and payments is centralised at Commission headquarters in Brussels.

Implementation of projects is checked at each stage of the project cycle (selection, contracts, performance of contracts, payments) by Commission officials in Brussels and the delegations. These checks respect contractual obligations and the principles of cost/benefit analysis and sound financial management.

In addition, officials from the SCR, DG XX and the Court of Auditors carry out audits and checks, including some on the ground, on the expenditure authorised under the programme and the satisfactory implementation of operations. Financial audits have been carried out systematically, particularly in the course of the project, to back up fraud prevention arrangements.

9. ELEMENTS OF COST-EFFECTIVENESS ANALYSIS

9.1. Specific and quantified objectives, target population

The proposal is simply to extend the validity of the legal basis for operations already under way (currently Regulation (EC) 443/97)

9.2. Grounds for the operation

- *Need for Community financial aid*
- *Choice of ways and means*
- *Main factors of uncertainty which could affect the specific results of the operation*

The proposal is simply to extend the validity of the legal basis for operations already under way (currently Regulation (EC) 443/97)

9.3. Monitoring and evaluation of the operation

10. ADMINISTRATIVE EXPENDITURE (PART A OF SECTION III OF THE GENERAL BUDGET)

This section must be sent to DGs IX and XIX; DG IX will then forward it to DG XIX with its opinion.

10.1. Impact on the number of posts

Type of post		Staff required to manage the operation*		Source		Duration
		Permanent posts	Temporary posts**	Existing resources of the DG or department concerned	Additional resources	
Officials or temporary staff	A	1	1	2		
	B					
	C	1		1		
Other resources						
Total		2	1	3		

* DGIB, DGIA and SCR.

** DNEs and temporary, auxiliary and "intérimaire" staff.

10.2. Overall financial impact of the additional human resources

in ECU

	Amounts	Method of calculation
Officials		
Temporary staff		
Other resources (give budget heading)		
Total		

The amounts express the total cost of the additional posts for the total length of the operation if it is of a specific duration, or for 12 months if it is of unspecified duration.

10.3. Increase in other administrative expenditure as a result of the operation, including that arising from committee and expert meetings

in ECU

Budget heading	Amounts	Method of calculation
Total		

These amounts cover the total expenditure for the action if the latter is of fixed duration or the expenditure incurred over a 12-month period if it is of unspecified duration.

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DOCUMENTS

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