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COUNCIL DECISION

of 19 March 1998

on the sharing of the costs of preparing film masters for the uniform format for residence permits

(98/243/JHA)

THE COUNCIL OF THE EUROPEAN UNION,

Article 2

Having regard to the Treaty on European Union, and in particular Article K.8(2), second paragraph, second indent thereof,

Having regard to the Joint Action of 16 December 1996 adopted by the Council on the basis of Article K.3 of the Treaty on European Union, concerning a uniform format for residence permits ⁽¹⁾, and in particular Article 2(1) thereof,

Whereas adoption by the Council of the technical specifications referred to in Article 2(1) of that Joint Action entails the creation of film masters for the uniform format for residence permits;

Whereas the Kingdom of the Netherlands has declared its willingness to prepare the film masters on behalf of the other Member States;

Whereas the cost of preparing the film masters incurred by the Kingdom of the Netherlands must be shared among the Member States,

The total cost of preparing film masters for the uniform format for residence permits, which amounts to ECU 124 667, shall be financed from Member States' contributions. The financial contribution to be made by each individual Member State shall be calculated on the basis of the proportion of its gross national product to the total sum of Member States' gross national products which serves as the basis for the financing of the general budget of the European Communities for 1997 ⁽²⁾. 'Gross national product' within the meaning of this Article shall be as defined by Council Directive 89/130/EEC, Euratom of 13 February 1989 on the harmonisation of the compilation of gross national product at market prices ⁽³⁾.

Article 3

This Decision shall enter into force on the day of its publication in the Official Journal.

HAS DECIDED AS FOLLOWS:

Done at Brussels, 19 March 1998.

Article 1

The Kingdom of the Netherlands is hereby empowered to prepare the film masters for the uniform format for residence permits on behalf of the Member States.

For the Council

The President

J. STRAW

⁽¹⁾ OJ L 7, 10.1.1997, p. 1.

⁽²⁾ OJ L 44, 14.2.1997, p. 127.

⁽³⁾ OJ L 49, 21.2.1989, p. 26.

JOINT ACTION

of 19 March 1998

adopted by the Council on the basis of Article K.3 of the Treaty on European Union, introducing a programme of training, exchanges and cooperation in the field of asylum, immigration and crossing of external borders (Odysseus-programme)

(98/244/JHA)

THE COUNCIL OF EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Articles K.3(2)(b) and K.8(2) thereof,

Having regard to the proposal from the Commission,

Whereas the Member States consider as matters of common interest:

- asylum policy,
- the rules governing the crossing by persons of external borders of the Member States and the exercise of controls thereon, including matters concerning the security of identity documents, and
- immigration policy and policy regarding nationals of third countries;

Whereas the establishment of a framework for training, information, study and exchange activities will serve to improve the effectiveness of cooperation between the administrations of the Member States in the above areas;

Whereas incorporating the Sherlock programme⁽¹⁾ into the Odysseus programme will make it possible to coordinate cooperation in the areas concerned more closely and to achieve economies of scale in the running of the two programmes without impairing the Sherlock programme;

Whereas this programme contributes to a better understanding of the instruments of the European

Union in the fields of asylum, immigration and the crossing of external borders on the part of the officials responsible for implementing the detailed rules in this connection;

Whereas extension of the cooperation between the Member States and the third States which are applying for accession as a measure to prepare for their accession will help the applicant countries to attain the Union's standards in the fields covered by the programme;

Whereas, thanks to the economies of scale and cumulative effects implicit in the intended measures, these objectives can be achieved more effectively at Union level than at the level of the individual Member States;

Whereas this Joint Action is without prejudice to the powers of the Community and will therefore not detract from the conduct of the PHARE programme nor from the Community measures taken in implementation of vocational training policy, in particular the Leonardo da Vinci programme; whereas action under this programme is to be complementary to, and coordinated with the other training measures financed in accordance with Community law;

Whereas future developments in Community law may require this programme to be adapted;

Whereas the Presidency has consulted the European Parliament in accordance with Article K.6 of the Treaty on European Union,

HAS ADOPTED THIS JOINT ACTION:

CHAPTER 1

GENERAL

*Article 1***Principles and objectives**

1. A programme (the Odysseus programme) of training, exchanges and cooperation, within the meaning of the

⁽¹⁾ Joint Action 96/637/JHA of 28 October 1996 adopted by the Council on the basis of Article K.3 of the Treaty on European Union, introducing a programme of training, exchanges and cooperation in the field of identity documents ('Sherlock') (OJ L 287, 8.11.1996, p. 7).

definitions in Article 3, which shall qualify for Community financial support, is hereby established for the period from 1998 to 2002. This programme shall concern the fields of asylum, immigration and the crossing of external borders.

2. For the purposes of setting priorities in the annual programming of measures, account shall be taken of:

- Article K.3(1) of the Treaty,
- the existence of Community or Union legislation already in force,
- the existence of proposals for legislation already under discussion, to anticipate their entry into force by means of cooperation between the administrations,
- priorities set by the Council for cooperation in the fields of justice and home affairs,
- any other cooperation required for the purposes of Article K.3(1) of the Treaty.

3. Without prejudice to the powers of the Community, the general objective of the Odysseus programme shall be to extend and strengthen existing cooperation in the matter of asylum, immigration, the crossing of external borders and the security of identity documents, and cooperation in these same areas with States applying for accession, by means of multiannual programming.

Article 2

The financial reference amount for the implementation of the programme for the period mentioned in Article 1(1) shall be ECU 12 million. The annual appropriations shall be authorised by the budget authority within the limits of the financial perspective.

Article 3

Definitions

1. For the purposes of the Odysseus programme the following definitions shall apply to the measures referred to in Article 1(2):

- *training measures*: organisation of practical training courses focusing on theoretical and practical knowledge,
- *exchange measures*: period spent by officials, magistrates or other servants empowered by the Member States in a Member State other than their

own for the purpose of comparing their practice with that of their counterparts there, in compliance with the data-protection requirements laid down in the State,

- *studies and research*: work of an educational nature involving the design, development and dissemination of teaching materials, or other documents such as databases and directories.

2. For the purposes of the Odysseus programme, 'identity documents' shall be taken to mean the documents issued by the Member States and third countries, principally to enable the holders thereof to prove their identity and to cross an external border, if need be.

Article 4

Training

In the field of training, the Odysseus programme shall focus on:

- training for instructors,
- specialist training, in particular advanced courses for decision-makers, officials responsible for preparing administrative decisions, judges and courses designed for those in charge of training,
- the exchange of information and expertise between national authorities.

Article 5

Exchanges

Exchanges under the Odysseus programme shall take the form in particular of placements of limited duration within the national administrative departments responsible for the matters to which the programme relates.

Article 6

Studies and research

1. The Odysseus-programme shall comprise:

- the design, production and dissemination of teaching materials to enhance the effectiveness of training schemes,
- ways of improving the circulation of information in the areas to which the programme relates,
- analyses and reports on subject areas connected with this programme and compatible with its objectives.

CHAPTER II

STRUCTURE

*Article 7***Asylum**

1. In the field of asylum, measures shall focus primarily on:

- coordinated application of the Dublin Convention of 15 June 1990 determining the State responsible for examining applications for asylum lodged in one of the Member States of the European Communities, after its entry into force,
- close cooperation between competent national administrations and bodies, empowered by the Member States.

2. Projects may be taken into consideration under the heading of measures focusing on coordinated application of the Dublin Convention, if they have the following objectives:

- the coordinated application of the procedures, time limits, evidence, and other practical problems of applying the Convention,
- the application of other legal instruments relating to asylum.

3. Projects may be taken into consideration under the heading of measures focusing on close cooperation between national administrations and bodies empowered by the Member States, responsible for matters of asylum if they are concerned in particular with the following areas:

- procedures for examining asylum requests at first instance (standard or accelerated) and appeal procedures,
- systems of documentation on countries of origin,
- conditions for reception of asylum-seekers, including their rights and obligations,
- alternatives to refugee status, including temporary protection,
- cooperation between the various bodies involved (asylum request scrutiny departments, welfare

departments, border control services, etc.) and the role of the UNHCR, other international organisations and NGOs,

- treatment of asylum-seekers whose requests have been definitively rejected.

*Article 8***Immigration**

Projects may be taken into consideration under the heading of measures in the field of immigration of nationals of third countries, if they are concerned with the following areas:

- admission of third country nationals, and in particular conditions for entry, conditions for travel within the Union, residence rules, family unification, access to employment and to activity as self-employed persons, whether or not salaried,
- combating illegal immigration, and in particular combating illegal entry, residence and employment, and the organisation of the expulsion and repatriation of illegal immigrants, as well as combating trafficking in human beings and those responsible for organising it.

*Article 9***Crossing of external borders**

Projects may be taken into consideration under the heading of measures to monitor the crossing of external borders if they are concerned with organising the practicalities of controls, including matters concerning the security of identity documents. Special attention will be paid to addressing problems on a thematic basis (in particular by type of border) or on a geographical basis.

*Article 10***Cooperation with applicant countries**

Specific subprogrammes in the areas listed in Articles 7 to 9 shall be set up in each annual programme to prepare the applicant countries for accession in those areas. Special attention shall be paid to transposal into national law and application by civil servants working in these fields.

Within the framework of cooperation with the applicant States, measures shall be targeted on:

- improving knowledge of the Union *acquis* in order to help the applicant States to take the measures needed to enable their services to work in line with Union standards and rules,
- exchange of information on the legal and administrative institutional systems of the Member States and the applicant States.

CHAPTER III

FINANCIAL PROVISIONS

Article 11

Financing criteria

To qualify for Community finance, projects must be of demonstrable interest to the Union and involve at least two Member States.

Projects may involve States applying for accession where the aim is to prepare for their accession and may involve other third countries where this would be useful for the purpose of the projects.

Article 12

Financial control

The financing decisions and the contracts arising therefrom shall provide in particular for monitoring and financial control by the Commission and audits by the Court of Auditors, the results of which shall be forwarded to the budget authority.

Article 13

Level of Community finance

1. All types of expenditure which are directly chargeable to the implementation of the measure and have been incurred over a specific, contractually defined period shall be eligible, up to the ceiling of appropriations authorised under the annual budgetary procedure.

2. The proportion of financial support from the Community budget shall be 60 % of the total cost of the programme save in exceptional cases where, subject to the procedures laid down in Chapter IV, it shall not exceed 80 %.

3. Translation and interpreting costs, computing costs and expenditure on durables or consumables shall not be considered unless they are essential for the realisation of the project and shall be financed only up to a limit of 50 % of the grant, or 80 % in cases where the nature of the project makes them indispensable.

4. Expenditure relating to premises, collective facilities and the salaries of officials of the State and public bodies shall be eligible only if it corresponds to postings and tasks not connected with national use or function but specifically connected with the implementation of this Joint Action.

Article 14

Rules of procedure

1. Measures incorporated in the programme and financed by the general budget of the European Communities shall be managed by the Commission in accordance with the Financial Regulation of 21 December 1977 applicable to the general budget of the European Communities ⁽¹⁾.

2. When presenting financing proposals, the Commission shall take account of the principles of sound financial management and in particular of economy and cost-effectiveness as required by Article 2 of the Financial Regulation.

CHAPTER IV

MANAGEMENT AND MONITORING

Article 15

Devising the programme

1. The Commission shall be responsible for managing and monitoring the programme and shall take such measures as are necessary to that end.

⁽¹⁾ OJ L 356, 31.12.1997, p. 1. Regulation as last amended by Regulation (EC, Euratom, ECSC) No 2335/95 (OJ L 240, 7.10.1995, p. 12).

2. The Commission shall draw up a draft annual programme comprising a breakdown of the appropriations available and based on thematic priorities corresponding to the structure, content and objectives of the programme. The annual programme shall cover the three areas referred to in Articles 7, 8 and 9, but may give preference to one of these if required to meet the needs of the national administrations.

To that end, the Commission shall scrutinise the projects submitted to it in the light of the criteria specified in Article 1(2), taking due account of the innovative character of the proposed measure and of the overall consistency of the programme.

Article 16

Annual implementation of the programme

1. The Commission shall be assisted by a committee consisting of a representative of each Member State and chaired by a representative of the Commission.

2. The Commission shall submit to the Committee the draft annual programme, together with a plan for the allocation of the available appropriations to the various areas of the programme and proposals for implementing rules and evaluations. The Committee shall deliver its opinion unanimously within two months. This period may be reduced by the Chairman for reasons of urgency. The Chairman shall not vote.

If a favourable opinion is not given within the time limit, the Commission shall either withdraw its proposal or present a proposal to the Council, which shall decide unanimously within two months.

3. Once the programme has been agreed, it will be forwarded to the European Parliament; the Commission will keep the Committee informed of the views of the European Parliament.

Article 17

Management of the programme

1. As from the second financial year, projects for which finance is requested shall be submitted to the Commission for scrutiny before 31 March of the budgetary year to which they are to be charged.

2. Where the financing requested is less than ECU 50 000, the Commission representative shall submit a draft to the Committee referred to in Article 16(1). The Committee, acting by the majority provided for in the second subparagraph of Article K.4(3) of the Treaty, shall deliver its opinion on this draft within a time limit

which the Chairman may lay down according to the urgency of the matter. The Chairman shall not vote.

The opinion shall be recorded in the Committee's minutes; each Member State shall have the right to ask that its position be recorded in the minutes.

The Commission shall take full account of the opinion delivered by the Committee. It shall inform the Committee of how it has done so.

3. Where the financing requested exceeds ECU 50 000, the Commission shall submit to the Committee referred to in Article 16(1) a list of the projects submitted to it under the annual programme. The Commission shall indicate the projects it selects and shall give reasons for its selection. The Committee, acting by the majority provided for in the second subparagraph of Article K.4(3) of the Treaty, shall deliver its opinion on the various projects within a period of two months. The Chairman shall not vote. If a favourable opinion is not delivered within the time limit, the Commission shall either withdraw the project(s) concerned or submit it (them), with any opinion from the Committee, to the Council which, acting by the majority provided for in the second subparagraph of Article K.4(3) of the Treaty, shall take a decision within two months.

4. Notwithstanding paragraphs 2 and 3, a Member State may, at any time before the Committee has given its opinion, request that, for important and stated reasons of national policy, a project concerning the crossing of external borders be submitted by the Council.

If such a request has been made, the Commission shall forthwith submit a proposal to the Council, which shall decide unanimously within two months.

Article 18

Evaluation

1. The Commission shall be responsible for organising an evaluation of the programme by impartial experts unconnected with the programme, appointed in agreement with the Management Committee referred to in Article 16.

2. Each year, the Commission shall address a report to the European Parliament and the Council recapitulating the measures taken during the previous year and the evaluation carried out.

Article 19

Joint Action 96/637/JHA is hereby repealed.

Projects already under way or those on which a favourable opinion has been given under the procedure laid down in Article 13(3) of Council Joint Action 96/637/JHA of 28 October 1996 shall be carried out as part of the implementation of the Odysseus programme.

It shall be published in the Official Journal.

Done at Brussels, 19 March 1998.

Article 20

This Joint Action shall enter into force on the day of its adoption.

For the Council

The President

J. STRAW

JOINT ACTION

of 19 March 1998

adopted by the Council, on the basis of Article K.3 of the Treaty on European Union, establishing a programme of exchanges, training and cooperation for persons responsible for action to combat organised crime (Falcone programme)

(98/245/JHA)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Article K.3(2)(b) and Article K.8(2) thereof,

Having regard to the concerted initiative by the Grand-Duchy of Luxembourg and the Commission,

operational methods with a European dimension for those responsible for action against organised crime is likely to strengthen and facilitate the struggle against this phenomenon and to reduce such obstacles as may exist to increased cooperation between Member States in this area, particularly in the customs, police and judicial fields;

- (1) Whereas the Member States regard the fight against organised crime in all its forms as a matter of common interest;
- (2) Considering the conclusions of the Amsterdam European Council meeting in June 1997, which adopted the action plan to combat organised crime ⁽¹⁾ established by the high-level group, as reflected in the Council resolution of 18 December 1997 laying down the priorities for cooperation in the field of justice and home affairs for the period 1 January 1998 of the date of entry into force of the Treaty of Amsterdam ⁽²⁾;
- (3) Whereas the Member States are mindful of the need for a coordinated multidisciplinary approach to prevention and enforcement at both legislative and operational levels;
- (4) Whereas this programme should be focused on activities contributing to the implementation and monitoring of the action plan to combat organised crime;
- (5) Whereas the institution of a framework to support measures designed to facilitate the implementation of the action plan, in particular action involving multidisciplinary meetings and exchanges, research, studies and other ways of improving skills and
- (6) Whereas these objectives may be more effectively pursued at European Union level rather than at the level of the individual Member States, in view of the synergy which develops from the exchange of specific experience available in the Member States and the anticipated economies of scale and cumulative effects of the intended measures;
- (7) Whereas this Joint Action is without prejudice to the powers of the European Community and therefore does not detract from Community measures taken or likely to be taken in the areas covered by the action plan;
- (8) Whereas, however, the enforcement and judicial aspects affecting those areas may be considered part of this programme when they complement Community measures; whereas it is therefore necessary for the implementation of this programme to adopt a broad approach to the phenomenon of organised crime, including economic crime, fraud, corruption and money-laundering;
- (9) Whereas this Joint Action should not overlap with other programmes under Title VI of the Treaty; whereas the annual priorities for those programmes should be adjusted accordingly to exclude in future operations specifically relating to the implementation of the action plan to combat organised crime;

⁽¹⁾ OJ C 251, 15.8.1997, p. 1.

⁽²⁾ OJ C 11, 15.1.1998, p. 1.

- (10) Whereas this Joint Action does not affect existing procedural rules on customs, police and judicial cooperation;
- (11) Whereas the instruments adopted by the Council to combat organised crime include the Joint Action of 22 April 1996 concerning a framework for the exchange of liaison magistrates to improve judicial cooperation between the Member States of the European Union ⁽¹⁾;
- (12) Whereas a financial reference amount, within the meaning of point 2 of the Declaration by the European Parliament, the Council and the Commission of 6 March 1995, is included in this Joint Action for the entire duration of the programme, without thereby affecting the powers of the budgetary authority as they are defined by the Treaty;
- (13) Whereas the Presidency has consulted the European Parliament in accordance with Article K.6 of the Treaty,

HAS ADOPTED THIS JOINT ACTION:

Article 1

1. A programme (Falcone) to promote coordinated measures for those responsible for the fight against organised crime, in order to facilitate the implementation and monitoring of the action plan to combat organised crime, is hereby established for the period 1998 to 2002.

2. For the purposes of this Joint Action, 'persons responsible for the fight against organised crime' means the following categories of persons inasmuch as they have responsibilities in the area concerned under their national legislation: judges, public prosecutors, police and customs departments, civil servants, public tax authorities, authorities responsible for the supervision of financial establishments and public procurement, including the fight against fraud and corruption, and representatives of professional circles who may be involved in the implementation of some of the recommendations in the action plan, as well as the academic and scientific world.

⁽¹⁾ OJ L 105, 27.4.1996, p. 1.

3. The programme covers measures in the following fields:

- training,
- joint projects to improve skills and operational methods in cooperation in the fight against organised crime,
- programmes of traineeships, organisation of meetings and seminars,
- research, specialised studies, including operational feasibility studies, and assessment,
- dissemination and exchange of information, and

all other measures that may promote the implementation of the action plan to combat organised crime.

4. The financing of measures under this programme shall preclude cumulative recourse to any other programme under Title VI of the Treaty or to other Community financing programmes, with the exception of Community programmes specifically aimed at supporting the efforts of applicant countries to prepare for accession to the European Union.

Article 2

The financial reference amount for the implementation of the programme, for the period mentioned in Article 1(1), shall be ECU 10 million.

Annual appropriations shall be authorised by the budget authority within the limit of the financial perspective.

Article 3

Subject to the provisions of Article 1(4), training projects having the following aims may be eligible:

- knowledge of specific aspects of regulations, legislation, procedures and practices relating to the various aspects of the fight against organised crime referred to in the action plan, as regards prevention, enforcement and prosecution,
- preparation of teaching modules for measures involving training, exchanges and traineeships, conferences or seminars organised under this programme.

Article 4

Consideration may be given, for the purpose of cooperation between the Member States, to joint projects

of limited duration, including aspects relating to their preparation, and the temporary secondment of experts organised by the persons responsible for the fight against organised crime. Such projects shall be designed to improve skills and operational methods in combating various forms of organised crime. The Europol Drugs Unit and, after the Convention has entered into force, Europol shall be invited to participate in projects within their sphere of responsibility.

Article 5

As regards traineeships, exchanges and the organisation of meetings and seminars, projects having the following aims may be eligible:

- the organisation of visits and limited-duration traineeships with public bodies which have been given particular responsibilities in the fight against organised crime,
- the organisation and holding of seminars on specific aspects of organised crime.

Article 6

As regards feasibility studies and research, priority shall be given to those specifically recommended in the action plan; in addition projects having the following aims may be eligible:

- definition of common standards and methodology to facilitate identification of the phenomenon and data collection, while taking account of the relevant data protection laws in the Member States,
- implementation of scientific, technical or comparative research on specific aspects of the fight against organised crime or coordination of research on the matter,
- comparison and assessment of instruments directly or indirectly applicable to the fight against organised crime (prevention, enforcement and prosecution), including, where appropriate, instruments and procedures used by the applicant countries, to identify possibilities for defining common policies against organised crime and measures for convergence or harmonisation which could constitute a long-term objective of the European Union,
- comparison and assessment of methods used in the fight against organised crime by operational departments (police, customs and the judiciary) to identify means of improving and, where appropriate, coordinating the methods in question.

Article 7

As regards dissemination and exchange of information, projects having the following aims, as laid down in the action plan to combat organised crime, may be eligible:

- assistance in setting up networks of contact points to facilitate the dissemination of information and cooperation procedures between the departments concerned (data collection and analysis system, enforcement and judicial agencies and integrated multidisciplinary teams),
- aid for the creation and development of databases or electronic data networks containing legislation and case-law on the fight against organised crime for the purpose of facilitating the action of the persons responsible for the fight against organised crime,
- dissemination of information on the operations referred to in Articles 3, 5 and 6 and, where appropriate, operations under Article 4.

Article 8

1. Projects receiving Community financing must be of interest for the European Union and involve more than one Member State.

2. The bodies responsible for projects may be public or private organisations, including research institutes and institutions for basic training or for continuing training.

3. The projects to be financed shall be subject to a selection procedure taking into account in particular the following criteria:

- compatibility to topics covered with work undertaken or planned under the multiannual cooperation priorities established by the Council for justice and home affairs and in particular with the action plan to combat organised crime,
- input towards the framing or implementation of instruments adopted or to be adopted under Title VI of the Treaty,
- complementarity between the various projects,
- number and nature of the departments or categories of persons targeted,
- quality of the institution responsible,
- degree of preparation of the participants,
- scope for drawing on results achieved in order to reinforce cooperation between Member States.

4. The projects may involve those responsible in applicant countries, with a view to familiarising them with the European Union *acquis* in this field and helping them prepare for accession, or in other non-member countries where it serves the aims of the projects.

Article 9

Financing decisions and the contracts deriving from them shall provide in particular for follow-up and financial monitoring by the Commission and audits by the Court of Auditors.

Article 10

1. All types of expenditure directly attributable to implementation of a project and incurred during a contractually set period shall be eligible.

2. Financial support from the Community budget may not exceed 80 % of the cost of the project.

3. Translation and interpreting expenses, data-processing costs and expenditure on durables or consumables shall be taken into consideration only when they constitute a necessary support for carrying out the measure and may be financed only up to a maximum of 50 % of the subsidy, or 80 % where the very nature of the project makes them indispensable.

4. Expenditure relating to public premises and equipment and to remuneration of officials of State or public bodies may be taken into consideration only in so far as it concerns uses and tasks not linked with a national purpose or function but specifically connected with implementation of the project.

Article 11

1. The Commission shall be responsible for implementing the measures provided for in this Joint Action and shall adopt the detailed procedures for applying it, including the eligibility criteria for costs.

2. It shall draw up each year, with the assistance of specialists in the fight against organised crime who shall be identified by the members of the Committee referred to in Article 12, the draft annual programme implementing this Joint Action in terms of the thematic priorities and the distribution of available appropriations between fields of activities. In this context, account shall be taken of the results of the assessment of the measures undertaken pursuant to paragraph 3.

3. It shall undertake each year an assessment of the measures implementing the programme for the previous year.

Article 12

1. The Commission shall be assisted by a committee consisting of one representative from each Member State and chaired by a representative of the Commission.

2. The Commission shall submit to the Committee the draft annual programme referred to in Article 11(2), together with proposals for implementing rules and for project assessment. The opinion shall be delivered by the Committee, acting unanimously, within a period of two months. This period may be reduced by the Chairman for reasons of urgency. The Chairman shall not vote.

If a favourable opinion is not delivered within the time limit, the Commission shall either withdraw its proposal or submit a proposal to the Council, which shall take a decision unanimously within two months.

3. Once the annual programme is adopted, the Commission shall immediately forward it to the European Parliament and shall keep the Committee continually informed of the views of the European Parliament.

Article 13

1. Projects for which financing is requested shall be submitted to the Commission for scrutiny within a time limit to be determined in the annual programme referred to in Article 11(2).

2. The Commission shall examine the projects that are submitted to it with the assistance of the specialists referred to in Article 11(2).

3. Where the financing requested is less than or equal to ECU 50 000, the representative of the Commission shall submit a draft to the Committee referred to in Article 12(1). The Committee, acting by the majority provided for in the second subparagraph of Article K.4(3) of the Treaty, shall deliver its opinion on the draft within a time limit which the Chairman may lay down according to the urgency of the matter. The Chairman shall not vote.

The opinion shall be recorded in the minutes; in addition, each Member State shall have the right to ask to have its position recorded in the minutes.

The Commission shall take the fullest account of the opinion delivered by the Committee. It shall inform the Committee of how it has done so.

4. Where the financing requested exceeds ECU 50 000, the Commission shall submit to the Committee referred to in Article 12(1) a list of the projects submitted to it under the annual programme. The Commission shall indicate the projects it selects and shall give reasons for its selection. The Committee, acting by the majority provided for in the second subparagraph of Article K.4(3) of the Treaty, shall deliver its opinion on the various projects within a period of two months. The Chairman shall not vote.

If a favourable opinion is not delivered within the time limit, the Commission shall either withdraw the project(s) concerned or submit it (them), with any opinion from the Committee, to the Council which, acting by the majority provided for in the second subparagraph of Article K.4(3) of the Treaty, shall take a decision within two months.

Article 14

1. Measures covered by this programme and financed by the general budget of the European Communities shall be managed by the Commission in conformity with the Financial Regulation of 21 December 1977 applicable to the general budget of the European Communities ⁽¹⁾.

2. When presenting the financing proposals referred to in Article 13 and the assessment provided for in Article 11, the Commission shall take account of the principles of sound financial management and in particular of economy and cost-effectiveness as required by Article 2 of the Financial Regulation.

Article 15

1. The Commission shall organise an evaluation of the programme by impartial experts from outside the

programme, appointed in agreement with the Committee referred to in Article 12.

2. Each year the Commission shall prepare a summary report on the operations undertaken and the evaluation carried out, to be sent to the European Parliament and the Council. The first report shall be presented at the latest by the end of the year in which all the operations relating to the first year of operation are completed.

Article 16

This Joint Action shall enter into force on the day of its adoption.

It shall be applicable until 31 December 2002, at the end of which it may be extended.

Article 17

This Joint Action shall be published in the Official Journal.

Done at Brussels, 19 March 1998.

For the Council

The President

J. STRAW

⁽¹⁾ OJ L 356, 31.12.1977, p. 1. Regulation as last amended by Regulation (EC) No 2444/97 (OJ L 340, 11.12.1997, p. 1).