



EUROPEAN COMMISSION

Brussels, 21.12.2011  
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**COMMISSION IMPLEMENTING DECISION**

**of 21.12.2011**

**concerning the adoption of a financing decision for 2012 in the framework of the  
Programme "Drug prevention and information"**

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**concerning the adoption of a financing decision for 2012 in the framework of the Programme "Drug prevention and information"**

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Decision No 1150/2007/EC of the European Parliament and of the Council of 25 September 2007<sup>1</sup>, establishing for the period 2007 to 2013, as part of the General Programme on "Fundamental Rights and Justice" the Specific Programme "Drug Prevention and Information" (hereinafter referred to as the "basic act"), and in particular Article 9(2) and (3) and Article 10(3) thereof,

Having regard to Council Regulation (EC, Euratom) No 1605/2002 of 25 June 2002 on the Financial Regulation applicable to the general budget of the European Communities<sup>2</sup> (hereinafter referred to as the "Financial Regulation"), and in particular Articles 75, 108a and 110 thereof,

Having regard to Commission Regulation (EC, Euratom) No 2342/2002 of 23 December 2002 laying down detailed rules for the implementation of Council Regulation (EC, Euratom) No 1605/2002 on the Financial Regulation applicable to the general budget of the European Communities<sup>3</sup> (hereinafter referred to as the "Implementing Rules"), and in particular Article 90 thereof,

Whereas:

- (1) In accordance with Article 75 of the Financial Regulation and Article 90(1) of the Implementing Rules, the commitment of expenditure from the Union budget shall be preceded by a financing decision setting out the essential elements of the action involving expenditure and adopted by the institution or the authorities to which powers have been delegated by the institution.
- (2) In accordance with Article 110 of the Financial Regulation and Article 9 (2) of the basic act, the Commission shall adopt an annual work programme.
- (3) The 2012 work programme being a sufficiently detailed framework in the meaning of Article 90(2) and (3) of the Implementing Rules, the present decision constitutes a

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<sup>1</sup> OJ L 257, 3.10.2007, p. 23.

<sup>2</sup> OJ L 248, 16.9.2002, p. 1.

<sup>3</sup> OJ L 357, 31.12.2002, p. 1.

financing decision for the expenditure provided in the work programme for grants and procurement.

- (4) This Decision may also cover the payment of interest due for late payment on the basis of Articles 83 of the Financial Regulation and 106(5) of the Implementing Rules.
- (5) For the application of this Decision, it is appropriate to define the terms 'substantial change' within the meaning of Article 90(4) of the Implementing Rules.
- (6) In accordance with the procedure referred to in Article 9(3) of the Decision No 1150/2007/EC of the European Parliament and of the Council, the Committee was consulted and delivered a favourable opinion on the annual work programme for 2012.

HAS DECIDED AS FOLLOWS:

#### *Article 1*

The 2012 work programme for the implementation of the Drug prevention and information Programme (hereinafter referred to as the "work programme"), as set out in the Annex, is hereby adopted. It constitutes a financing decision in the meaning of Article 75 (2) of the Financial Regulation.

#### *Article 2*

The maximum contribution for this work programme is set at EUR 3 129 300 and shall be financed from the following lines of the General Budget of the European Union for 2012:

Budget line 33 04 01 – EUR 3 078 000

Budget line 33 01 04 05 – EUR 51 300

These appropriations may also cover interest due for late payment.

The implementation of this Decision is subject to the availability of the appropriations provided for in the draft budget for 2012 after the adoption of the budget for 2012 by the budgetary authority or provided for in the provisional twelfths.

#### *Article 3*

Cumulated changes of the allocations to the specific actions not exceeding 20 % of the maximum contribution set in Article 2 are not considered to be substantial provided that they do not significantly affect the nature and objective of the work programme.

The authorising officer may adopt such changes in accordance with the principles of sound financial management and of proportionality.

Done at Brussels,

*For the Commission*

*Viviane Reding*

## ANNEX

### ANNUAL WORK PROGRAMME 2012

#### Drug prevention and information Programme

#### 1. GENERAL CONTEXT

##### 1.1. Policy and Legal Context

On the 25 September 2007<sup>4</sup>, the European Parliament and the Council adopted the Decision No 1150/2007/EC, establishing for the period 2007-2013 the specific programme "Drug prevention and information" as part of the General Programme on "Fundamental Rights and Justice" (hereinafter referred to as the "basic act"), in order to contribute to the strengthening of the area of Freedom, Security and Justice over the period of 2007 - 2013. The basic act specifies the general and specific objectives of the Programme and the specific activities to be implemented.

The EU Drugs Strategy 2005-2012 sets targets for all EU drug-related activities to attain a high level of protection, well-being and social cohesion by preventing and reducing drug use, dependence and drug-related harms to health and society. The EU Action Plan on Drugs 2009-2012 translates these targets into a list of concrete actions to reduce the prevalence of drug use among the population and to reduce the social harm and health damage caused by drugs.

In line with Article 11 of the basic act, this work programme for 2012 will aim to complement other Union instruments, particularly the general Programme "Security and Safeguarding Liberties", the 7<sup>th</sup> Research and Technological Development Framework Programme<sup>5</sup> as well as the "Second programme of Community Action in the field of Health"<sup>6</sup>, and ensure there is no duplication of activity. Complementarities with the work of the European Monitoring Centre for Drugs and Drug Addiction (EMCDDA) will also be assured.

##### 1.2. General objectives of the programme

The general objectives of the 'Drug prevention and information' Programme 2007-2013 are:

- (a) to prevent and reduce drug use, dependence and drug-related harms;
- (b) to contribute to the improvement of information on drug use; and
- (c) to support the implementation of the EU Drugs Strategy.

##### 1.3. Target groups and beneficiaries

The target groups of the Programme's activities are all those who may be affected by the consequences of drug use, including: young people, women, vulnerable groups and people living in socially disadvantaged areas. Other target groups are, inter alia, teachers and educational staff, parents, social workers, local and national authorities, medical and

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<sup>4</sup> OJ L257, 3.10.2007, p. 23.

<sup>5</sup> OJ L 412, 30.12.2006, p.1.

<sup>6</sup> OJ L 301, 23.10.2007, p. 3.

paramedical staff, judicial staff, law enforcement and penitentiary authorities, NGOs, trade unions and religious communities.

## 2. BUDGET DISTRIBUTION FOR 2012

Budget line: 33 04 01

For 2012, the total annual budget available for the "Drug prevention and information" Programme is EUR 3 078 000. The total annual budget includes the contribution from the EFTA States that are party to the EEA.

The annual work programme consists of the following parts and types of action:

Part	Types of actions	Envisaged budget in EUR
<b>I. Grants</b>		
A	action grants to specific transnational projects of Community interest (call for proposals)	EUR 2 058 000 <sup>7</sup>
B	operating grants to support the annual activity programme of non-governmental organisations or other entities (call for proposals)	EUR 500 000
<b>II. Actions on the initiative of the Commission</b>		
	Specific actions initiated by the Commission (public procurement)	EUR 520 000

## 3. A - ACTION GRANTS CO-FINANCING FOR SPECIFIC PROJECTS

### 3.1. Priorities for 2012

The grants provided under this heading shall co-finance projects within the scope of the "Drug prevention and information" Programme. The call for proposals shall focus in particular on the annual priorities described below.

The projects submitted must consist of transnational projects, studies and research, exchange of best practice, training, study visits, staff exchanges, seminars, meetings, conferences or a combination of these. Specific attention will be given to new types of addictions with regard to the use of new psychoactive substances.

The following types of projects can be co-funded based on the specific objectives of the Programme:

*1.1.1. Ensure the expansion of the knowledge base, the exchange of information and identification and dissemination of good practices in the area of drug-demand reduction*

<sup>7</sup> The appropriations arising from the internal assigned revenue (revenue from recoveries) carried over from 2011 to 2012 will be added to this amount.

- Develop effective approaches in prevention, in particular interactive interventions following social influence approaches and life-skills (e.g. interactive teaching, conflict handling, coping skills).
- Develop prevention approaches including brief intervention and assessment specifically targeting the combined use of licit and illicit substances (poly-drug use), in particular aimed at young people.
- Develop integrated and innovative approaches to identify, monitor and respond to new trends and patterns in the consumption of – in particular – new psychoactive substances which are not controlled ("legal highs") but which may pose health and social risks including new types of drug dependence.
- Develop successful models for E-health interventions for early detection, self-management, brief interventions and treatment aimed at drug users and/or their families.
- Develop approaches in selective prevention targeted at vulnerable groups at high risk of developing problem drug use (e.g. families at risk, young offenders, homeless, prisoners).
- Develop preventive and treatment approaches that take into account the needs of specific drug user groups (e.g. sex workers, (pregnant) women, migrant and minority groups, specific age groups).
- Exchange of best-practices on treatment programmes targeted at non-opioid drug users (e.g. cocaine, cannabis).
- Develop innovative approaches aimed at preventing relapse and at reintegration and rehabilitation of (long-term) drug users, including – inter alia - those released from prison.
- Enhancing the economic analysis of the drugs phenomenon.
- Develop and implement best practice in the field of quality standards and guidelines in the field of drug demand reduction.
- Review current practices and barriers to monitoring data on health, drug use and drug services in prison settings, and develop guidelines and models of good practice for demand reduction in prison and on continuation of care on release.

*1.1.2. Raise awareness of the health and social problems caused by drug use or which influence drug consumption, and to encourage an open dialogue with a view to promoting a better understanding of the phenomenon of drugs*

- Exchange of best practice on innovative awareness raising campaigns targeted at young people and integrated with prevention activities on the risks associated with drug use.
- Exchange of best practice on innovative approaches, also, via the internet, to provide information and advice to parents/family and members/carers of drugs users to support their involvement in preventing the use of drugs by young people.

*1.1.3. Support measures aimed at preventing drug use, including by addressing reduction of drug-related harm and treatment methods taking into account the latest state of scientific knowledge*

- Identify and develop innovative approaches in harm reduction to reduce drug-related deaths, in particular targeting poly-drug use and non-opioid drug users.
- Develop and implement approaches to reduce drug-related harm to drug users in prisons and/or on release from prison and improve their access to treatment.
- Develop models of good practice in information and training for staff in emergency services and recreational settings (nightclubs, pubs, etc) to effectively respond to drug-related incidents.
- Review opportunities for developing and implementing (innovative) interventions, including training activities, to prevent hepatitis C in drug users.
- Develop approaches the systematic collection of data on emergency rooms admission for drugs, with a particular focus on identifying trends in use and adverse consequences relating to stimulant and poly drug use.

*1.1.4. Projects aimed at the involvement of civil society in the implementation of the European Union's Drug Strategy and Action Plans on Drugs*

- Exchange of best-practices on cooperation between authorities and civil society at local and/ or regional level, by public services providing prevention, education, harm reduction and law enforcement, working together with voluntary organisations and service providers from civil society.

*1.1.5. Projects aimed at the monitoring, implementation and evaluation of specific actions under the Drugs Action Plan 2009-2012*

- Development and exchange of best practice in policy and programme evaluation at different levels in the drug field (city level, local, regional and national) in line with the EU Drugs Action Plans.

### **3.2. Financial provisions and payment conditions for action grants**

The total amount foreseen for action grants is EUR 2 058 000.

The grant provided by the Programme should not cover the entire cost of the action; the EU contribution is limited to a maximum 80% of the total eligible cost of the action. Consequently, at least 20% of the total eligible costs must be covered by the applicant, the partners or by another fund provider. Contributions in kind cannot be included in the project budget as an expense and are not accepted as co-financing. Projects must be strictly non-profit making. The Commission may award a grant lower than the amount requested.

Grants awarded shall be covered by a written agreement including the modalities for the reimbursement of a specified proportion of the eligible costs actually incurred. A grant agreement for an action with one beneficiary or with multiple beneficiaries will be used on a case by case basis, as appropriate. The agreement is a standard agreement, and its terms and conditions may not be altered or subject to negotiation.



As a general rule, the co-funding is provided in two instalments: a pre-financing payment corresponding up to 80% of the Commission grant on the signature of the grant agreement, and the balance on receipt and approval by the Commission of the final report and final financial statement. Based on individual risk assessment the Commission may lower the percentage of the pre-financing, introduce an interim payment or request additional financial guarantees from the applicant. These additional conditions should be set out in the grant agreement.

### **3.3. Selection procedure**

Projects to be co-financed will be selected following a call for proposals. Proposals will be evaluated by an evaluation committee made up of Commission officials, possibly assisted by independent experts. The assessment will be carried out on the basis of the exclusion, eligibility, selection and award criteria described below and further detailed in the call for proposals.

#### **3.3.1. Exclusion criteria**

Applicants shall be excluded from participating in the call for proposals if they are in one or more of the situations listed in Articles 93 (1) and 94 of the Financial Regulation.

#### **3.3.2. Eligibility criteria**

Projects

- (a) must be submitted by local or regional authorities, public or private, non-profit making organisations duly established (incorporated) in one of the Member States of the EU or EFTA countries that are members of the EEA. International organisations are not eligible to submit applications;
- (b) must be submitted by the deadline set in the call for proposals using only the online application tool of Directorate General Justice and must be presented on the standard forms, accompanied by all compulsory documents and annexes set out in the call for proposals;
- (c) must be transnational and involve organisations from at least two EU Member States;
- (d) must have a duration of maximum 24 months;
- (e) must seek EU co-financing of maximum up to 80% of the total eligible costs; the EU grant applied for cannot be lower than EUR 75 000;
- (f) must contain a balanced budget presenting the sources of co-financing other than the budget of the EU;
- (g) projects cannot be completed or started prior to the date of submission of the grant application.

### 3.3.3. Selection criteria

In accordance with Art. 115(1) of the Financial Regulation and Art. 176 of the Implementing Rules, proposals for action which meet the eligibility criteria will be evaluated on the basis of the following selection criteria:

- (a) The applicant's operational and professional competencies to implement and/or coordinate the proposed action and to maintain its activities during the implementation of the proposed action;
- (b) The applicant's financial capability: the applicant should have stable and sufficient sources of funding to maintain its activity throughout the period during which the proposal is being carried out and to participate in its funding.

### 3.3.4. Award criteria

Only proposals meeting the selection criteria described above will be subject to in-depth evaluation against the award criteria.

The award criteria aim to ensure the selection of actions with high inherent quality, which contribute as much as possible to the Programme objectives and the priorities set for 2012 in a cost-effective manner. All projects submitted must aim to generate an added value at EU level and be within the scope of the Programme. The proposals will be assessed against the criteria set out below and further detailed in the call for proposals.

- (a) Relevance to the EU Action Plan on Drugs 2009-2012 and conformity with this work programme's objectives, priorities and complementarities with other EU instruments.
- (b) Quality of the proposed action regarding its conception, presentation, organisation, methodology, expected results.
- (c) European dimension: the geographical scope of the project in terms of partners, participants and target group and/or its added value at European level.
- (d) Sustainability of the project and dissemination of the results.
- (e) Value for money. The extent to which the requested financing is reasonable given the expected results of the project.

### Approximate Timetable

The following indicative schedule of the general call for proposals is envisaged:

Publication of the call for proposals on the Commission website:	Q4 2011
Deadline for submission of proposals:	Q2 2012
Opinion of the Programme Committee:	Q3 2012
Commission Decision:	Q3 2012

Commitments and grant agreements:	Q3 2012
Projects' starting date:	Q3 2012

#### **4. B - OPERATING GRANTS**

Following a call for proposals, operating grants may be awarded to non-governmental, non-profit making organisations and bodies pursuing one or several objectives of the Programme with a European dimension.

##### **4.1. Priorities for operating grants**

The aim of this grant is to support the implementation of the annual work programme of these entities for a period equal to their financial year starting in 2012 by co-financing the expenditure linked to their normal activities as approved in their annual work programme and the costs of the general administrative expenditure necessary for the running of the body, and not, as opposed to action grants, to co-finance projects.

The statutory objectives pursued by the organisation should be in line with the objectives of the "Drug prevention and information" Programme and the activities included in their 2012 annual work programme should address at least one of the priorities set out under section 3.1 for action grants.

##### **4.2. Financial provisions**

The total amount foreseen for operating grants is EUR 500 000.

The grant provided by the Programme should not cover the entire costs the applicant expects to incur in carrying out its activities during its financial year starting in 2012; the EU contribution is limited to a maximum of 80% of the total eligible operational budget of the organisation. Consequently, at least 20% of the total eligible operating costs must be covered by other sources. Contributions in kind cannot be included in the budget as an expense and are not accepted as co-financing.

The activities must be strictly non-profit making. If an organisation realizes a surplus balance on the operating budget, it may have to repay part of the grant paid to it by the Commission. The same organisation may not benefit from more than one operating grant (for the same period) from the budget of the European Union.

In accordance with the Financial Regulation, when operating grants are renewed from one year to another, they shall be gradually decreased.

The Commission may award a grant lower than the amount requested. Grants awarded shall be covered by a written agreement including the modalities for the reimbursement of a specified proportion of the eligible costs actually incurred. The agreement is a standard agreement, and its terms and conditions may not be altered or subject to negotiation.

As a general rule, the co-funding is provided in two instalments: a pre-financing payment corresponding up to 80% of the Commission grant on the signature of the grant agreement, and the balance on receipt and approval by the Commission of the final report and final financial statement. Based on individual risk assessment the Commission may lower the percentage of the pre-financing, introduce an interim payment or request additional financial

guarantees from the applicant. These additional conditions should be set out in the grant agreement.

#### **4.3. Selection procedure**

Operating grants to be co-financed will be selected following a call for proposals. Proposals will be evaluated by an evaluation committee made up of Commission officials, possibly assisted by independent experts.

The assessment will be carried out on the basis of the exclusion, eligibility, selection and award criteria described here below and further detailed in the call for proposals.

##### **4.3.1. Exclusion Criteria**

Applicants shall be excluded from participating in the call for proposals if they are in one or more of the situations listed in Articles 93 (1) and 94 of the Financial Regulation:

##### **4.3.2. Eligibility Criteria**

###### **4.3.2.1. Eligibility of the applicant**

To be eligible for an operating grant, organisations must fulfil all of the following requirements:

- (a) the applicant organisation should have legal personality duly established (incorporated) in one of the Member States of the EU or EFTA countries that are members of the EEA. International organisations are not eligible to submit applications;
- (b) the statutory objectives pursued by the organisation declared in its statute or other official document establishing the organisation should be in line with the objectives of the Programme;
- (c) the applicant organisation must be non-governmental and non-profit making;
- (d) the applicant organisation must
  - be an organisation that have a corporate or organisational structure in at least 10 EU Member States or EFTA countries that are members of the EEA through their own offices or branches; or
  - represent (as a joint secretariat or officially appointed coordinator) an established formal network of organisations that work through and with partner/member organisations in at least 10 EU Member States or EFTA countries that are members of the EEA. Only the application submitted by the organisation appointed as the joint secretariat/coordinator may submit an application, the member/partner organisations are not eligible to apply; or
  - represent organisations that are active via an informal network of organisations that carry out work with a common objective in at least 10 EU Member States or EFTA countries that are members of the EEA. In that case the activities of the represented entities during the financial year 2012 are expected to result in the formalisation of the network either by setting up a formal legal entity or to adopt a

document appointing one of the member organisations or a joint secretariat to coordinate the work of the network in the future.

#### **4.3.2.2. Eligibility of the application**

In order to be eligible proposals

- (a) must be submitted by the deadline set in the call for proposals using only the online application tool of Directorate General Justice and must be presented on the standard forms, accompanied by all compulsory documents and annexes;
- (b) must seek co-financing for the costs to be incurred during the implementation of the annual work programme of the organisation approved for its financial year starting in 2012, the maximum duration of the grant is 12 months;
- (c) must seek co-financing of maximum up to 80% of the total eligible cost; the EU grant applied for cannot be higher than EUR 250 000;
- (d) must contain a balanced budget presenting the sources of co-financing other than budget of the EU.

#### **4.3.3. Selection Criteria**

In accordance with Article 115(1) of the Financial Regulation and Article 176 of the Implementing Rules, proposals for operation which meet the eligibility criteria will be evaluated on the basis of the following selection criteria:

- (a) The applicant's operational and professional competencies and capacities to implement the proposed activities;
- (b) The applicant's financial capability to carry out the proposed annual work programme and participate in its funding.

#### **4.3.4. Award Criteria**

The proposals meeting the selection criteria will be evaluated against the following award criteria:

- (a) Consistency with the Programme objectives: extent to which the planned activities, and their expected results are relevant to the objectives of the Programme; compliance with the priorities set out under this annual work programme;
- (b) Quality of the planned activities: conception, methodology, organisation;
- (c) Value for money: correlation between the budget forecast and the proposed activities; cost/benefit ratio;
- (d) Geographic dimension and European Added Value;
- (e) Involvement of the target group and the general public: extent to which the citizens, final beneficiaries, target audience is involved in the activities;

- (f) Sustainability: sustainability of the expected results and the general activity of the organisation after the EU funding

These award criteria will be outlined in more detail in the call for proposals.

### **Approximate Timetable**

The following indicative schedule of the call for proposals is envisaged:

Publication of the call for proposals on the Commission website:	Q4 2011
Deadline for submission of proposals:	Q1 2012
Opinion of the Programme Committee:	Q2 2012
Commission Decision:	Q2 2012
Commitments and grant agreements:	Q2 2012

## **5. PROCUREMENT AND OTHER ACTIONS ON THE INITIATIVE OF THE COMMISSION**

The total budget envisaged for these types of actions is EUR 520 000

In 2012 the Commission intends to undertake the following actions through existing framework contracts and service contracts following public procurement or administrative arrangements.

ACTION	Timetable
Initiatives to support policy development, monitoring and evaluation of EU drugs action plan 2009-2012.	Q2, 2012
'Civil Society Forum on Drugs': European network of NGOs in the illicit drugs field. - to finance 2 meetings in 2012	Q1,3 2012
Study on Quality Standards for drug demand interventions - to provide an impact assessment for future "EU consensus" on quality standards for drug prevention, treatment, harm reduction services	Q1 2012

## **6. ACCOMPANYING MEASURES**

Budget line: 33 01 04 05

The total budget envisaged for these types of actions is EUR 51 300.

The total budget includes the contribution from the EFTA States that are party to the EEA.

According to Article 8(3) of the basic act, the Commission may finance administrative and technical assistance activities regarding the management of this Programme through existing

framework contracts and service contracts following public procurement or administrative arrangements. This shall cover, inter alia, expenditure on information and communication, preparation, implementation, monitoring, checking and evaluation of projects, policies, programmes and legislation.

In particular, this may include the payment of external experts, activities regarding the exploitation and dissemination of project results, production of information material and the organisation of meetings. The execution of these activities is subject to the available resources on budget line 33 01 04 05.

The following indicative schedule is envisaged

ACTION	Timetable
Evaluation, dissemination and monitoring activities	Q2, 2012
Information and communication activities	Q1 2012