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Proposal for a

COUNCIL DECISION

**AMENDING DECISION 93/246/EEC OF 29 APRIL 1993
ADOPTING THE SECOND PHASE OF THE TRANS-EUROPEAN COOPERATION SCHEME
FOR HIGHER EDUCATION (TEMPUS II) (1994 TO 1998)**

(presented by the Commission)

EXPLANATORY MEMORANDUM

I. BACKGROUND

1. At the conclusion of the European Council in Strasbourg in December 1989, the Council of Ministers asked the Commission to submit detailed proposals on the measures to be taken in the area of higher education and training in order to support the reform process in the countries of Central and Eastern Europe. The Tempus programme was adopted by the Council on 7 May 1990 (Council Decision 90/233/EEC) within the budgetary framework of Phare, the Community's programme of economic assistance to the countries of Central and Eastern Europe.
2. Tempus, the aim of which is to encourage the development and restructuring of the systems of higher education in the beneficiary countries with partners in the Community, was initially adopted for a pilot phase of three years, which began on 1 July 1990. A subsequent Council Decision extended this pilot phase by one year to the end of June 1994 (Council Decision 92/240/EEC)¹.
3. On 29 April 1993 the Council adopted the second phase of the Tempus programme for a period of four years to begin on 1 July 1994, and extended its coverage to include the Republics of the former Soviet Union and Mongolia within the budgetary framework of the Tacis economic aid programme².
4. Article 11 of the Council Decision of 29 April 1993 (93/246/EEC) stipulates that the Commission will evaluate the implementation of the Tempus programme and will submit no later than 30 April 1996 a proposal for the continuation or adaptation of the programme for the period beginning 1 July 1998. This is the background against which the current proposal is being presented to the Council for a decision.

II. DESCRIPTION OF THE PROGRAMME

- A. The **joint European projects** have always been the main instrument for cooperation between universities under the Tempus programme. A joint European project requires the participation of at least one university in a beneficiary country and of partner institutions in at least two Member States of the European Community (one of which must be a university). The projects, which are selected on the basis of an annual open invitation to tender, are funded for a period of three years

¹ The number of partner countries involved in the programme increased from two in May 1990 (Poland and Hungary) to 11 in February 1992. The current participants are as follows: Albania, Bulgaria, the Czech Republic, the Slovak Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Romania and Slovenia.

² In the 1996/97 academic year, the following Republics of the former Soviet Union are taking part in the Tempus programme funded by the Tacis programme: Armenia, Azerbaijan, Belarus, Georgia, Kazakhstan, Kyrgyzstan, Moldova, the Russian Federation, Tajikistan, Turkmenistan, Ukraine and Uzbekistan, as well as Mongolia.

(preceded by a one-year preparatory period in the Tacis countries), the funding being allocated on the basis of an annual assessment of the progress made. All decisions relating to the selection of projects are taken in agreement with the partner States after consultation with experts from these countries and from the European Community.

In the initial phase, the strategy established for the Tempus programme was to seek to restructure university education by supporting initiatives on the basic aspects of reform, such as the development of curricula, the organisation of the mobility of staff (especially periods of retraining and continuing training) and of students, as well as the purchase of the equipment needed for teaching and communication.

Under Tempus II, the programme's objectives were redefined in order to bring it more into line with the strategic aim of developing higher education in each partner country and to ensure that it dovetails with the developments funded by other activities under the Phare and Tacis programmes. To this end, the Tempus programme set out to tackle the following areas:

- the questions relating to the development and overhaul of curricula in priority areas;
- the reform of the structures and establishments of higher education, and of their management;
- the development of skills training in order to make up for the lack of skills at higher-education level which are adapted to periods of economic reform, in particular by improving and increasing links with industry.

The priority sectors to be supported by the Tempus programme are defined on the basis of the annual consultations between the Commission and the authorities of each partner country. These priorities must fit in with the pre-accession strategy, thereby following the policy of the Phare programme towards the associated countries. In the case of the Tacis countries, the priorities must be in line with the economic and democratic reform policies of these States and with the specific priorities of the Tacis programme.

B. In the case of the Phare programme, as well as the joint European projects, **mobility grants** are provided to teachers, instructors or administrative staff of establishments of higher education, to senior officials in the relevant ministries and to education planners. The visits conducted by these people must be concerned with the development of higher education in a partner country and, more specifically, the development of the participating institution of the country concerned.

C. In addition, grants are provided for a number of **activities which complement** the Tempus/Phare programme as a whole. These activities are designed to support the overall objective of the programme, which is to contribute to the development and restructuring of the systems of higher education in the partner countries, especially by improving the capacities of the establishments of higher education to carry out

strategic planning and institutional development, by supporting the dissemination of the results of Tempus and by promoting the establishment of a national strategy in the partner countries for the development of a specific aspect of higher education.

III. THE POLITICAL, ECONOMIC, SOCIAL AND TECHNICAL CONTEXT OF THE PROPOSAL

The possible continuation of the Tempus programme must be seen in its political and financial context.

The financial planning for the Phare and Tacis programmes will run until December 1999, which means a comparatively short time span (two years) for a new phase of Tempus.

There are differences between the partner countries. The needs of an area of the size of the former Soviet Union (where the Community has been working for a relatively short period of time³) are not the same as the needs of the countries of Central Europe, which have already been involved for six years and are in the pre-accession process.

A. Tempus/Tacis

In the Republics of the former Soviet Union and in Mongolia, Tempus has proved to be an important instrument for supporting the reform of the education systems by funding, over a period of three years, 237 preparatory projects lasting one year and 59 joint European projects lasting three years.

Furthermore, Tempus is still at an early stage of development in the Tacis countries, which must meet tough requirements in the reform of their political, economic, social and legal structures, and these requirements will continue to apply in the years to come.

Although the various Tacis countries are independently pursuing their own reform policies, they share certain common themes resulting from their Soviet past, which shape the role to be played by the Tempus programme in the future. The tasks include, in particular:

- providing assistance in diversifying and decentralising higher education and in increasing its independence;
- strengthening the regional dimension of higher education;

³ Tempus was extended to cover the countries of the former Soviet Union by the "Tempus II" Council Decision of 29 April 1993. The programme has been extended gradually to cover the various States, some of which are taking part this year for the first time.

- supporting the universities in their efforts to make a specific contribution to economic and social reforms in other areas, in particular the improvement of relations between the universities and the socio-economic players;
- reforming and modernising over-specialised courses which no longer meet current needs, in particular in the subjects which are crucial to the overall reform process;
- introducing new teaching methods, training teaching staff and boosting the capacity for continuing education;
- modernising the management of universities in order to enable establishments of higher education to adapt to the market economy;
- improving and modernising teacher training, especially with a view to developing pluralist civics education.

While the activities and measures that have been carried out thus far by Tempus-Tacis have proved to be fruitful and suitable (see also point V below), the nature of the remaining needs in the areas in which Tempus can provide assistance warrants an extension of the programme.

This extension should initially be adopted for a period of two years, in line with the planned duration of the new Tacis Regulation and the funding plan for the Tacis programme.

In addition, Tempus fits in with the general framework of relations between the European Community and the Republics of the former Soviet Union and Mongolia, and with the cooperation agreements, all of which provide for education and training measures.

The new Council Regulation on Tacis⁴, which is planned to last until 31 December 1999, and the national Tacis programmes in particular, provide for a more specific operational strategy to be defined in order to support the objectives of economic and democratic reform. The future activities of Tempus will be at the heart of this strategy in order to encourage as many of the players in higher education as possible to help achieve these reform objectives. The priorities of Tempus will be established on a regular basis for each country, depending on the corresponding Tacis programmes.

⁴ The new Council Regulation on Tacis of 29 January 1996 (No) provides for indicative programmes lasting four years (1996-1999) and for more detailed action programmes of varying duration.

B. Tempus/Phare

Association agreements have been concluded by the European Community with six Central European countries⁵ and, for three others⁶, such agreements have already been signed and are expected to be concluded in 1996.

a) All these countries are preparing for their incorporation into the internal market as part of the pre-accession strategy established at the Essen European Council (December 1994). The "White Paper" of May 1995 "Preparation of the associated countries of Central and Eastern Europe for integration into the internal market of the Union" emphasises the demands that this process entails for the associated countries and the consequences for their systems of education and training. Moreover, these countries have been asked to become gradually involved in Community programmes.

b) These associated countries include those which have been beneficiaries of Tempus since the beginning (1990). The scale of the assistance granted to the universities of these States, in terms of both the number of projects and the amount of funding, is worth stressing.

1 207 joint European projects have been implemented since 1990. 23 295 students from the countries of Central and Eastern Europe have spent a period of time studying in a Member State, and 3 924 students of the European Community have spent time in a country of Central and Eastern Europe. In addition, 29 923 teachers from the partner countries have spent time in the Member States, and 21 017 teachers from the European Community have spent time in Central and Eastern Europe.

Of the many contributions which Tempus has made to the development of the local systems of higher education, the initiatives designed to develop new curricula, to transfer equipment and to encourage mobility have been particularly appreciated. It is therefore true to say that Tempus has made a major contribution to reducing the gap between the European Community and the countries of Central and Eastern Europe in terms of the range and quality of teaching offered to students.

c) Given this new situation, rather than pursue beyond 1998 all the measures conducted by Tempus since 1990 in these countries with the same level of funding, the intention is to focus on four main areas:

- preparing for accession to the European Community :
the Union has a duty to smooth over the road to accession for the partner countries. The universities can play a key role in defining the "new

⁵ Poland, Hungary, the Czech Republic, the Slovak Republic, Romania and Bulgaria.

⁶ Estonia, Latvia and Lithuania.

occupational profiles" which the countries need and in transposing the European directives on the regulated occupations, which will involve a reform of the curricula in the sectors concerned. This is part of the more general role of higher education in regard to the labour market of looking ahead to see what qualifications should be developed.

making it easier to take part in Socrates (the Erasmus strand):

In particular, Tempus can act as a facilitator to contribute to the effective participation of the partner countries in Socrates, which is planned to begin in the 1998/99 academic year in areas such as:

- the academic recognition of periods of study in the student mobility scheme;
- the development or improvement of services for students with a view to establishing good exchange conditions (counselling, housing, cultural activities);
- university management, the improvement of which will prepare the way for the establishment of the "institutional contracts" under Socrates.

Clearly, the date of entry into Socrates/Erasmus and any sharing of effort and funding between Socrates and Tempus are decisions to be taken by the associated country in question, since they have not all reached the same level of development or set the same priorities.

managing change:

Although the universities of Central and Eastern Europe have adopted a certain form of autonomy, they still need to establish real governing bodies and effective structures. They are accountable to their various partners (the State, local authorities, parents, students, firms) and have to diversify their services, while at the same time maintaining quality, against a background of falling public funding. It is for example a major concern of the universities how ongoing training is to be developed within the universities and interfaces between universities and business (for the practical application of research) created. Tempus is in a position to provide effective assistance in these areas, which have been and still are among the key concerns of the Member States. Tempus can also be a useful channel for providing assistance towards the implementation of major national reforms in higher education, such as the establishment of short and vocational courses. The task, begun in TEMPUS II, is a priority in most of the countries.

building on what has been achieved:

Following the conclusions of the external evaluation, which regretted that the potential of excellent Tempus projects was being underexploited,

considerable efforts still need to be made to disseminate the results at sectoral or local level.

To sum up, the task is to use the university system to prepare for accession in the best possible conditions and to make it possible for the institutions of the partner countries to reach European standards in areas in which they have shortcomings, notably in management and quality.

A targeted programme of this kind can be implemented over a period of two years, with a level of funding which is adapted to each country's stage of development and needs, but which is, in any event, more limited than in the previous phase.

d) As regards the non-associated countries, Albania still needs substantial assistance in all areas, given its economic backwardness and the specific difficulties of its education system. Its situation can be compared, for the purposes of the analysis, to that of many countries in the Tacis assistance zone. The countries of the former Yugoslavia (apart from Slovenia, for which the assistance is to take the same form as the components of the association agreements concluded with the countries which are at the pre-accession stage) may be included in this group, depending on their political situation and the actual implementation of the Phare programme. They have different traditions of contacts with the European Community, but their university community would like to re-establish substantial links, in view of the events of recent years. The universities play a particularly important role in spreading the values of democracy and tolerance in society.

IV. THE REASONS WHY ACTION AT UNION LEVEL IS NECESSARY, AND AN ANALYSIS OF THE CONSEQUENCES OF A FAILURE TO ACT

The European Community's political commitment to cooperation and dialogue with Central and Eastern Europe and the Newly Independent States no longer needs to be proved. This subject has been regularly discussed in the European Council and has been translated into operational measures, namely the Phare and Tacis programmes and the "association agreements" and "partnership agreements". Education and the development of human resources have been treated as priorities in this process.

The Commission would stress that the Tempus programme has provided a way of responding rapidly and substantially to the need to overhaul and adapt systems of higher education. Tempus has made a major contribution in the partner countries to the fulfilment of the recognised tasks of universities:

- to raise the general level of knowledge;

- to produce citizens who are adapted to the needs resulting from economic restructuring: the achievements in disciplines such as economics, law and the social sciences are significant in this respect;
- to contribute to the civic, democratic and cultural life of peoples, which assumes academic freedom and is a particularly important issue in States which are in a period of transition.

In addition, Tempus has:

- helped to create interest in trans-European cooperation among higher education establishments in the beneficiary countries;
- encouraged greater use of the languages of the European Community;
- broken down the barriers preventing higher education systems from adapting to the requirements of the European Community;
- begun to open up higher education to its local, regional or even European environment (firms, local authorities or other higher education establishments);
- made it possible for many teachers, administrative staff and students to spend time in the Member States of the European Community; on their return to their respective countries, most of these people have endeavoured to modernise university organisation.

It is now necessary to consolidate the work done by Tempus, especially by focusing on structural reforms and on the dissemination and promotion of the results already achieved; in this connection, the bilateral assistance provided by the Member States provides an essential complement to Community cooperation.

This was the theme of the joint message of the Commission and the Ministers for Education of the Member States at their meeting with the Russian Minister for Education in St Petersburg (September 1994). Prior to this meeting, the Commission had disseminated a study reviewing the cooperation between the Member States and the countries of the former Soviet Union.

At the meeting of Ministers on 23 October 1995 in Luxembourg as part of the institutionalised dialogue, the Ministers of the countries of Central and Eastern Europe expressed their wish to become involved in the Community programmes. At the same meeting, the Ministers of the Member States stressed the complementary nature of the bilateral and Community measures.

Seen from the point of view of the partner countries, the Community measures offer an opportunity to appreciate and benefit from the diversity of the education systems in the European Community. By obviating the need for them to follow

one particular model, the Community measures encourage them to take the best features of the various systems and then to establish their own system, which will, by definition, be original and adapted to their needs.

A decision to suspend the programme would be premature and unjustified in both technical and political terms, given that the European Community will maintain programmes of technical assistance for this part of the world, at least until the end of 1999.

The lack of an educational component in these programmes would be badly received, not just by the university community in Europe, but also by all those who believe that there is a link between investment in training and economic development.

As there is no alternative instrument which can support the structural reforms of higher education in the countries which are beneficiaries of Phare and Tacis, an interruption of the Tempus programme from 1998 would slow down, or even halt, the process of adapting the university systems of these countries to the new economic situation. This would jeopardise the switch from an approach based on providing assistance to one based on Community cooperation.

V. THE COSTS AND ADVANTAGES OF THE CHOSEN SOLUTIONS FOR THE GROUPS MOST DIRECTLY AFFECTED

The Tempus programme is targeted primarily at higher education establishments in the partner countries and their staff (lecturers and administrative staff). In addition, the measures supported by Tempus affect all those in the partner countries who seek the necessary vocational qualifications to contribute to the economic and social reforms, and in particular, to the pre-accession process. Moreover, the national authorities with responsibility for higher education in the partner countries benefit directly from the support provided by Tempus for the reform of their respective systems.

The external evaluation ordered by the Commission in accordance with Article 11 of the Council Decision not only confirmed that the target groups derived lasting benefit from Tempus, but also showed the need to continue the assistance.

On the basis of the results of the evaluation, the Commission believes that it is necessary to extend Tempus in order to:

- prepare the way for the associated Phare countries to join the European Community by means of specific measures within the framework of the strategy laid down in the "White Paper" of May 1995 "Preparation of the associated countries of Central and Eastern Europe for integration into the internal market of the Union;

- establish, to this end, the vocational qualifications required for a single market;
- prepare higher education establishments in the associated Phare countries to take part, on an equal footing, in the education programmes of the European Community (such as Socrates);
- provide lasting support for the implementation of the Tacis programmes and the partnership and cooperation agreements with these countries by means of measures in the higher education sector;
- develop new curricula, books and teaching material in priority sectors whose reform is particularly important for the overall reform process;
- strengthen the autonomy and improve the management of higher education in the beneficiary countries in line with the policies adopted by them, and show that higher education is essential to the process of social and political reform;
- strengthen cooperation between higher education establishments, firms and other social and economic players;
- provide effective support for the political initiatives of the partner countries to reform higher education.

The extent to which these objectives are achieved will continue to depend on the level of involvement of the beneficiaries in the Tempus programme.

The implementation of Tempus will also continue to depend primarily on the willingness of higher education establishments in the Member States of the Community to share their experience by taking part in Tempus projects. Moreover, it has emerged that these establishments actually benefited themselves from this cooperation, and the recent experience of the implementation of the programme clearly shows the continued interest of universities in the European Community in participating in Tempus. Tempus will have to continue to meet all the operational costs of the projects.

VI. REASONS WHY THE PLANNED MEASURES ARE CONSIDERED TO BE CONSONANT WITH THE SCALE OF THE PROBLEM

The measures planned under Tempus (joint European projects, structural and/or complementary measures, and individual mobility grants) are described in the

Annex to the Council Decision, which remains largely unchanged, apart from updating for the associated Phare countries⁷.

The external evaluation of the first and second phases of the Tempus programme confirmed that these measures are generally appropriate. Given that the measures applied in the past have proved to be fruitful and suitable, there is no need to re-examine them for the extension of the Council Decision. Fine tuning can be carried out during the implementation of the programme, after consultation of the Tempus Committee, without any substantial modification of the Council Decision.

VII. PRESENTATION OF THE VIEWS EXPRESSED BY THE INTERESTED PARTIES CONSULTED

It was considered useful to find out the views of the parties most directly affected by the future of the programme. Various consultations were held to this end:

The Ministries responsible for higher education in the partner countries with which no association agreement has been concluded would like to see Tempus maintained in a broadly similar form, offering a variety of measures which help to reform the university system.

The authorities of the partner countries which have signed association agreements are aware of the new opportunities they have to take part in Community programmes such as Leonardo, Youth for Europe or, more specifically for higher education, Socrates. Nevertheless, they would like their universities to continue to be able to benefit from the Tempus programme for a transitional period. Certain strands of Tempus - those involving assistance in the reform of higher education, the improvement of the management of universities and/or the development of new functions for them, or the establishment of specialised forms of training corresponding to the needs of European integration - appear to correspond to the current needs of the countries in which higher education is faced with the double challenge of numbers and quality, against a background of tight funding.

The Commission has also communicated its working hypotheses to the members of the Tempus Committee, who, at their level of responsibility, consider them to be realistic and appropriate. Most of the education authorities of the Member States do not consider the idea of maintaining a refocused programme for a period of two years to be incompatible with the entry of several associated countries into the Socrates programme.

This wish to see the programme maintained in the Phare countries with several specific, but essential, themes was also expressed by the national officials of the Tempus bureaux, who met in three regional seminars at the end of 1994. They

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For which no mobility or support grants will be provided to students for practical placements.

endeavoured, together with the Commission's representatives, to translate this new approach into practical proposals for the operation of the programme.

The Commission has also collected the views of a panel of top academics from the European Community and the partner countries, who confirmed that this was the right approach.

VIII. JUSTIFICATION OF THE CHOICE OF LEGAL BASIS, SHOWING THAT IT IS ADAPTED TO THE OBJECTIVES PURSUED AND TO THE STATE OF LEGISLATION

As the Tempus programme forms part of the assistance provided to countries which are not members of the European Community, the legal basis chosen is Article 235, since the Treaty does not include another Article which is appropriate in this specific case.

IX. CONDITIONS FOR THE EFFECTIVE APPLICATION OF THE MEASURES

The actual implementation of the measures described in the annex to the Council Decision shows a high level of cost effectiveness according to the external evaluation (see point VI. above).

As in the past, the Commission will ensure permanent monitoring of the implementation of the activities of the Tempus programme. This follow-up will be based on the regular reports submitted by the project managers, and on financial control, monitoring and evaluation by on-the-spot checks. The Commission will organise the necessary technical assistance.

The draft decision also proposes an evaluation of the Tempus programme at the end of the second phase (Tempus II) and the presentation of an interim report to the Council by 30 April 1998.

PROPOSAL FOR A COUNCIL DECISION

AMENDING DECISION 93/246/EEC OF 29 APRIL 1993 ADOPTING THE SECOND PHASE OF THE TRANS-EUROPEAN COOPERATION SCHEME FOR HIGHER EDUCATION (TEMPUS II) (1994 TO 1998)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 235 thereof,

Having regard to the proposal from the Commission¹,

Having regard to the opinion of the European Parliament²,

Having regard to the opinion of the Economic and Social Committee³,

Having regard to the opinion of the Committee of the Regions⁴,

1 Whereas on 18 December 1989 the Council adopted Regulation (EEC) No 3906/89 on economic aid to the Republic of Hungary and the Polish People's Republic⁵, which provides for aid to support the process of economic and social reform in central and eastern European countries in areas including training;

2 Whereas on 19 July 1993 the Council adopted Regulation (EEC, Euratom) No 2053/93 concerning the provision of technical assistance to economic reform and recovery in the independent States of the former Soviet Union and Mongolia⁶;

3 Whereas on 29 April 1993 the Council adopted the Decision adopting the second phase of the trans-European cooperation scheme for higher education (Tempus II) for a period of four years from 1 July 1994⁷;

4 Whereas the countries of Central and Eastern Europe and of the former Soviet Union, which are beneficiaries of the Phare and Tacis programmes, consider training and, in particular, higher education, to be one of the key areas for the process of economic and social reform;

¹ OJ No C ...

² OJ No C ...

³ OJ No C ...

⁴ OJ No C ...

⁵ OJ No L 375, 23.12.1989, p. 11. Regulation last amended by Regulation (EEC) No 1366/95 (OJ No L 133, 17.6.1995, p. 1).

⁶ OJ No L 187, 29.7.1993, p. 1.

⁷ OJ No L 112, 6.5.1993, p. 34.

- 5 Whereas the European Community has concluded association agreements with six countries of Central Europe⁸ and has signed such agreements with three others⁹;
- 6 Whereas the Essen European Council (December 1994) established a "pre-accession" strategy for these associated countries, involving, notably, access to Community programmes, especially in the area of education and training¹⁰;
- 7 Whereas Tempus can still make an effective contribution to the structural development of higher education required to improve occupational skills adapted to economic reform, with a view to their incorporation into the internal market of the European Union; whereas there is no other instrument for achieving this objective;
- 8 Whereas the associated countries of Central Europe are required to define a particular strategy and their specific needs in connection with Tempus, with particular regard to the new possibility of participation in the Socrates and Leonardo programmes;
- 9 Whereas the European Community has signed partnership agreements with Belarus, Kazakhstan, Kyrgyzstan, Moldova, the Russian Federation and Ukraine¹¹ and that it is currently negotiating agreements with other independent States of the former Soviet Union;
- 10 Whereas the recent establishment of Tempus in the countries which are recipients of Tacis assistance, whose needs are greater and whose area is more extensive, fully warrants the continuation of the existing measures;
- 11 Whereas a funding plan has been drawn up for the Phare and Tacis programmes up to 31 December 1999¹²;
- 12 Whereas Article 11 of the Council Decision of 29 April 1993 (93/246/EEC) stipulates that the Commission will evaluate the implementation of the Tempus programme and will submit, before 30 April 1996, a proposal for the continuation or adaptation of the programme for the period beginning 1 July 1998;
- 13 Whereas the results of this evaluation confirmed the decision to adopt and further diversify the forms of assistance in line with national needs and the priorities of the systems of higher education;

8 Poland, Hungary, the Czech Republic, the Slovak Republic, Romania and Bulgaria

9 Estonia, Latvia and Lithuania

10 OJ No

11

12 OJ No

- 14 Whereas this evaluation has shown the ability of Tempus to make an effective contribution in the partner countries to the diversification of educational opportunities and to cooperation between universities, thereby creating the right conditions for the development of scientific, cultural and economic cooperation;
- 15 Whereas the results of the evaluation, as set out above, are confirmed by the assessment of the programme by the competent authorities of the countries of Central and Eastern Europe and of the Republics of the former Soviet Union, and by the opinions expressed by the users of the programme and the facilities responsible for its organisation in the partner countries and in the European Union, and by the qualified experts and representatives reflecting the views of the university community in Europe;
- 16 Whereas there exist in the European Community and in third countries regional and/or national, public and/or private facilities which can be called upon to assist in the effective provision of financial support in the area of training at higher-education level;
- 17 Whereas the Treaty does not provide, for the action concerned, powers other than those of Article 235, and the conditions for the use of that Article have been satisfied,

HAS DECIDED AS FOLLOWS:

Article 1

Article 1 of Decision 93/246/EEC is hereby replaced by the following:

"Duration of Tempus II

The second phase of the trans-European cooperation scheme for university studies (hereinafter referred to as "Tempus II") is hereby adopted for a period of six years as of 1 July 1994."

Article 2

The text of the Annex referred to in Article 6 of Decision 93/246/EEC is hereby replaced by the text annexed to this Decision.

Article 3

The last two paragraphs of Article 11 of Decision 93/246/EEC are hereby amended as follows:

"Monitoring and evaluation arrangements - Reports

The Commission shall submit an interim report, including the results of the evaluation, before 30 April 1998. If appropriate, this report shall be accompanied by a proposal for the continuation or adaptation of Tempus for the period beginning 1 July 2000 for the partner countries which do not yet have the possibility of taking part in the higher education activities of the Community programmes of education and training (Socrates - Leonardo).

The Commission shall present a final report by 30 June 2004 at the latest."

For the Council

The President

ANNEX TO THE COUNCIL DECISION

THIS TEXT REPLACES THE TEXT PUBLISHED AFTER THE TEMPUS II DECISION IN OFFICIAL JOURNAL L 112/93

Joint European projects

1. The European Community will provide support for joint European projects of a maximum duration of three years.

Joint European projects will comprise at least one university from a partner country, one university from a Member State and one partner institution (university or enterprise) from another Member State.

2. Joint European project grants may be awarded for activities according to the specific needs of the institutions concerned and according to the priorities laid down, including:

- i) joint education and training measures, notably for the establishment of new curricula, the development and overhaul of existing curricula, the development of universities' capacities to provide continuing education and retraining, the provision of short intensive courses, and the development of systems of distance learning;
- ii) measures for the reform and development of the higher education system and its capacities, notably by means of the restructuring of the management of higher education institutions and systems, the upgrading of existing facilities by the acquisition of the equipment needed to implement a joint European project and, where appropriate, the provision of technical and financial assistance to the competent authorities;
- iii) the promotion of cooperation between universities and the socio-economic players, including industry, through joint projects;
- iv) the development of the mobility of teachers, university administrative staff and students within the framework of joint European projects:
 - a) grants will be awarded to teaching/administrative staff from universities or to instructors from enterprises, in the Member States, to carry out teaching/training assignments for periods lasting from one week to one year in partner countries and *vice versa*;
 - b) grants will be awarded to teaching/administrative staff of universities in the partner countries to undertake retraining and updating training in the European Community;

- c) grants will be awarded to students, up to and including at doctoral level, and will be available both to students from the partner countries carrying out periods of study in the European Community and to students from the European Community spending study periods in the partner countries. These grants will normally be awarded for a period of between three months and one year¹;
 - d) for students participating in joint European projects, whose specific aim is to foster mobility, priority will be given to students participating in projects in which the period of study abroad will be granted full recognition by the student's home university¹;
 - e) support will be provided for industrial or practical placements, of between one month and one year, to teachers, instructors, students and graduates of the partner countries between the end of these studies and their first employment, so that they can undertake a period of practical training in enterprises in the European Community and vice versa¹.
- v) activities to ensure the success of a joint European project involving two or more partner countries.

Structural and/or complementary measures

Grants will be awarded for a number of structural and/or complementary measures (including technical assistance, seminars, studies, publications, information activities). These measures are designed to support the objectives of the programme, notably to contribute to the development and restructuring of the higher education systems in the partner countries.

In connection with these structural measures, grants will be awarded, in order to, among other things:

- to develop and strengthen the capacities for strategic planning and institutional development of institutes of higher education at university or faculty level;
- support the multiplication of cooperation measures designed to achieve the objectives of Tempus and to ensure its duration;
- draw up a national strategy in a particular partner country for the development of a specific aspect of higher education.

¹ No mobility or support grants will be awarded for practical placements to students from the associated countries of Central Europe which are eligible for these activities under the Community programmes of education and training (Socrates, Leonardo).

Individual grants

In addition to joint European projects and structural and/or complementary measures, the European Community will also support the provision of individual grants to teachers, instructors, university administrators, senior Ministry officials, education planners and other training experts from partner countries or the European Community for visits designed to promote the quality, development and restructuring of higher education and training in the partner countries.

These visits will cover the following areas in particular:

- the development of courses and teaching material,
- the development of staff, notably by periods of retraining and industrial placements,
- teaching assignments,
- activities for supporting the development of higher education.

Support activities

- 1 The Commission will receive the necessary technical assistance to underpin the activities carried out in accordance with the Decision and to ensure the necessary monitoring of the implementation of the programme.
- 2 Support will be provided for appropriate external evaluation of Tempus II.

FINANCIAL STATEMENT

1. TITLE OF OPERATION

Proposal for the extension of the trans-European cooperation scheme for higher education (Tempus II - Council Decision 93/246/EEC of 29 April 1993) for a period of two years (1998 to 2000)

2. BUDGET HEADINGS INVOLVED

The budget headings involved are:

- a) for the countries of Central and Eastern Europe
Article B7-500:
"Aid for economic restructuring of the countries of central and eastern Europe"
- b) for the Republics of the former Soviet Union
Article B7-520
"Technical cooperation with the Independent States of the former Soviet Union"

3. LEGAL BASIS

A. Article 235 of the Treaty of Rome establishing the European Community

- a)- Council Regulation (EEC) No 3906/89 of 18 December 1989 on economic aid to the Republic of Hungary and the Polish People's Republic;
 - Council Regulation (EEC) No 2698/90 of 17 September 1990 amending Regulation (EEC) No 3906/89 in order to extend economic aid to other countries of Central and Eastern Europe (Bulgaria, the German Democratic Republic, Romania, Czechoslovakia, Yugoslavia);
 - Council Regulation (EEC) No 3800/91 amending Regulation (EEC) No 3906/89 in order to extend economic aid to include other countries in central and eastern Europe (Albania, Estonia, Latvia and Lithuania);
 - Council Regulation (EEC) No 1366/95 of 12 June 1995 amending Regulation (EEC) No 3906/89 in order to extend economic aid to Croatia;
 - Council Regulation (EEC) No ... of ... amending Regulation (EEC) No 3906/89 in order to extend economic aid to Bosnia Herzegovina;
- b)- Council Regulation (EEC, Euratom) No 2053/93 of 19 July 1993 concerning the provision of technical assistance to economic reform and recovery in the independent States of the former Soviet Union and Mongolia;

- Council Regulation (EEC, Euratom) No ... of ... concerning the provision of assistance for economic reform and recovery in the new independent States and Mongolia;
- c)- the Council Decision of 7 May 1990 (90/233/EEC) establishing a trans-European mobility scheme for university studies (Tempus);
- the Council Decision of 28 April 1992 (92/240/EEC) amending the Decision of 7 May 1990;
- the Council Decision of 29 April 1993 (93/246/EEC) adopting the second phase of the trans-European cooperation scheme for higher education (Tempus II) (1994 to 1998);
- proposal amending Council Decision 93/246/EEC of 29 April 1993 adopting the second phase of the trans-European cooperation scheme for higher education (Tempus II) (1994 to 1998) so as to extend it for a period of two years.

4. DESCRIPTION OF OPERATION

4.1. General objectives

The objectives of Tempus II are to promote, within the framework of the broad lines and general objectives of the Phare and Tacis programmes for economic and social reform, the development of the systems of higher education in the partner countries by cooperation, which is as balanced as possible, with the partners of all the Member States of the European Union. More specifically, Tempus II is designed to assist the systems of higher education of the partner countries to tackle:

- a) the issues concerning the development and overhaul of curricula in priority areas;
- b) the reform of the structures and establishments of higher education, and of their management;
- c) the development of skills training in order to make up for the lack of skills at higher-education level which are adapted to periods of economic reform, in particular by improving and increasing links with industry.

The Commission establishes, in agreement with the competent authorities of each partner country, detailed priorities and objectives for the role of Tempus II in the national strategy of economic and social reform, on the basis of the objectives of the programme and the provisions of the Annex, and in accordance, notably, with:

- a) the general objectives of the Phare programme;

the general objectives of the Tacis programme, with particular reference to its sectoral aspects;

- b) the policy of each partner country on economic and social reform and education;
- c) the need to find the right balance between the priority areas chosen and the resources allocated to Tempus II;
- d) the involvement of the associated countries of Central Europe in the Socrates and Leonardo programmes.

4.2. Period covered

The 1998/99 and 1999/2000 academic years.

4.3. Target population

Teachers, instructors, university administrators and students in higher education (approximately 10 million people).

4.4. Intermediary body

The European Training Foundation in Turin, which provides the Commission with technical assistance in the implementation of the Tempus programme.

5. CLASSIFICATION OF EXPENDITURE

- Non-compulsory expenditure
- Differentiated appropriations

6. TYPE OF EXPENDITURE

100% subsidy: in accordance with the particular nature of the programme (economic assistance to the partner countries of Central and Eastern Europe and to the independent States of the former Soviet Union).

7. FINANCIAL IMPACT

7.1. Method of calculating total cost of operation

As Tempus is funded out of the overall budget allocated to each partner country by Phare, it is the partner countries which decide how this total

amount is to be distributed between the various measures they plan to take under Phare.

The proportion allocated to the restructuring of higher education through the Tempus programme represents, for most of the beneficiary countries, between 10 and 15% of the total assistance provided by Phare.

As an indication:

- in 1995, the Tempus/Phare budget was ECU 98.1 million
in 1996, the budget should be approximately ECU 83 million;
- in 1995, the Tempus/Tacis budget was ECU 22.79 million
in 1996, the budget could be ECU 45 million.

7.2. Aspects of the measure

The financial assistance available under Tempus can be divided into three major categories:

- The joint European projects (JEPs):

Financial assistance is granted for the development of joint European projects (JEPs) linking universities and/or enterprises of the countries of Central and Eastern Europe with partners in the European Union. The JEPs must include as least one university from a country of Central and Eastern Europe and partners in at least two Member States of the European Union, one of which must be a university.

Assistance can be granted for a wide range of activities, including for:

- i) joint education and training measures; notably for the establishment of new curricula, the development and overhaul of existing curricula, the development of universities' capacities to provide continuing education and retraining, the provision of short intensive courses, and the development of systems of distance learning;
- ii) measures for the reform and development of the higher education system and its capacities, notably by means of the restructuring of the management of higher education institutions and systems, the upgrading of existing facilities by the acquisition of the equipment needed to implement a joint European project and, where appropriate, the provision of technical and financial assistance to the competent authorities;
- iii) the promotion of cooperation between universities and the socio-economic players, including industry, through joint projects;

- iv) the development of the mobility of teachers, university administrative staff and students within the framework of joint European projects¹;
- v) activities to ensure the success of a joint European project involving two or more partner countries.

The financial assistance granted is provided in the form of an institutional grant to the consortium of organisations. The average level of assistance allocated is ECU 450 000 per project for a duration of three years.

– **Structural and/or complementary measures**

Grants may be awarded for a number of structural and/or complementary measures (including technical assistance, seminars and studies). These measures are designed to support the overall objective of the programme, which is to contribute to the development and restructuring of the higher education systems in the partner countries.

– **Individual grants**

In addition to joint European projects, the European Union also supports the provision of individual grants to teachers, instructors, university administrators, senior Ministry officials, education planners and other training experts from partner countries or the European Union for visits designed to promote the quality, development and restructuring of higher education in the partner countries.

7.3. Indicative breakdown of costs by aspects of the action

The costs of the joint European projects (which account for approximately 92% of the total budget allocated to Tempus actions) are divided up into two categories:

- a) Expenditure for the structural actions accounts for 47% of the total cost, on average. This covers:
 - staff costs for project administration and development (the ceiling is fixed at 50% of the total amount of action 1, to the amount of ECU 50 000 per year);
 - equipment for the countries of Central and Eastern Europe;

¹ No mobility or support grants will be awarded for practical placements to students from the associated countries of Central Europe which are eligible for these activities under the Community programmes of education and training (Socrates, Leonardo).

- miscellaneous expenses: missions, translations, publications, intensive courses, etc.;
- overheads (a ceiling of 10% of the total).

- b) **Mobility grants for teachers and students.**
 On average, these grants account for 53% of the total costs. Approximately 85% of this amount is provided to beneficiaries from the Eastern European countries for periods of study or training in the Member States of the European Union.

7.4. Indicative schedule of appropriations

	Year 1 (6)	Year 1 (12)	Year 2 (6)	Year 2 (12)	Year 3 (6)	Year 3 (12)
National budgets	22%	33%	55%	67%	89%	100%
Technical assistance	100%					100%

8. PLANNED FRAUD PREVENTION MEASURES

Financial monitoring: by the Commission's departments, in order to check that expenditure has been incurred in accordance with the rules and that the budget has been implemented.

Scientific and technical monitoring: by the responsible departments of the Commission with the opinion of the Tempus management committee established by the Council Decision.

9. ELEMENTS OF COST-EFFECTIVENESS ANALYSIS

9.1. Specific objectives

The financial assistance granted under the programme is broken down into three main categories (see also point 7.2):

Joint European projects:

- Joint measures for teaching and training, support for staff and student mobility and development of the universities' capacities to conduct cooperation measures linking universities and/or enterprises

of the beneficiary countries to equivalent partners in the Member States of the European Union.

Structural measures

- Seminars, studies, technical assistance and grants in order to strengthen the capacities for:
 - * strategic planning and
 - * institutional development of institutes of higher education at university or faculty level.

Individual grants

- Support for the individual mobility of teachers, instructors, university administrators and other training experts. These visits can cover the following areas:
 - * the development of courses and teaching material,
 - * the development of staff, notably by periods of retraining and industrial placements,
 - * teaching assignments,
 - * activities for supporting the development of higher education.
- Assistance to European associations for publications and other information activities, as well as surveys, analyses and monitoring.

9.2. Grounds for the operation

The programme is based on the concept of the provision of external assistance to the universities of the beneficiary countries by means of cooperation with suitable partner institutions in the European Union and beyond (G-24). An intrinsic feature of this approach is that it establishes a parallel financial commitment on the part of the participating universities of the European Union, which would not be the case if the Tempus funds were directly invested in the beneficiary countries. In addition, the universities of the European Union provide all the contacts, experience and equipment needed to develop the teaching capacities of the universities in the beneficiary countries in accordance with their own respective academic plans.

Following a long period of separation from university life in the West, this cooperation programme designed to transform higher education is greatly prized by the beneficiary countries. They would be unable to finance such transformation measures themselves during the period covered by the programme.

There is also a need to ensure the necessary transition to the incorporation of the countries of Central Europe into the Socrates and Leonardo Community education programmes.

9.2.1. Cost of the measure

a) National projects

The amount of funding allocated to Tempus – from Phare for the countries of Central and Eastern Europe, and from Tacis for the countries of the former Soviet Union – will be established every year by the beneficiary countries themselves.

As far as the Tempus/Phare programme is concerned, the overall amount is expected to fall every year in comparison with the current budget. This is because the measures taken by the Tempus programme in this new period will be concentrated exclusively in the sectors which still require structural change. The mobility measures will be covered by Socrates in all the countries which have access to this programme.

As far as the Tempus/Tacis programme is concerned, the budget will be established in accordance with the wishes of the various States of the former Soviet Union and in accordance with the amount of funding available in the Tacis budget as a whole.

b) Technical assistance to the Commission

The task of providing technical assistance to the Commission is given to the European Training Foundation in Turin. The budget allocated to the Foundation will have to cover all the operational activities connected to the implementation of the Tempus programme (expenses to cover publications, missions, the organisation of meetings, seminars, talks, etc.) and will be covered by a specific agreement between the Commission and the European Training Foundation.

9.2.2. Spin-offs (the impact of the programme over and above its specific objectives)

The Tempus programme is essentially a measure to support the development of university education. However, the programme produces considerable spin-offs in other areas of university activity. Not only does research derive considerable benefit from Tempus, but there is also an impact on the development of new education structures and new systems of academic qualifications and recognition of qualifications.

The evaluation of the programme has also shown that it has considerable benefits for the institutions concerned in the Member States, in particular for the modernisation of their own curricula.

The great improvement in mutual understanding between the partner countries and the Union constitutes a sound basis for new contacts and opportunities for cooperation, in particular in economic terms.

9.2.3. Multiplier effects (capacity to mobilise other sources of funding)

The Tempus budget can cover 100% of the cost of the projects involved. However, several factors have already helped to provide other sources of funding for the joint European projects, in particular:

- the fact that universities in the European Union do not, in many cases, apply for reimbursement of infrastructure costs or, in some cases, for reimbursement of all their staff costs;
- the high level of rejection caused by the lack of adequate funding has prompted universities to propose joint funding, which, in the view of DG XXII, shows a high level of commitment on the part of the institutions involved;
- the involvement of G-24 countries which are not members of the European Union automatically creates new sources of funding, as these countries meet 100% of the costs resulting from their participation.

9.3. Monitoring and evaluation of the operation

9.3.1. Performance indicators selected

The performance indicators used for evaluation are the parameters used to define each Joint European project (JEP). In addition, specific indicators are added in order to take account of the wide variety of conditions in which the JEPs are implemented in each partner country.

9.3.2. Details and frequency of planned evaluations

An evaluation report for Tempus I (1990-1994) and an interim report for Tempus II (1994-1995) will be presented to the institutions of the European Union very shortly.

Moreover, the monitoring of the programme is a wide-ranging ongoing process comprising contractual reporting by contractors, visits to specific places by the Commission, and a number of talks and seminars dealing with particular aspects of the implementation of the Tempus programme.

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