



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 17.07.1998
COM(1998) 454 final

98/0246 (CNS)

Proposal for a

COUNCIL DECISION

adopting the third phase of the trans-European cooperation scheme

for higher education

TEMPUS III (2000-2006)

(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 central and eastern European countries (CEEC). 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 CEEC.
2. TEMPUS, the aim of which is to encourage the development and restructuring of the higher education systems in the beneficiary countries through cooperation with partners in the Community, was initially adopted for a three-year pilot phase, 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 four-year period starting 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 (Council Decision 93/246/EEC).
4. On 21 November 1996 the Council amended this decision in order to extend TEMPUS II by a period of two years (1998-2000) (Council Decision 96/663/EC).
5. The Decision of 21 November 1996 stipulates that the Commission will evaluate the implementation of the TEMPUS programme and will submit no later than 30 April 1998 a proposal for the continuation or adaptation of the programme for the period beginning 1 July 2000 for the partner countries who will not yet have had access to the higher education activities of the Community education and training programmes (Socrates and Leonardo).

II. AIM OF THE PROPOSED COUNCIL DECISION

The aim of this proposed Council Decision is to launch a new phase of the TEMPUS programme for a six-year period (2000-2006) (TEMPUS III):

¹ The number of partner countries involved in the programme rose from the two countries of Poland and Hungary in May 1990 to 11 countries in 1992. Current participants are: Albania, Bulgaria, the Czech Republic, Slovakia, Estonia, Hungary, Latvia, Lithuania, Poland, Romania, Slovenia, Bosnia-Herzegovina and the Former Yugoslav Republic of Macedonia.

² The following new independent states are participating in the TEMPUS programme financed by the Tacis programme: Armenia, Azerbaijan, Belarus, Georgia, Kazakhstan, Kyrgyzstan, Moldova, the Russian Federation, Tajikistan, Turkmenistan, Ukraine and Uzbekistan, plus Mongolia.

- in the non-associated CEEC eligible for the Phare programme who will not yet have had access to the Community education programmes (Socrates and Leonardo) and who in addition began to take part at a very late stage in the TEMPUS programme (Albania, Bosnia-Herzegovina, the Former Yugoslav Republic of Macedonia),
- in the new independent states and in Mongolia, eligible for the Tacis programme.

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III. DESCRIPTION OF THE PROGRAMME

The strategy initially set for the TEMPUS programme was to pursue the aim of restructuring university education by providing support for initiatives relating to fundamental reform problems such as the development of syllabuses, the organisation of staff mobility (particularly periods of refresher training and continuing training) and student mobility, plus the purchase of essential teaching and communication equipment.

With TEMPUS II the aims of the programme were redefined to make it fit better into a strategic framework of higher education development within each partner country and for it to secure synergy with developments funded by other activities supported by the Phare and Tacis programmes. In order to achieve this, the TEMPUS programme set out to address:

- issues concerning the development and readjustment of teaching programmes in the priority areas;
- the reform of higher education structures and establishments and their management;
- the development of training opening on to a qualification in order to make good the shortage of higher skills needed for the period of economic reform, particularly by improving and increasing links with industry.

A. The **Joint European Projects (JEPs)** have been the main instrument for inter-university cooperation under the TEMPUS programme. A JEP 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 Union (one of which must be a university).

The priority sectors to be supported by the TEMPUS programme (Phare and Tacis) are defined on the basis of the annual consultations between the Commission and the authorities of each partner country. These priorities must be in line with the economic and democratic reform policies of the states and with the specific priorities of the Phare and Tacis programmes. The Commission must also ensure that TEMPUS-based action dovetails with the other activities pursued within the general framework of these programmes.

The projects, which are selected on the basis of an annual open invitation to tender, have so far been funded for a three-year period, 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 by the Commission in agreement with the partner states after consultation with experts from these countries and from the European Union.

B. In the case of the TEMPUS/Phare programme, as well as the JEPs, **mobility grants** are provided to teachers, instructors or administrative staff of higher education establishments, 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 higher education systems in the partner countries, especially by improving the capacities of higher education establishments 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.

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

A common feature of the partner countries concerned by this proposal is that they began to participate in the TEMPUS programme only at a very late stage³. However, there are fundamental differences between them. The needs of an area the size of the former Soviet Union are not the same as the needs of the non-associated countries of central Europe.

In these central European countries, the programme will have to contend with a comparatively tricky political and economic situation in the wake of recent historical events. In addition to its traditional fundamental aims, TEMPUS may therefore also represent an instrument of regional cooperation by encouraging cross-border links for the maintenance of friendly cooperation relations.

This cooperation should be extended to certain neighbouring associated countries who could share with the non-associated countries the experience gained under the programme. Alongside the Member States they would as it were provide a functional link to stimulate fresh cooperation between these countries.

Agenda 2000 stresses that the new pattern of events in the former Soviet Union opens up fresh horizons for international cooperation and gives the EU a key role in instigating change and stability in Europe. The EU's enlargement implies direct frontiers with Russia, Ukraine, Belarus and Moldova. Access by the Community to the Black Sea will intensify its contacts with the Caucasus and central Asia. This makes contributing to the drive towards stability in this region through cooperation an essential task for an enlarged EU.

The associated countries which already take part in the Community programmes will then represent the European Union's external borders. This geographical position means they are destined to play here, too, a crucial role in the dissemination of what has been achieved under TEMPUS both academically and more broadly at the political level.

A. New independent states and Mongolia (TEMPUS/Tacis)

In the new independent states and in Mongolia, TEMPUS has proved a major support instrument in the reform of the education systems by funding between 1994 and 1997 316 one-year

³ TEMPUS was extended to the new independent states of the former Soviet Union by Council Decision "TEMPUS II" of 29 April 1993. The participation of the various countries concerned began gradually as from that date.

preparatory projects, 117 three-year JEPs and 27 compact projects. The degree of participation of the universities of the partner countries ranged from 10% in the bigger countries to 100% in the smaller countries.

Nevertheless, the impact TEMPUS has had on education systems is still at an early stage, for these countries have, in reforming their political, economic, social and legal structures, to tackle a whole host of requirements in the years ahead.

Unfortunately, higher education systems are going through a serious financial crisis which sorely restricts their capacity for management and their resources for infrastructure maintenance. In this context any international cooperation which allows access to new methods of teaching, the introduction of new courses and a supply of essential equipment, constitutes a unique opportunity for making progress.

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. These include in particular:

- providing assistance in diversifying and decentralising higher education and in increasing its autonomy;
- strengthening the regional dimension of higher education;
- 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 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 higher education establishments to adapt to the market economy;
- improving and modernising teacher training, especially with a view to developing pluralist civics education;
- promoting and consolidating lasting international academic links.

While continuing to cater for these needs common to all the countries, TEMPUS III will seek to take account of the specific needs of certain of these countries, e.g.:

- in parallel with the 'bottom-up' call for applicants, a 'top-down' approach will be preferred when establishing priorities,
- where TEMPUS has already produced results, special attention will be focused on propagating and recognising new courses by national or regional actions,
- on the basis of the experience gained, TEMPUS will encourage the universities to use their achievements in certain specialised subject areas such as languages or European law to develop the human resources needed to run a democratic society. These actions

would cater especially for the needs of government, regional or national administrations,

- in order to promote civil society, TEMPUS will promote the participation in the projects of players outside the academic world (e.g. local and regional authorities and the business sector),
- to answer the call from certain Tacis countries, JEPs will endeavour to strengthen links between universities through student exchanges.

As the Commission's interim evaluation has shown, the TEMPUS programme has proved to be an efficient channel for providing assistance to the partner countries when it comes to higher education. Be that as it may, the needs which continue to exist in areas in which TEMPUS can provide assistance are such that an extension of the programme is justified.

The funding of the Tacis part of the programme will be secured in accordance with the future decisions on the extension of the Tacis programme for the new independent states and Mongolia.

B. Non-associated CEEC countries (TEMPUS/Phare)

TEMPUS has contributed much to the development of local higher education systems in the associated countries which have benefited from the previous three phases of the programme has introduced new features, the initiatives fostering the development of new curricula, the transfer of equipment, and mobility being the ones most appreciated. It can therefore be claimed that TEMPUS has made a major contribution to narrowing the gap between the European Community and the CEEC from the point of view of variety and quality in the provision of teaching to students.

Albania in particular continues to require major assistance owing to its poor economic situation and difficulties inherent in its education system. The situation is comparable to that of many countries of the Tacis assistance area. As a function of the political context and the actual implementation of the Phare programme, the other states of former Yugoslavia are likely to join this group. They have different traditions when it comes to contacts with the European Community, but their university world is eager to re-establish with it solid relations after the events of the past few years. The role of the universities in disseminating the values of democracy and tolerance in society is particularly important.

In view of the context, the intention is to continue for the non-associated Phare countries all the actions pursued under TEMPUS and focusing them henceforth on four priority areas:

- giving the regional dimension a boost:

It is up to the Community to help the partner Phare partners of former Yugoslavia to re-establish a feeling of solidarity. Universities can play a significant part in providing support for local authorities in committing themselves to cooperation, particularly as regards initiatives to contribute to stability and security in the region. The assistance provided by the inter-university cooperation programmes can be crucial in this context.

- modernising national and local administration:

Using the model applied in TEMPUS IIa in the associated countries, universities and consortia of universities will undertake pilot projects to train the officials of administrations in the eligible countries.

– managing change:

The universities of the partner countries need to establish effective management structures. They will have to be accountable to their different partners (state, local authorities, parents, students, the business sector) and diversify their services while maintaining quality against a backdrop of dwindling public funding. The development of continuing training at university and the creation of university/business sector interfaces (to make good use of applied research), for instance, are major concerns for the universities. 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 of the Community. TEMPUS can also be a useful channel for providing assistance towards the implementation of major national reforms in higher education, e.g. the establishment of short and vocational courses. The work has been started under TEMPUS II and remains a priority for the eligible countries.

– building on what has been achieved in the associated countries

The results of excellent TEMPUS programmes undertaken in the associated countries must be made available, in terms of sectoral or geographical dissemination, to the non-associated countries eligible under TEMPUS III. It is important to allow for cross-frontier cooperation between the associated countries (which already use the instruments of the Community programmes) and the non-associated countries which could thus benefit indirectly from what has been achieved through the Community programmes.

Funding of the Phare part of the programme will be a function of future decisions on extending the Phare programme for the non-associated countries and taking into account the possible involvement of other countries of the region in the European Community's assistance programmes.

Special attention will be paid in the implementation of TEMPUS to good coordination of the actions of the programme with those undertaken in the same countries in the area of vocational training by the European Training Foundation.

V. 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 new independent states and Mongolia speaks for itself. 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.

TEMPUS also offers the opportunity to promote regional cooperation between Member States and their neighbours.

The Commission's report to the Council on regional cooperation in Europe mentions that this cooperation can also be used to develop closer relations between the EU and the new independent states and Mongolia. The report suggests that by using the channels which exist in the Community programmes, proposals be made to direct cooperation to areas in which joint action can achieve the best results. Education is an excellent example of what can be tackled at the regional level.

In the Tacis countries, common features stemming from the Soviet period entail the need to reform the same structures. For the Phare countries, the development of closer regional links and the possibility to transfer the achievements of the associated countries to the non-associated countries constitutes added value.

The EU encourages peaceful cooperation between countries. Education plays a fundamental role in changing attitudes by allowing young generations to compare their respective national values. The direct international contacts offered by the programme make it possible to transcend the traditional academic divides. Furthermore, the bilateral aid provided by the Member States plays an essential role in complementing Community cooperation.

TEMPUS has made a significant contribution in the partner countries to the acknowledged missions of the university, viz.:

- raising the general level of knowledge;
- producing citizens who are attuned to the needs resulting from economic restructuring: the achievements in disciplines such as economics, law and the social sciences are significant in this respect;
- contributing 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 open up higher education establishments in the beneficiary countries to trans-European cooperation;
- encouraged greater use of the languages of the European Community;
- has to some extent brought higher education out of its shell;
- 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 Union; on their return to their respective countries, most of these people have endeavoured to modernise university organisation;
- encouraged the participation of the Member States who had traditionally fewest links with the partner countries concerned;
- enabled universities in the partner countries to gain access directly to experiments undertaken in the Member States with regard to higher education systems.

No other Community framework allows systematic development of international links between universities of the European Community and those of the non-associated CEEC, the newly independent states and Mongolia.

These countries have already to differing extents felt the first benefits of the programme. However, their higher education systems are but at the very first stage of their restructuring and still need radical action. The example of the associated Phare countries, which have needed 10

years under TEMPUS (1990-2000) to be able to accede to the Community education programmes, would seem to indicate the path to follow.

Investment in education is a long-term process *per se*. The experts agree that at least five years are needed to introduce a new cycle into a university system. In certain countries, the first projects implemented by TEMPUS have not yet reached completion and the students have not yet finished the full cycle of the new courses introduced. TEMPUS must continue to extend its network to more universities, particularly in the bigger countries such as the Russian Federation.

Special attention must be paid to consolidating the results of the most successful TEMPUS projects by disseminating course material, teacher training and the creation of modular courses. It is also important to cooperate closely with the education ministries in order to be sure that the new courses are recognised nationally.

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. This is an aspect which has up to now been taken into account and it would be premature to suspend this assistance.

As there is no alternative instrument to support the structural reforms of higher education in the countries which are beneficiaries of Phare and Tacis, an interruption of the TEMPUS programme from the year 2000 would slow down, or even halt, the process of adapting the university systems of these countries to the new social, economic and political situation.

VI. 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.

From the point of view of the partner countries, Community action makes it possible to 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 as a function of their needs.

The principle of an open call for applications drafted by the universities themselves:

- makes it possible to take account of the immediate needs of the establishments (development of new syllabuses, obtaining teaching material in the priority sectors in which there is a particularly urgent need for reform with a view to the overall reform process);
- and strengthens the feeling of direct involvement of the staff in the implementation and success of projects.

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

- provide lasting support for the results of the actions of the Tacis and Phare programmes in cooperation with these countries by means of measures in the higher education sector;
- 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, the business sector and other social and economic players, including national and local administrations;
- provide effective support for the policy 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 partners 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 Union 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 Union in participating in TEMPUS.

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

The measures planned under TEMPUS (JEPs, structural and/or complementary measures, and individual mobility grants) are described in the Annex to the Council decision.

There is no way the European Community can alone reform the higher education systems of the partner countries. Hence the approach based on an open call for applicants whereby funds are concentrated on projects from a restricted number of universities as the best method of Community financial support in this context. Dissemination actions thereafter will make it possible to make the positive results of these projects more broadly visible and to share the benefits with a wider audience.

The various TEMPUS evaluations have confirmed that these measures are appropriate and given that they have so far proved fruitful there is no need to re-examine them for the purposes of a Council decision on a new phase. 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.

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

The interim report on the results of the implementation of TEMPUS II, submitted simultaneously to the Council, shows that the representatives of the beneficiary countries (ministries for higher education, heads of national bureaux, project participants) are satisfied with the results of the programme and hope to take it forward in its current form.

The external evaluation of TEMPUS which has just been carried out in the new independent states and in Mongolia shows that all the parties consulted on the spot appreciate their role in the programme. They like the pragmatic and concrete aspect of a programme which is limited in its objectives and flexible in its forms of cooperation which can be adjusted constantly. There is also appreciation for TEMPUS as a means of bringing about a change of mentality, allowing universities to become familiar with current developments in the European Community while taking due account of the specific needs of the partner countries.

The evaluators consulted many players involved in the TEMPUS/Tacis programme and at the close of their exercise produced the following recommendations:

- the TEMPUS approach should remain based on carrying out projects to secure the direct participation of the universities of the partner countries and the European Community;
- coordination with the governments of the partner countries should be as close as possible in order to ensure that the courses created by TEMPUS cater properly for the national human resources requirements;
- the number of priority sectors should remain limited in order to better focus funding. Their links with the Tacis programme in general should be strengthened.

Asked on the occasion of their latest meeting held in December 1997 to give their preliminary and informal views, the members of the TEMPUS Committee unanimously expressed their support for the suggestion from the Commission that the TEMPUS programme should be pursued in the countries mentioned above.

IX. JUSTIFICATION OF THE CHOICE OF LEGAL BASIS

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

The first TEMPUS III projects implemented at the start of the 2000/2001 academic year will be the result of a selection made in the first half of the year 2000. The applicant's guide will be drafted in the first half of 1999 ready to be translated and submitted to the TEMPUS Committee before its publication for open call for applications in September 1999. This means that the Commission needs a Council decision on the extension of the programme before the end of 1998.

The extension of the Phare and Tacis programmes which finance TEMPUS will not yet have been decided on when this proposal for a decision is submitted to the Council. The Council decision must therefore indicate that the implementation of TEMPUS III will depend on the extension of these programmes (cf. Article 2 of the proposed decision).

X. 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 will be based on the regular reports submitted by the

project managers, on financial control, and on 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 and the presentation of an interim report to the Council by 30 April 2004.

PROPOSAL FOR A COUNCIL DECISION

**adopting the third phase of the trans-European cooperation scheme for higher education
(TEMPUS III) (2000-2006)**

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 the Council on 18 December 1989 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, on 25 June 1996 adopted Regulation (EC, Euratom) 1279/96 concerning the provision of assistance to economic reform and recovery in the new independent states of the former Soviet Union, and Mongolia⁶,
2. Whereas on 29 April 1993 the Council the decision adopting the second phase of the trans-European cooperation scheme for higher education (TEMPUS II) for a period of

¹ OJ No C ...

² OJ No C ...

³ OJ No C ...

⁴ OJ No C ...

⁵ OJ L 375 of 23.12.1989, p. 11. Regulation amended most recently by Regulation (EEC) No 753/96 (OJ L 103 of 26.4.1996, p. 5).

⁶ OJ L 165 of 4.7.1996, pp. 1-11, amended by Regulation (EC) 2240 of 10.11.1997 (OJ L 307 of 12.11.1997).

four years from 1 July 1994⁷ and thereafter amended its decision on 21 November 1996 to extend to six years the duration of this programme (1994-2000) (96/663/EC)⁸;

3. Whereas the countries of central and eastern Europe, the new independent states of the former Soviet Union and Mongolia, 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;
4. Whereas the recent establishment of TEMPUS in the non-associated countries of central and eastern Europe, in the new independent states of the former Soviet Union and in Mongolia, whose needs are greater and whose areas are more extensive, fully warrants the continuation of the measures undertaken;
5. Whereas TEMPUS can make an effective contribution to the structural development of higher education required to improve occupational skills adapted to economic reform and whereas there is no other instrument for achieving this objective;
6. Whereas TEMPUS can contribute to the restoration of cooperation, interrupted by recent events, between neighbouring regions of the Community and whereas this cooperation is a factor of peace and stability in Europe;
7. Whereas the associated countries in the pre-accession phase which have taken part in TEMPUS I and TEMPUS II could now make a useful contribution alongside the Member States in assisting the partner countries who came into the programme at a much later stage to restructure their higher education systems;
8. Whereas Article 11 introduced by Council Decision of 21 November 1996 (96/663/EC) stipulates that the Commission must carry out an evaluation of the implementation of the TEMPUS programme and submit no later than 30 April 1998 a proposal for the extension or the adjustment of the programme for the period commencing on 1 July 2000;
9. Whereas the competent authorities in the countries of central and eastern Europe, the new independent states of the former Soviet Union and Mongolia, the users of the programme, the structures responsible for organising it in the eligible countries and in the European Community, and the experts and qualified representatives reflecting the views of the university world in Europe, share the findings of the evaluation report attesting to the capacity of TEMPUS to make an effective contribution in the eligible countries to the diversification of educational opportunities and to cooperation between universities, thereby paving the way for the development of scientific, cultural and economic cooperation;
10. 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:

⁷ OJ L 112 of 6.5.1993, p. 34.

⁸ OJ L 306 of 28.11.1996, p. 36.

Article 1

Duration of Tempus III

The third phase of the trans-European cooperation scheme for university studies (hereinafter referred to as "Tempus III") is hereby adopted for a period of six years as from 1 July 2000.

Article 2

Eligible countries

Tempus III concerns the non-associated countries of Central and Eastern Europe eligible for economic aid by virtue of Regulation (EEC) No 3906/89 (Phare programme)⁹, and the new independent states of the former Soviet Union and Mongolia mentioned in Regulation (EEC, Euratom) No 1279/96 (Tacis programme), subject to these assistance programmes being prolonged for the period referred to. These countries are hereinafter referred to as "eligible countries".

On the basis of an evaluation of the specific situation of each country the Commission, in accordance with the procedures set out in the abovementioned regulations, shall determine in agreement with the eligible countries concerned whether they should participate in Tempus III, and the nature and the conditions of their participation in the national planning of Community assistance for social and economic reform.

Article 3

Definitions

For the purposes of Tempus III:

- a) "**university**" means any type of post-secondary teaching and training establishment which, in higher education and training, award higher level qualifications or diplomas, offer higher level qualifications or diplomas, whatever such establishments may be called in the Member States;
- b) "**industry**" and "**company**" cover all types of economic activity, irrespective of legal status, local authorities and public law bodies, autonomous business organisations, chambers of commerce and industry and/or their equivalents, professional associations, employers' and workers' organisations, and the training bodies of the institutions and organisations mentioned above.

Each Member State or eligible country may determine what types of establishment referred to in point a) can participate in Tempus III.

⁹ At present Albania, Bosnia-Herzegovina and the former Yugoslav Republic of Macedonia.

Article 4

Aims

The aims of Tempus III are to promote, in line with the guidelines and general objectives of the Phare and Tacis programmes for economic and social reform, the development of the higher education systems in the eligible countries through the most balanced cooperation possible with the partners of all the Member States of the Community.

These actions are open to the associated countries of central and eastern Europe so that what has been achieved through Tempus can be shared with the neighbouring countries and in order to develop regional cross-border cooperation.

More specifically, Tempus III is intended to help the higher education systems in the eligible countries to address:

- a) issues relating to the development and reshaping of teaching syllabuses in the priority areas;
- b) reform of higher education structures and establishments and their management;
- c) the development of training opening on to qualifications, with a view to making good the shortage of high level skills needed for the period of economic reform, particularly by improving and increasing links with industry.

The Commission will, when pursuing the objectives of Tempus III, endeavour to adhere to the Community's general policy on equal opportunities for men and women. The same will apply for disadvantaged groups such as those suffering from handicaps.

Article 5

Dialogue with the eligible countries

In agreement with the competent authorities in each country, the Commission will define the detailed priorities and objectives for the role of Tempus III in the national strategy for economic and social reform, on the basis of the programme's objectives and the provisions set out in the annex, and in conformity in particular with:

- a)
 - i) the general objectives of the Phare programme;
 - ii) the general objectives of the Tacis programme, with particular reference to its sectoral aspects;
- b) the policy of each eligible country on economic, social and educational reforms;
- c) the need to strike an appropriate balance between the priority areas selected and the resources allocated to Tempus III.

Article 6

Committee

1. The Commission shall implement the Tempus III programme in accordance with the provision set out in the annex, with the detailed guidelines to be adopted every year as a function of the objectives and priorities defined in agreement with the competent authorities in each eligible country, as described in Article 5.
2. The Commission shall be assisted in the implementation of this task by a advisory committee comprising a representative of each Member State and chaired by the representative of the Commission.
3. The Commission representative shall submit to the Committee drafts for measures relating to:
 - a) the general guidelines governing Tempus III;
 - b) the selection procedures and the general guidelines for the Community's financial contribution (amounts, duration and beneficiaries);
 - c) matters concerning the general balance of Tempus III, including the breakdown across the various actions;
 - d) the detailed priorities and objectives to be defined with the competent authorities in each eligible country;
 - e) the arrangements for monitoring and evaluating Tempus.
4. The Committee shall deliver its opinion on these draft measures within a time limit which the Chairman may lay down according to the urgency of the matter, if necessary by taking a vote.
5. 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 utmost account of the opinion delivered by the Committee. It shall inform the Committee of the manner in which its opinion has been taken into account.

Article 7

Cooperation with the competent institutions

1. The Commission shall cooperate with the institutions of each of the eligible countries designated and set up to coordinate the relations and structures needed to implement Tempus III, including the allocation of funds earmarked by the eligible countries themselves.
2. In addition, for the implementation of Tempus III, the Commission shall cooperate closely with the competent national institutions designated by the Member States. It shall take due account whenever possible of bilateral measures taken in this context by the Member States.

Article 8

Links with other Community actions

In line with the procedure set out in Article 6(3) of this Decision and, if applicable, the procedure defined in Article 9 of Regulation (EEC) No 3906/89 and in article 8 of Regulation (EC) N° 1279/96, the Commission shall ensure consistency and, if necessary, complementarity between Tempus III and other Community actions undertaken both in the Community and as part of assistance provided to eligible countries, particularly with regard to the activities of the European Training Foundation.

Article 9

Coordination with action taken in non-Community countries

1. The Commission shall organise appropriate coordination with actions undertaken by countries not members of the Community* or by universities and the business sector in this country in the same field as Tempus III, including, where applicable, participation in Tempus III projects.
2. This participation may take a variety of forms, including one or more of the following:
 - participation in Tempus III projects on a co-financing basis;
 - using the opportunities available under Tempus III to redirect exchange actions receiving bilateral funding;
 - coordination between Tempus III and national initiatives which have the same aims but which are funded and managed separately;
 - mutual exchange of information on all relevant initiatives in this field.

Article 10

Annual report

An annual report on the operation of Tempus III shall be forwarded by the Commission to the European Parliament, the Council, the Economic and Social Committee and the Committee of the Regions. This report shall be forwarded to the eligible countries for information.

* These countries are the members of the Group of 24, other than the Member States of the Community, the Republic of Cyprus and Malta, and the associated countries of Central and Eastern Europe, and participation relates to projects with the non-associated countries of Central and Eastern Europe eligible under the Phare programme.

Article 11

Monitoring and evaluation – reports

In accordance with the procedure described in Article 6(3), the Commission shall see to the arrangements for regular monitoring and external evaluation of experience gained with Tempus III, taking due account of the specific objectives in Article 4 and the national objectives defined in accordance with Article 5.

It shall submit by 30 April 2004 an interim report on the findings of the evaluation, together with any proposals for extending or adjusting Tempus for the period commencing on 1 July 2006.

The Commission shall submit a final report no later than 30 June 2009.

Done at Brussels,

For the Council

The President

ANNEX

Joint European projects

1. The European Community will provide support for joint European projects.

The JEPs will associate at least one university in an eligible country, one university from a Member State and a partner establishment (university or company) in another Member State.

2. Support for JEPs can be provided for activities according to the specific needs of the establishments concerned and in line with the priorities established, including:

- i) joint teaching and training actions, particularly with a view to creating new courses, developing and restructuring existing teaching programmes, boosting university capacity to provide continuing and refresher training, setting up short intensive courses, and developing distance teaching systems;

- ii) measures for the reform and development of higher education and its capacity, particularly by restructuring the management of higher education establishments and systems, by modernising existing infrastructures, by acquiring the equipment needed to implement a JEP and, where applicable, by providing technical and financial assistance to the authorities responsible;

- iii) the promotion of cooperation between the university and the socio-economic players, including industry, through joint actions;

- iv) the development of mobility for teachers, administrative staff at universities and students under JEPs:

- a) grants will be provided for teaching/administrative staff at universities or to trainers in companies in the Member States to carry out teaching/training assignments for periods lasting from one week to one year in eligible countries and vice versa;
- b) grants will be awarded to teaching/administrative staff of universities in the eligible countries to undertake periods of retraining and updating in the European Community;
- c) grants will be available for students up to and including postgraduate level, targeting both students in the eligible countries undertaking a period of study in the European Community and European Community students undertaking a period of study in the eligible countries. These grants will normally be granted for a period of three months to one year;
- d) for students taking part in JEPs with the specific aim of promoting mobility, priority will go to students taking part in projects for which their university of origin will give full academic recognition to the period of study spent abroad;
- e) support will be provided for practical or in-company training periods of one month to one year for teachers, trainers, students and graduates of the eligible countries between the end of their studies and their first job, so that they can undertake a period of practical training in companies in the Community and vice versa;

- v) activities to ensure the success of a JEP involving two or more eligible countries.

Structural and/or complementary measures

Financial support will be provided for certain structural and/or complementary measures (particularly technical assistance, seminars, studies, publications, information activities) to support the objectives of the programme, particularly the development and restructuring of higher education systems in the eligible countries. Under the structural measures, financial aid will be granted *inter alia* in order to:

- to develop and strengthen the capacity for strategic planning and institutional development of higher education establishments at university or faculty level;
- establish a plan to develop universities under structural contracts to help them build up international relations;
- support the spread of durable cooperation actions targeting the Tempus objectives;
- prepare a national strategy in a given eligible country to develop a specific aspect of higher education.

Individual grants

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

These visits could *inter alia* cover the following areas:

- the development of courses and teaching material;
- the development of staff, particularly through periods of refresher training and in-company placements;
- teaching assignments;
- activities to support the development of higher education.

Support actions

1. The Commission will receive the technical assistance needed to underpin the action taken pursuant to this decision and to monitor programme implementation.
2. Support will be provided for appropriate external evaluation of Tempus III.

FINANCIAL STATEMENT

1. TITLE OF OPERATION

Proposal for the establishment of a third phase of the trans-European cooperation scheme for higher education (Tempus III) (2000-2006).

2. BUDGET HEADINGS INVOLVED

The budget headings involved are:

- a) for the non-associated central and eastern European Countries^{*}
Article B7-500: "Aid for economic restructuring of the countries of central and eastern Europe"
and B7-543 "Measures for the rehabilitation of the Republics formerly part of Yugoslavia"
- b) for the new independent states and Mongolia: Article B7-520: "Technical assistance to economic reform and recovery in the new independent states and Mongolia"

3. LEGAL BASIS

A. Article 235 of the Treaty establishing the European Community

- a) – Council Regulation (EEC) No 3906/89 of 18 September 1989 on economic aid for certain countries of central and eastern Europe (specifically the Republic of Hungary and the Popular Republic of Poland);
- 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 2334/92 amending Regulation (EEC) No 3906/89 in order to extend economic aid to Slovenia;
- Council Regulation (EEC) No 1764/93 amending Regulation (EEC) No 3906/89 on economic aid for certain countries of central and eastern Europe;
- Council Regulation (EC) No 1366/95 of 12 June 1995 amending Regulation (EEC) No 3906/89 in order to extend economic aid to Croatia;
- Council Regulation (EC) No 463/96 of 11 March 1996 amending Regulation (EEC) No 3906/89 in order to extend economic aid to the Former Yugoslav Republic of Macedonia;
- Council Regulation (EC) No 753/96 of 22 April 1996 amending Regulation (EEC) No 3906/89 in order to extend economic aid to Bosnia-Herzegovina;

^{*} Currently Albania, Bosnia-Herzegovina, FYROM

- 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 (EC, Euratom) No 1279/96 of 25 June 1996 concerning the provision of technical assistance to economic reform and recovery in the new independent states and Mongolia;
- c) – Council Decision of 7 May 1990 (90/233/EEC) establishing a trans-European mobility scheme for university studies (Tempus);
- Council Decision of 28 April 1992 (92/240/EEC) amending the Decision of 7 May 1990;
- Council Decision of 29 April 1993 (93/246/EEC) adopting the second phase of the trans-European cooperation scheme for higher education (Tempus II) (1994-1998);
- Council Decision of 21 November 1996 (96/663/EC) amending Council Decision 93/246/EEC 29 April 1993 adopting the second phase of the trans-European cooperation scheme for higher education (Tempus II)(1994-1998) so as to extend it by two years (1998-2000);
- Proposal for a Council Decision adopting the third phase of the trans-European cooperation scheme for higher education (Tempus III) (2000-2006).

Article 11 of the Council Decision adopting Tempus IIa (1998-2000) provides that the Commission shall, before 30 April 1998, submit a proposal for the extension or adaptation of Tempus for the period beginning 1 July 2000.

To ensure that the programme is not interrupted, a new decision must be taken before the end of 1998. This should allow us:

- to prepare the guide for applicants at the beginning of 1999
- to submit it to the Tempus Committee for their opinion
- to have it translated in time for publication in September 1999.

The applicant institutions will submit their applications at the beginning of the year 2000. The projects will then be analysed at the technical and academic level. The Commission will approve the selection at the end of the first half of 2000 so that the projects can be put in place at the beginning of the academic year 2000-2001.

When this Decision is presented to the Council, the Phare and Tacis programmes will not yet have been extended beyond 1999. Hence the proposal for the Tempus III Decision will point out that the existence of Tempus is conditional on the existence of the two programmes under which it is funded (cf. Article 2 of the proposal for a Decision).

4. DESCRIPTION OF OPERATION

4.1 General objectives of the operation

The objectives of Tempus III are to promote, as part of the overall objectives and guidelines of the Phare and Tacis programmes for economic and social reform, the development of the higher education systems of the non-associated central and eastern European countries and in the new independent states and Mongolia through as balanced as possible a cooperation with partners from all the Member States of the European Community. Associated countries of central and eastern

Europe¹, as well as the G-24 states, Malta and Cyprus, may be involved in these actions. Specifically, Tempus III seeks to help the higher education systems of partner countries to address:

- a) issues of curriculum development and overhaul in priority areas
- b) the reform of higher education structures and institutions and their management;
- c) the development of skill-related training to address specific higher and advanced level skill shortages during economic reform, in particular through improved and extended links with industry.

The Commission agrees with the competent authorities in each country detailed objectives and priorities for the role of Tempus III in the national strategy of economic and social reform, on the basis of the programme's objectives and the provisions of the Annex, and in accordance with, in particular:

- (a) the overall objectives of the Phare programme;
the overall objectives of the Tacis programme, with particular reference to its sectoral focus;
- (b) each partner country's policy for economic, social and education reform;
- (c) the need for an appropriate balance to be struck between the selected priority areas and the resources allocated to Tempus III.

4.2 Period covered

Academic years: 1 July 2000 to 30 June 2006.

4.3 Population covered by the operation

Professors, instructors, university administrators and students in the higher education sector (estimate: 10 million), national and local administrations.

5. CLASSIFICATION OF EXPENDITURE

- Non-compulsory expenditure
- Differentiated appropriations

6. TYPE OF EXPENDITURE

100% subsidy: in line with the particular nature of the programme (economic assistance to central and eastern European partner countries, to the new independent states and Mongolia).

¹ These countries may participate in the programme on the basis of their own financial contributions

7. FINANCIAL IMPACT

7.1 Method of calculating total cost of operation

Since Tempus is funded out of the total budget allocated by the European Community to the partner countries concerned, it is these countries that will decide how this total amount is to be distributed between the various measures they intend to take.

For most of the beneficiary countries, the proportion allocated to restructuring higher education under the Tempus programme generally represents between 10% and 15% of the total assistance provided.

The Tempus/Phare budget for Albania amounted to 2.5 million ecus in 1997 and 0.7 million ecus in 1998, for Bosnia-Herzegovina to 1.5 million ecus in 1997 and in 1998 and for FYROM to 2 million ecus in 1997 and also in principle in 1998². The Tempus/Tacis budget was 18 million ecus in 1997 and 23.8 million ecus in 1998.

7.2 Breakdown of measures

Financial aid available in the framework of Tempus may be broken down into three major categories:

– The joint European projects (JEPs)

Financial aid is granted for the development of joint European projects (JEPs) linking universities and/or undertakings of the central and eastern European countries, the new independent states or Mongolia with partners in the European Community. The JEPs must include at least one university in a beneficiary country and partners in at least two Member States of the European Community, one of which must be a university.

Funding may be granted for a large range of activities, *inter alia*:

- i) cooperative education and training actions, notably the creation of new curricula, curricular development and overhaul, the development of universities' capacities to provide continuing education and retraining, the provision of short, intensive courses and the development of open and distance learning capability;
- ii) measures for reform and development of higher education, and its capacities, notably via the restructuring of the management of higher education institutions and systems, the upgrading of facilities by acquiring the equipment necessary to implement a joint European project, and, where appropriate, the provision of technical and financial assistance to the responsible authorities;
- iii) the promotion of cooperation between universities and the socio-economic players, including industry, in the form of cooperative actions;

² Decision not confirmed at the time this document was drafted

- iv) the development of student mobility and mobility of administrative/teaching staff in the framework of joint European projects;
- v) activities contributing to the success of the joint European project involving two or more partner countries.

The financial aid is granted in the form of an institutional grant to the consortium of organisations. Average aid granted is 450 000 ecus per project over a three-year period.

– **Structural and/or complementary measures**

Financial support may be granted to a certain number of measures with structural and/or complementary objectives (notably technical assistance, seminars and studies). These measures are designed to support the programme's overall objective, which is to help develop and restructure the higher education systems in the partner countries.

– **Individual grants**

The European Community will also provide support outside joint European projects for individual grants to teachers, trainers, university administrators, senior ministry officials, education planners and other training experts for visits designed to promote the quality, development and restructuring of higher education in the partner countries.

Technical Assistance

Pursuant to the provisions of the Annex to the Council Decision, technical assistance will be provided to the Commission on a contractual basis for the operational aspects of implementing the programme.

7.3 Indicative breakdown of costs by action subcategory

The costs of the joint European projects (which represent approximately 92% of the total budget allocated to the Tempus actions) are broken down into two categories:

- a) Costs of the structural measures representing on average 47% of the total cost. This includes:
 - staff costs for project administration and development (the ceiling is fixed at 50% of the total amount of the action, to the amount of ECU 50 000 per year);
 - equipment for the beneficiary countries;
 - miscellaneous costs: 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 represent 53% of the total cost. An estimated 85% of this amount is allocated to the beneficiaries of eligible countries for study or training periods in the Member States of the European Community.

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. FRAUD PREVENTION MEASURES

Financial control: 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 control: by the Commission's departments, acting on the opinion of the Management Programme of the Tempus Committee established by the Council Decision.

9. ELEMENTS OF COST-EFFECTIVENESS ANALYSIS

9.1 Specific objectives

The financial assistance provided under the programme can be broken down into three main categories (see also point 7.2):

Joint European projects:

- Joint teaching and training programmes, support for staff and student mobility and development of universities' capacities to mount cooperative actions linking the universities and/or undertakings of the beneficiary countries to equivalent partners in the countries of the European Community.

Structural measures

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

Individual grants

- Support for individual mobility of teachers, trainers, university administrators and other training experts. These visits may cover the following areas:
 - * development of curricular and teaching material
 - * human resources development, notably in the form of retraining and practical training in industry
 - * 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, Malta, Cyprus and the associated countries of central and eastern Europe). 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.

9.2.1 *Cost of the operation*

a) National projects

The amount of funding allocated to Tempus, from Phare for the non-associated central and eastern European countries, and from Tacis for the new independent states and Mongolia, will be established every year by the beneficiary countries themselves in the overall framework of their budgetary resources.

b) Technical assistance for the Commission

The amount granted to the Commission for technical assistance will cover all operations involved in putting in place the Tempus III programme (publications, organisation of meetings, seminars, conferences, follow-up visits, monitoring, etc.).

9.2.2 *Spin-offs (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 effect (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 shows a high level of commitment on the part of the institutions involved;
- by definition the participation of the G-24 countries that are outside the European Community generates new sources of funding, since 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 purposes 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*

Tempus has been the subject of several evaluations:

- the interim report on Tempus I (based on an external evaluation) was distributed to the Community institutions in February 1993 (COM(93) 29 final)
- the final report on Tempus I, also based on an external evaluation, was distributed in September 1996 (COM(96) 428 final)
- the interim report on Tempus II, based for Phare on an external evaluation and for Tacis on research conducted by the Commission, was distributed in May 1996 (COM(96) 197 final).

An interim assessment report on Tempus IIa for the 1994-1996 period will be presented to the institutions of the European Community very shortly. The analysis of Tempus in the Tacis countries is based on an external evaluation, while that of the Phare countries is based on impact studies carried out by the beneficiary countries themselves.

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.

The draft decision also proposes that an interim assessment report on the Tempus III programme be presented to the Council before 30 April 2004.

10. GROUNDS FOR THE LEGAL BASIS CHOSEN SHOWING THAT IT IS CONSONANT WITH THE OBJECTIVES PURSUED AND THE LEGISLATIVE INTENSITY

As the Tempus programme is part of an action to assist Third Countries, the legal basis is Article 235, since there is no other appropriate article in the Treaty for this specific case.

11. CONDITIONS FOR 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.

12. ADMINISTRATIVE EXPENDITURE

12.1. Effect on the number of jobs (ECU)

5A - 2B - 1C

12.2. Overall financial impact of human resources (ECU)

	Amount	Method of calculation
Officials (*)	5.184.000	108 Kecu x 8h x6

(*) calculation based on A-1, A-2, A-4, A-5 and A-7 - annual cost

12.3. Financial impact of other operational expenditure resulting from the action (ECU)

Budgetary heading	Amount	Method of calculation
A-7010 : Mission expenses	189.000	26 missions Tacis/countries /year 9 missions Phare/countries /year x 6 years
A-7031 : Cost of meetings of committees whose consultation is mandatory	117.000	2 meetings x 1 participant x 15 Member States x 650 ECU x 6 years
Total	306.000	

Funds will be drawn from DG XXII's existing budget.

ISSN 0254-1475

COM(98) 454 final

DOCUMENTS

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15 16

Catalogue number : CB-CO-98-464-EN-C

ISBN 92-78-38232-9

Office for Official Publications of the European Communities

L-2985 Luxembourg