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Amended 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 pursuant to Article 189 a (2)
of the EC-Treaty)

EXPLANATORY MEMORANDUM

On 18 December 1998 the European Parliament, having been consulted for its opinion under the terms of Article 235, adopted a resolution in favour of the proposal for a Council Decision adopting the third phase of the trans-European cooperation scheme for higher education (Tempus III) for the period 2000-2006. It took the opportunity to express its congratulations on the high standard of management and the positive results of the programme.

15 proposals for amendments were voted in plenary session. Of those put forward by Parliament, the Commission accepted ten which enhance the Commission's initial proposal.

This document sets out the amended draft proposal which the Commission will submit to the Council.

Amended proposal for a

COUNCIL DECISION

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

Text proposed by the Commission	Text as modified
<p>THE COUNCIL OF THE EUROPEAN UNION,</p> <p>Having regard to the Treaty establishing the European Community, and in particular Article 235 thereof,</p> <p>Having regard to the proposal from the Commission¹,</p> <p>Having regard to the opinion of the European Parliament²,</p> <p>Having regard to the opinion of the Economic and Social Committee³,</p> <p>Having regard to the opinion of the Committee of the Regions⁴,</p> <p>1. Whereas the Council</p> <p style="padding-left: 40px;">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,</p> <p style="padding-left: 40px;">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,</p> <p>2. Whereas on 29 April 1993 the Council</p>	<p>New recital preceding recital 1</p> <p>Whereas the European Council meeting in Strasbourg on 8 and 9 December 1989 called on the Council to adopt, on the basis of a proposal from the Commission, measures aimed at enabling the Central and Eastern European countries to take part in programmes in the areas of education and/or training similar to the existing Community programmes;</p>

¹ OJ C ...

² OJ C ...

³ OJ C ...

⁴ OJ 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).

<p>adopted the second phase of the trans-European cooperation scheme for higher education (Tempus II) for a period of 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;</p> <p>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;</p> <p>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;</p> <p>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;</p>	<p>Recital 3a (new) Whereas cooperation on higher education strengthens and deepens the whole fabric of relations existing between the peoples of Europe, brings out common cultural values, allows fruitful exchanges of views to take place and facilitates multinational activities in the scientific, cultural, artistic, socio-economic and commercial spheres;</p> <p>Recital 5 Whereas TEMPUS can make an effective contribution to the reform of higher education systems required to improve occupational skills adapted to the necessary economic reforms and whereas there is no other instrument for achieving this objective;</p> <p>Recital 5a (new) Whereas TEMPUS can also make an effective contribution, via universities and university staff, to the development of public</p>
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⁷ OJ L 112 of 6.5.1993, p. 34.

⁸ OJ L 306 of 28.11.1996, p. 36.

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;

administration and education structures in the Central and Eastern European countries, the new independent states and Mongolia;

Recital 7

Whereas the associated countries in the pre-accession phase which have taken part in Tempus I and Tempus II could now, **thanks to the experience they have acquired**, 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;

Recital 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 and social cooperation;

Recital 9a (new)

Whereas the possibility should be provided of carrying out joint activities between the Tempus III programme and other Community

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;

programmes or actions with an educational and/or training-related dimension, thus stimulating synergies and increasing the added value of each of the Community actions;

HAS DECIDED AS FOLLOWS:

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:

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

- a) “**university**” means any type of post-secondary teaching and training establishment which, in higher education and training, award higher level qualifications or diplomas, offers 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.

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;

Article 4, third paragraph

More specifically, Tempus III is intended to **facilitate the adaptation of higher education to the new socio-economic and cultural needs of the eligible countries by addressing:**

- 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.**

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 Commission will also endeavour to ensure that no group of citizens is excluded or disadvantaged for any reason whatsoever.**

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 an **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.

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.

5. 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

Article 8

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, **within the limits established by the annual budgetary decisions**, the Commission shall ensure consistency and 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 Foundationl.

* 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.

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.

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

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

Annex

<p>universities and students under JEPs:</p> <ul style="list-style-type: none"> 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. 	<p>Joint European Projects</p> <ul style="list-style-type: none"> 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 up to one year in eligible countries and vice versa;
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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:

- 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**

<p>assistance needed to underpin the action taken pursuant to this decision and to monitor programme implementation.</p> <p>2. Support will be provided for appropriate external evaluation of Tempus III.</p>	
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