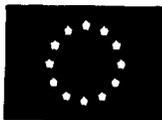


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# EUROPEAN PARLIAMENT



## session documents

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### REPORT

on the proposal for a Council Decision on the conclusion of an Agreement for cooperation in higher education and vocational education and training between the European Community and the United States of America (COM(95)0120 - C4-0339/95 - 95/0094(CNS))

Committee on Culture, Youth, Education and the Media

Rapporteur: Mrs Mary Banotti

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en - Or. de/en

- \* Consultation procedure  
simple majority
- \*\*\* Cooperation procedure (first reading)  
simple majority
- \*\*\*\* Cooperation procedure (second reading)  
simple majority to approve the common position  
majority of Parliament's component Members to reject or amend the common position
- \*\*\*\* Assent procedure  
majority of Parliament's component Members to give assent  
but simple majority under Articles 105, 106, 130d and 228 EC
- \*\*\*\* Codecision procedure (first reading)  
simple majority
- \*\*\*\* Codecision procedure (second reading)  
simple majority to approve the common position  
majority of Parliament's component Members to adopt a declaration of intended rejection of the common position and amend the common position or confirm its rejection
- \*\*\*\* Codecision procedure (third reading)  
simple majority to approve the joint text  
majority of Parliament's component Members to reject the Council text

C O N T E N T S

	<u>Page</u>	
Procedural page . . . . .	3	
A. DRAFT LEGISLATIVE RESOLUTION . . . . .	4	
B. EXPLANATORY STATEMENT . . . . .	5	
Opinion of the Committee on Budgets . . . . .	12	

By letter of 11 August 1995, the Council consulted Parliament pursuant to Articles 126, 127, 228 (paragraph 2, first sentence) (paragraph 3, first indent) of the EC Treaty on the proposal for a Council Decision on conclusion of an Agreement for cooperation in higher education and vocational education and training between the European Community and the United States of America.

- At the sitting of 18 September 1995, the President of Parliament announced that he had referred this proposal to the Committee on Culture, Youth, Education and the Media as the committee responsible and the Committee on Budgets and the Committee on Budgetary Control for their opinions.

The Committee on Culture, Youth, Education and the Media had appointed Mrs Mary Banotti rapporteur at its meeting of 8 September 1995.

It considered the draft report at its meetings of 23 June 1995, 5 September 1995 and 26 September 1995.

At the last meeting it adopted the draft legislative resolution unanimously.

The following took part in the vote: Luciana Castellina, chairman; Sanz Fernandez, vice-chairman; Dührkop-Dührkop, (for Augias), Aparicio Sanchez, Galeote Quecedo, Guinebertière, Kristoffersen (for Heinisch), Pack, Perry, Paillea (for Aramburu del Rio), Seillier and Tongue.

The opinion of the Committee on Budgets is attached; the Committee on Budgetary Control decided on 5 September 1995 not to deliver an opinion.

The report was tabled on 27 September 1995.

A  
DRAFT LEGISLATIVE RESOLUTION

Legislative resolution embodying Parliament's opinion on the proposal for a Council Decision on conclusion of an Agreement for cooperation in higher education and vocational education and training between the European Community and the United States of America (COM(95)0120 - C4-0339/95 - 95/0094(CNS))

(Consultation procedure)

The European Parliament,

- having regard to the proposal for a Council Decision (COM(95)0120 - 95/0094(CNS)),<sup>1</sup>
  - having regard to Article 228(2) of the EC Treaty,
  - having been consulted by the Council pursuant to Article 228(3), first subparagraph, of the EC Treaty and Articles 126 and 127 of the EC Treaty (C4-0339/95),
  - having regard to Rule 90(7) of its Rules of Procedure,
  - having regard to the report of the Committee on Culture, Youth, Education and the Media and the opinion of the Committee on Budgets (A4-0216/95),
1. Approves conclusion of the agreement;
  2. Instructs its President to forward this opinion to the Council and Commission and the governments and parliaments of the Member States and of the United States of America.

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<sup>1</sup> OJ C 231, 5.9.1995, page 4.

B  
EXPLANATORY STATEMENT

I. INTRODUCTION

The European Parliament has long realised the need for cooperation with the United States of America, not only in the areas of economic and trading relations, but also in the educational and cultural spheres. This was a key conclusion of the Rawlings report, adopted by Parliament in 1993, which called for closer educational and cultural cooperation, recognising that the European Union and the USA have a shared interest in promoting mutual understanding, knowledge and respect. In the USA, there has also been increasing interest in developing cooperation in the fields of education and training.

This Proposal for a Council Decision concerns an Agreement to establish a Programme of Cooperation in higher education and vocational education and training between the European Community and the USA. The Programme is concerned with the funding of joint cooperative projects organised by consortia of partner institutions on either side of the Atlantic, within the overall objective of improving mutual understanding, while promoting innovative actions.

The European Parliament is being consulted on this proposed Agreement under Article 228 of the Treaty on European Union. The European Parliament is not able to amend the text of this international agreement. Therefore, while this explanatory statement contains comments on the proposed agreement and the programme contained therein, these comments do not appear in the form of a Draft Resolution, nor can they be incorporated into the text of the Agreement/Programme. The other legal bases for this Agreement are Articles 126 and 127 of the Treaty on European Union, which allow for the fostering of cooperation with third countries in the fields of education and vocational training, respectively.

II. BACKGROUND TO THE PROPOSED AGREEMENT

1. In November 1990, a Transatlantic Declaration was adopted by the European Community and its Member States and the United States of America. This Declaration included a section relating to mutual cooperation in the areas of education and culture, including academic and youth exchanges.

2. Following the Transatlantic Declaration, an EC/USA Working Party was established for "Higher Education and Vocational and Continuing Training", which resulted in a Communication from the Commission to the Council in May 1992, concerning the development of EC/US cooperation in the fields of education and training. In response the Council agreed that the Commission should commence work in this area with a view to preparing a draft agreement with the United States. However, the Council laid down certain criteria which any such cooperative action should fulfil. Suitable cooperative activities should: take into account existing bilateral programmes; be closely tied to Community policies and programmes; bring balanced benefits to both the EC and US sides; make the most effective use of resources; provide a specific European added value.

3. The European Parliament has played an important role in encouraging cultural and educational cooperation with third countries, including the United States of America. The Rawlings report (A3-0145/93), adopted in 1993, called for greater cooperation with the USA in the cultural sphere. That report was concerned with the broader cultural sphere, rather than solely the narrower areas of education and training. However, it did contain certain specific demands relating to the development of cooperative activity in the areas of education and training. Moreover, Parliament provided the Commission with a pm to budget line B3-1007 - Cooperation with Third Countries, in the 1993 budget. This effectively enabled the Commission to undertake an exploratory phase of cooperative activity with the USA, involving higher education establishments.

4. During the period 1993-1995, the Commission has undertaken the aforementioned exploratory phase of cooperation. Higher education institutions on either side of the Atlantic were invited to submit proposals for joint EC/US consortium activities to be undertaken over a two-year period. The aim of this exercise was to examine the range of potential activities which could be carried out within the criteria set out by the Council. The Commission has used the experience from this exploratory phase to guide the drafting of the present proposals.

5. In November 1994, the Council provided the Commission with the necessary mandate to negotiate cooperation agreements with both the United States of America and Canada establishing programmes of cooperation in higher education and vocational training. The negotiations with the USA resulted in the proposed Agreement for a Programme of Cooperation contained in the present Commission document.

### III. SUBSTANCE OF THE PROPOSED AGREEMENT

#### 1. Description

The Agreement establishes a cooperation programme in higher education and training between the European Community and the United States of America. The proposed funding is ECU 6.5 million over the five-year period 1995-1999, under budget heading B3-1007 - Cooperation with Third Countries. This figure will be matched by funding from the US Education Department.

#### 2. The Objectives of the Programme

Article 2 establishes the objectives of the Programme. These include, among others, promoting mutual understanding between the peoples of the EU and the USA; improving the quality of human resource development; stimulating student-centred cooperation; improving transatlantic student mobility; encouraging the exchange of expertise in new educational and training developments.

#### 3. The Principles of the Programme

Article 3 lays down the principles which will guide the activities carried out under this Agreement. These include full respect for the responsibilities of the Member States of the EU and the States of the USA and the autonomy of the higher education institutions; mutual benefit from activities undertaken through the Agreement; effective provision of seed-funding for a range of innovative projects which are sustainable over the longer term with minimal or no support from the Parties; representation of the full geographic, cultural and social diversity of the EU and the USA; selection of projects on a competitive basis.

#### 4. The Substance of the Programme

There are two types of activities provided for within the framework of the Programme, falling under two Actions: Action 1 and Action 2.

Action 1 activities are those projects carried out by joint consortia of institutions on either side of the Atlantic. Such activities may include:

- the development of organisational frameworks for student mobility
- structured exchanges of students, teachers, trainers and administrators
- joint development of innovative curricula including the development of teaching materials, methods and modules
- short intensive programmes
- teaching assignments in a partner institution
- other innovative projects including the use of new technologies and distance learning.

Action 2 activities are complementary activities which may be undertaken by the Parties to the Agreement, that is the EU and the USA. These may include:

- exchanges of information about education and training
- provision of Fulbright scholarships for the study of, and research and lecturing on, European Community Affairs and EC/US relations
- measures to facilitate the dissemination of information on the Programme
- provision of technical assistance to support the Programme.

It is intended that the majority of the funding (85%) should be spent on Action 1 activities over the lifetime of the Programme.

#### 5. The Consortia

Each joint consortium must have an absolute minimum of three active partners on each side of the Atlantic. These must include at least two partner higher education or training institutions on each side in different Member States of the European Community and different states of the United States of America. The third and subsequent partners may include higher education establishments, training institutions and other relevant organisations, such as NGOs or chambers of commerce.

#### 6. The Supervision/Monitoring of the Programme

The Agreement provides for the establishment of a Joint Committee, comprising an equal number of representatives of each Party, that is the USA and the EU. This Committee will meet once per year and agreements will be reached by consensus. The functions of the Committee are to review cooperative activities carried out under this agreement and to provide an annual report to the appropriate Minister-level officials of the Parties. The Agreement contains little detail on the monitoring and evaluation of the Programme, other than to say that the activities "shall be monitored and evaluated as appropriate."

### IV. COMMENTS ON THE PROGRAMME

#### 1. General

The European Parliament welcomes this proposed Programme since it responds to demands which it has made for cooperation in this field. In particular it responds to the call for the formalisation of cooperative activity in this sphere, which was a key demand of the Rawlings report.

The general approach of the Programme is permissive, allowing for the funding of certain activities within the overall objectives of the Programme, rather than specifying exactly what activities will be funded. Thus the Programme allows for, rather than specifically mentioning, some of the other demands of the Rawlings report such as joint study programmes and the opportunity for American students to spend periods of study at European universities. However, the provision of financial support to the Fulbright programme as mentioned in the Rawlings report is an activity specifically listed as eligible for funding in the list of Action 2-type activities. Moreover, one of the objectives of the Programme is to "improve the quality of transatlantic student mobility including the promotion of mutual understanding, recognition and portability of credits", thus once again directly responding to demands made by the European Parliament.

## 2. The Consortia

One of the most interesting and innovative aspects of this programme is the requirement that institutions must form consortia in order to develop projects which are eligible to receive funding for activities listed under Action 1. A positive feature of the proposed consortium approach is that the consortia are not limited to higher education establishments since partnership is open to vocational training and other establishments.

The consortium approach has a number of other strengths which the European Parliament would like to see emphasised within the Programme and reflected in the Guidelines for, and implementation of, the Programme:

- it is an approach which avoids the duplication of existing bilateral arrangements;
- it facilitates the involvement of smaller institutions within the Programme and particularly those with no existing transatlantic links;
- it allows for a greater regional spread of the institutions involved;
- it is a concrete expression of the European dimension with European institutions working together;
- it encourages intra-Community cooperation as well as transatlantic cooperation;
- it has the potential to facilitate the inclusion of institutions in rural and peripheral areas of the Community;
- it has the potential to facilitate the inclusion of institutions using lesser-used Community languages.

## 3. Selection of Projects

The Commission document does not contain details of the ways in which projects will be selected to receive funding. During the exploratory phase of cooperative activity, applications were first assessed by independent academic experts, with the final selection of projects carried out by Commission officials and the US Department of Education. The present document does not state whether this method will be used to select projects in the proposed Programme. The European Parliament is concerned to know what procedure will be followed for the selection of projects and in particular who will be making the selection, and what criteria will be applied. Clearly the selection procedure must be guided by the principles of fairness and transparency.

#### 4. Funding and Budgetary Aspects

This is a small programme in terms of budget. This has implications for the ways in which the Commission plans to distribute the budget. Seed-funding will be provided to a small number of selected projects. These selected projects will be funded for a maximum of three years. The Commission's justification for the provision of finite funding is that the Programme aims to assist the establishment of cooperative activity rather than provide a permanent source of funding for such activity. Given the budgetary limitations of the Programme, this would appear to be a reasonable approach and will permit the participation of a greater number of institutions over the lifetime of the Programme. However, the Commission's approach does give rise to some areas of concern.

The Commission states that one of the considerations used in selecting projects will be the ability of the consortia to demonstrate that they will be able to continue to operate after the three-year period by finding alternative sources of funding. The European Parliament is concerned that this requirement should not supersede all others to the detriment of the other objectives of the Programme. Furthermore, it is concerned that it should not lead to the selection of projects from certain subject areas which are more able to attract funding, or to the exclusion of smaller, less wealthy institutions. This requirement should be kept under review in order to monitor its impact on the selection of projects, as should the questions of the length of the funding period and the survival of projects once funding has expired.

#### 5. Balance of Benefits

It is important that there should be a balance of benefits arising from the Programme on either side of the Atlantic. This requires the full and active participation of all consortium partners. As regards student mobility, there should be parity of student flows. In the Programme there is no mention of an upper limit to the number of partner institutions which may be involved in a consortium. Neither is there any requirement that there should be an equal number of partner institutions on either side of the Atlantic. While acknowledging that this may not strictly be necessary bearing in mind the differing sizes of institutions, it is important that there should be a balance of involvement between the USA and the EU. Therefore too great a disparity in the number of EU and US partner institutions involved in any one consortium should be avoided.

#### 6. Student Mobility

This is a programme for educational, student-centred cooperation, not primarily a student exchange scheme. However, it is likely that all consortium projects will involve an element of student mobility. The European Parliament is concerned that student exchanges should be properly organised and should include adequate linguistic and cultural preparation. Measures should be taken to ensure the fullest possible educational and social integration of exchange students. Furthermore, attention should be given to ensuring that students from disadvantaged groups are able - and encouraged - to participate in exchange programmes and that students do not experience financial hardship due to studying abroad.

7. Diversity

The range of projects selected should reflect the geographical, social, cultural and linguistic diversity of the European Community. Consortia should be encouraged to include a regional spread of institutions, including those from rural and peripheral regions. The selected projects should also reflect a diversity of subject areas and disciplines.

8. Access and Equality Considerations

There is no mention in the Commission document of the need to encourage the participation of disadvantaged groups, nor of measures to ensure equality of opportunity within the Programme. These are important considerations and should be included in the Guidelines for the Programme.

9. Links between Post-Secondary Institutions

One of the merits of the consortium approach is that vocational education and training institutions can become involved in this Programme in partnership with higher education institutions. The European Parliament welcomes this potential for strengthening links between different types of post-secondary institutions. We would request that both in the drawing-up of the Guidelines for this Programme, and in the dissemination of information, the Commission gives careful thought to how this can be actively encouraged and practically realised.

10. New Technologies

Innovative projects using new technologies and distance learning are included in the Action 1 list of activities eligible to receive funding. This is an area that the European Parliament would like to see developed, believing that it is potentially an extremely fruitful area for innovative cooperative activity.

11. Management and Monitoring of the Programme

The Programme does not provide detail on the composition, function and responsibilities of the Joint Committee which is to be established to manage the Programme. Such details are important and should be made clear. Specifically, Parliament would like to be included among the bodies to which the Joint Committee will report on an annual basis.

12. Publicity and Dissemination of Information

It is essential that information is widely disseminated about the Programme, especially if it is to draw in smaller institutions, vocational establishments and those not already involved in transatlantic or Community-level cooperation. Attention should also be given to the dissemination of the achievements of the Programme and of individual projects in order to stimulate further cooperative activity by EU and US institutions.

13. Cooperation with other Third Countries

It is important that this formalisation of cooperative activity with the USA is not to the detriment of cooperative activity in the areas of education and training with other third countries. The European Parliament looks forward to receiving proposals from the Commission for the development of cooperative activity with other third countries.

## V. CONCLUSIONS

The European Parliament has played an active role in encouraging cooperative activity with third countries in the areas of education and training. Indeed, its budgetary decisions have been instrumental in enabling work to be undertaken in this field. Therefore the Programme contained within this Agreement is welcome. The European Parliament calls on the Commission to take account of the views and comments contained in this report in the drawing up of Guidelines for the Programme and in the implementation of the Programme itself.

Your rapporteur regrets that Parliament was not kept more closely informed about the progress and shape of the negotiations which produced this Agreement, given the close interest we have shown in this area plus the fact that we do not have the opportunity to amend the text of the Agreement/Programme. We would request that in future negotiations of this type, the European Parliament is kept fully and formally informed throughout the negotiating process.

Finally, since this is a new Programme, marking a new stage in the development of cooperative activity in education and training, careful monitoring will be necessary. The European Parliament requests that it is kept fully informed regarding the implementation, monitoring and evaluation of this Programme.

OPINION

of the Committee on Budgets

Letter from the Chairman of the committee to Mrs Luciana CASTELLINA, Chairman of the Committee on Culture, Youth, Education and the Media

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Brussels, 26 September 1995

Subject: Proposal for a Council Decision concerning the conclusion of an Agreement for cooperation in higher education and vocational education and training between the European Community and the United States of America  
(COM(95)0120 final - C4-0339/95 - 95/0094(CNS))

Dear Mrs Castellina,

At its meeting of 7 September 1995 the Committee on Budgets considered the above subject and adopted the following conclusions.

The changes that have taken place in recent years both in the United States of America and in the European Union have made it increasingly important on both sides of the Atlantic to promote more comprehensive knowledge and wider understanding of the new realities.

The Transatlantic Declaration of 1990, which addressed subjects of common interest, has already given expression to the new spirit of partnership between the European Community and the United States of America. Since then a series of bilateral consultations have taken place with the United States, and relations between the EU and the USA played an important part in the successful conclusion of the GATT Uruguay Round.

The Committee on Budgets is firmly convinced that the European Union has an interest in extending its links with the EU's most important trade partner by means of intensive contact, particularly as the two sides share common cultural roots and traditions. Numerous bilateral contacts and activities at the level of the Member States, which already have a long tradition of transatlantic academic cooperation, confirm the value of this cooperation as an effective instrument for promoting knowledge and mutual understanding. Finally, the achievements of the European Community programmes concerning higher education and vocational training have been widely acknowledged, and an extension of the range of these activities thus seems justified.

This proposal, as well as going back to the Transatlantic Declaration already referred to, has its origins in the meeting of the Council of Ministers in November 1992, at which the Council expressed its willingness to support the Commission in planning future measures.

Finally, the Council Decision of 21 November 1994 empowered the Commission to negotiate a cooperation agreement with the United States of America, establishing cooperation programmes in the field of higher education and vocational training.

The overall objective of this Cooperation Agreement should be to promote innovative measures in the field of general and vocational education and to further qualitative improvements by taking mutual advantage of the different strengths of the participants in this field.

Although the Decision does not specify an expiry date, the Commission has proposed a five-year action programme (1995-99), within which individual projects are to be limited to three years' duration.

The financial framework proposed by the Commission for this Council-instigated measure is, on the whole, modest. As outlined in the indicative Financial Statement, a total of ECU 6.5 m is to be spent on measures within the framework of the Cooperation Agreement in the years 1995-99. The annual instalments amount to ECU 1.1 m for 1995, rising by ECU 100 000 per year until 1999, for which year the projected figure is ECU 1.5 m.

Within the Union budget, funding is to come from Item B3-1007 - Cooperation with Third Countries. The 1995 budget includes under this heading ECU 2.5 m in commitment appropriations and ECU 2 m in payment appropriations, so financing in 1995 is assured. This budgetization seems to be both modest in terms of size and inappropriately positioned in the budget, namely under a budget line in category III (internal policies). The Committee on Budgets will propose that this item be budgetized under B7 in category IV (external policies) since it concerns a subject of international cooperation, and should the programme prove to be successful, there will be good reason to increase the financial support. As for other programmes of this kind, before decisions are taken on further financial contributions to the programme the Committee on Budgets would ask the Commission to submit to Parliament an interim report by 1 July 1997.

Parliament, however, observed that the Council, in its draft budget for 1996, deleted all appropriations for this Cooperation Agreement, making it merely a token entry. On the contrary the Committee on Budgets unanimously supports the thrust of this proposal for cooperation with the USA and it therefore reserves its right to propose to reinstate the financial support for these activities.

Yours sincerely,

(sgd) Detlev SAMLAND

The following took part in the vote: Samland, chairman; Tillich, first vice-chairman; Porto, second vice-chairman; Willockx, third vice-chairman; Bardong, Böge, Bösch, Brinkhorst, Christodoulou (for Bourlanges), Colom i Naval, Cornelissen (for Bebear), Dankert, Di Prima, Dührkop Dührkop, Elles, Fabra Valles, Fabre-Aubrespy, Ghilardotti, Giansily, Gredler, Haug, Krehl, McCartin, Miranda da Silva, Müller, Rehn, Tappin, Theato, Tomlinson and Wynn.

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# REPORTS

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