



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 16.07.1999

COM(1999)293 final

98/0195 (COD)

OPINION OF THE COMMISSION

pursuant to Article 251(2) of the EC Treaty,
on the European Parliament's amendment
to the Council's common position regarding the

proposal for a
EUROPEAN PARLIAMENT AND COUNCIL DECISION

**establishing the second phase of the Community action programme in the field of
education "SOCRATES"**

AMENDING THE PROPOSAL OF THE COMMISSION

pursuant to Article 250 (2293 of the EC Treaty

EXPLANATORY MEMORANDUM

Article 251, paragraph 2(c) of the EC Treaty stipulates that the Commission shall deliver an opinion on the amendments proposed by the European Parliament at the second reading.

The Commission sets out below its opinion on the 14 amendments proposed by the Parliament, also attaching, pursuant to Article 250, paragraph 2, of the EC Treaty, an amended proposal incorporating the 13 Parliament amendments which the Commission has accepted wholly or in part.

1. Background

- a) On 28 August 1998, the Commission submitted to the Council and to the European Parliament its proposal for a decision (COM (1998) 329 final – COD 98/0195 of 27 May 1998).
- b) The Economic and Social Committee delivered a favourable opinion on 15 October 1998.
- c) The Committee of the Regions delivered a favourable opinion on 19 November 1998.
- d) On 5 November 1998, the Parliament adopted at the first reading a favourable resolution including 54 amendments to the Commission proposal.
- e) On 2 December 1998, pursuant to Article 250, paragraph 2, of the EC Treaty, the Commission adopted an amended proposal for a decision incorporating wholly or in part 34 of the 54 Parliament amendments (COM (1998) 719 final – COD 98/0195 of 2 December 1998).
- f) The Council adopted its common position on 21 December 1998.
- g) On 25 February 1999, the European Parliament adopted at the second reading a favourable resolution including 14 amendments to the common position.

2. Aims of the proposal

The SOCRATES programme stems from Articles 149 and 150 of the EC Treaty and seeks to promote quality in education, by fostering cooperation, stepping up mobility and developing the European dimension in all sectors of education. Actions 1-3 of the programme relate to the fundamental stages of lifelong education (school, higher education, adult education/other education pathways).

Actions 4-8 relate to horizontal policies such as languages, new technology and exchange of information, as well as matters of common interest such as innovation, dissemination of results, joint actions.

3. Commission opinion on the amendments of the European Parliament

The Commission accepts wholly, partly or in substance 13 of the 14 amendments proposed by the Parliament and will incorporate them in its new amended proposal so that they can be re-examined by the Council.

3.1 Amendments accepted by the Commission

- Amendments 1 and 7 are designed not to subject Cyprus a priori to the arrangements governing the financial contribution of the EFTA/EEA countries. The participation arrangements for Cyprus should be negotiated with that country. Inasmuch as this approach of the Parliament is in line with the Commission's amended proposal of 2 December 1998, it is suggested that these amendments be accepted.
- Amendment 2 relates to the substitution in Article 1.3 of the concept of "area of cooperation in the field of education and training" by the term "European educational area". This amendment indeed links up with the concept used by the Commission in its initial and amended proposals. From the Commission point of view, the fundamental aim of the programme is to help to achieve a genuine European education area. The concept of "cooperation area" advocated by the Council would detract from the scope of the programme.
- Amendment 8 concerns the introduction of a revision clause in Article 12 ('Monitoring and evaluation') which would enable the Commission to submit, three years after the start of the programme, a report on the results achieved, accompanied by any proposals it deems appropriate, including with regard to the financial framework set out in Article 8. As the Council has decided to extend the duration of the programme to seven years (instead of the five years proposed by the Commission), the clause introduced by the Parliament will allow the programme to adjust flexibly to any new requirements which might emerge in the future.
- Amendment 10 relates to the option of launching under Action 1.2 pilot projects to give young qualified teachers seeking a first job the opportunity of working for a given period in a school in another Member State in order to gain a first experience in the job. The Commission accepts the principle of this amendment, but prefers not to open up all the measures provided for under Action 1.2, paragraph 2, to unemployed teachers. It considers it preferable to add a new sentence to paragraph 1 of

this Action to make explicit provision for the option of launching a limited number of pilot projects targeting this specific group.

- Amendment 11 concerns the strengthening of the emphasis placed on the European course credit transfer system (ECTS). The Commission accepts the spirit of this amendment, but considers it more logical to incorporate the second part of the idea expressed in this amendment in recital 15 which also relates to the importance of ECTS.
- Amendment 12 relates to the need to take account of the socio-economic circumstances of applicants for the purposes of Erasmus grants. As for the criteria to be applied, it is certainly relevant and politically appropriate not to base things solely on candidates' results, but to also take into consideration their real financial needs.
- The point of Amendment 14 is to simplify and shorten the selection procedure III.2a) which applies to part of the centralised measures. Additional consultation of the Member States in the event of diverging evaluation is pointless in that the national authorities are in any event closely involved in protect selection (co-evaluation by the national agencies, submission of selection lists to the programme committee). Foregoing the additional consultation phase would thus make for greater transparency and user-friendliness for the programme beneficiaries.
- Amendment 15 (Part 1) concerns the strengthening of mobility activities for young people undergoing training under language learning projects. The Commission agrees with the spirit of this part of the amendment but feels that for reasons of clarity and transparency an arrangement of this kind should be included in the description of the action itself (see Annex, Action 1.1, paragraph 2, point b).
- In its common position, the Council introduced minimum percentages for the allocation of resources to Actions 1, 2 and 3 of the programme. Amendment 15 (Part 2) is designed to bring down by 1% the percentages envisaged for Actions 2 and 3. The reduction of these two percentages would give the Commission greater flexibility in implementing the programme. In addition, it would make it possible to allocate more appropriate funding to Actions 4-8 which relate to priority activities such as language learning, new technology, joint actions and observation in education.
- Other amendments are designed to clarify and strengthen certain aspects of the common position and can therefore be accepted as such or in their spirit. Specifically, these are amendments 3, 4, 9 and 13 (Part 2) which relate to the following aspects:

- = priority to be given to the languages less widely used and taught and, in the frontier areas, to the languages of the neighbouring countries;
- = participation in the programme of the social partners at all levels.

3.2 Amendments not accepted by the Commission.

- Amendment 6 concerning the article on funding cannot be accepted. Some parts of this amendment depart from the interinstitutional declaration of 6 March 1995 on the incorporation of financial provisions into legislative acts (see OJ C 102 , 04/04/1996, p. 4).

As regards to the programme budget, it should be remembered that the Commission in its initial proposal and in line with the priorities established in Agenda 2000 provided for a budget of € 1.400 million for a period of five years. The same priority criteria applied to a seven-year period as envisaged in the common position and taking into account the average rate of growth observed would have prompted the Commission to propose around € 2.151 million. However, budgetary constraints mean that the Commission is not in a position to take on board the Parliament proposal to increase to a budget of € 2.500 million.

- Amendment 13 (Part 1) designed to increase the number of languages covered by the LINGUA action cannot be taken into consideration because this action has always been limited to the official languages of the European Union and to Irish (one of the languages in which the Treaties establishing the European Communities are drawn up) and Lëtzebuergesch (language spoken throughout Luxembourg).

| Common position of the Council of 21 December 1998 | Amended proposal following the opinion of the European Parliament of 25 February 1999 |
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| <p>Recital 12 (12) Whereas provision should be made to open up this programme to participation by the associated Central and Eastern European countries (CEECS), in accordance with the conditions established in the Europe Agreements, in their additional protocols and in the decisions of the respective Association Councils, of Cyprus <u>under the same conditions as those applied to the EFTA/EEA countries</u>, funded by additional appropriations in accordance with the procedures to be agreed with that country, as well as of Malta and Turkey, funded by additional appropriations in accordance with the provisions of the Treaty;</p> | <p>Recital 12 (12) Whereas provision should be made to open up this programme to participation by the associated Central and Eastern European countries (CEECS), in accordance with the conditions established in the Europe Agreements, in their additional protocols and in the decisions of the respective Association Councils, of Cyprus, [...] funded by additional appropriations in accordance with the procedures to be agreed with that country, as well as of Malta and Turkey, funded by additional appropriations in accordance with the provisions of the Treaty;</p> |
| <p>Recital 15 (15) Whereas improvement of the European Credit Transfer System (ECTS) is an effective means of ensuring that mobility fully attains its objectives; whereas universities participating in the programme are to be <u>encouraged to make the best use of the ECTS</u>;</p> | <p>Recital 15 (15) Whereas improvement of the European Credit Transfer System (ECTS) is an effective means of ensuring that mobility fully attains its objectives; whereas universities participating in the programme are to be <u>encouraged to ensure the widest possible application of the ECTS</u>;</p> |
| <p>Article 1, paragraph 3 This programme shall contribute to the promotion of a European of knowledge through the development of a <u>European area of cooperation</u> in the field of education and training by promoting lifelong learning, based on formal and informal education, and training. It shall support the building up of the knowledge, skills and competencies likely to foster active citizenship and employability;</p> | <p>Article 1, paragraph 3 This programme shall contribute to the promotion of a European of knowledge through the development of a <u>European educational area</u> by promoting lifelong learning, based on formal and informal education, and training. It shall support the building up of the knowledge, skills and competencies likely to foster active citizenship and employability;</p> |
| <p>Article 2(b) b) to promote a quantitative and qualitative improvement of the knowledge of the languages of the European Union, in particular those languages which are less widely used and less widely taught, so as to lead to greater understanding and solidarity between the peoples of the European Union and promote the intercultural dimension of education;</p> | <p>Article 2(b) b) b) to promote a quantitative and qualitative improvement of the knowledge of the languages of the European Union, in particular those languages which are less widely used and less widely taught or, <u>in frontier regions between Member States, those official Community languages which are spoken in the neighbouring region of the other Member State</u>, so as to lead to greater understanding and solidarity between the peoples of the European Union and promote the intercultural dimension of education;</p> |
| <p>Article 4, paragraph 2, 4th indent - social partners;</p> | <p>Article 4, paragraph 2, 4th indent - social partners <u>and their organisations at all levels</u>;</p> |
| <p>Article 10, 3rd indent - Cyprus, <u>under the same conditions as those applied to the EFTA/EEA countries</u>, funded by additional appropriations in accordance with</p> | <p>Article 10, 3rd indent - Cyprus, [...], funded by additional appropriations in accordance with procedures to be agreed with that country;</p> |

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| procedures to be agreed with that country; | |
| <p>Article 12, paragraph 4 4. The Commission shall submit to the European Parliament, the Council, the Economic and Social Committee and the Committee of the Regions:</p> <ul style="list-style-type: none"> - an interim evaluation report on the qualitative and quantitative aspects of the implementation of this programme by 30 June 2005; - a communication of the continuation of this programme by 31 December 2006; - an <i>ex post</i> evaluation report by 31 December 2007. | <p>Article 12, paragraph 4 4. The Commission shall submit to the European Parliament, the Council, the Economic and Social Committee and the Committee of the Regions:</p> <ul style="list-style-type: none"> - <u>a report on the results achieved by the programme accompanied, as necessary, by any proposals it deems appropriate, also as regards the financial framework set in Article 8, by 31 December 2002. The European Parliament and the Council shall take a decision on these proposals as soon as possible;</u> - an interim evaluation report on the qualitative and quantitative aspects of the implementation of this programme by 30 June 2005; - a communication of the continuation of this programme by 31 December 2006; - an <i>ex post</i> evaluation report by 31 December 2007. |
| <p>Annex, Section II, Action 1.1, paragraph 2(b) b) projects aimed specifically at teaching and learning the official languages of the Community, together with Irish (one of the languages in which the Treaties establishing the European Communities are drawn up) and Lëtzebuergesch (a language spoken throughout the territory of Luxembourg). The projects may be bilateral, especially where they target a less widely used or less taught language and should include exchanges of pupils in addition to the activities referred to in point a);</p> | <p>Annex, Section II, Action 1.1, paragraph 2(b) b) projects aimed specifically at teaching and learning the official languages of the Community, together with Irish (one of the languages in which the Treaties establishing the European Communities are drawn up) and Lëtzebuergesch (a language spoken throughout the territory of Luxembourg). The projects may be bilateral, especially where they target a less widely used or less taught language or, <u>in frontier regions between Member States, those official Community languages which are spoken in the neighbouring region of the other Member State,</u> and should include exchanges of pupils in addition to the activities referred to in point a). <u>Priority will be given to projects involving schools which provide vocational and technical education.</u></p> |
| <p>Annex, Section II, Action 1.2, paragraph 1 1. The Community is to support multilateral projects undertaken by establishments and bodies active in the initial or in-service training of staff directly involved in school education. The participation of schools and other players involved in the field of education described in Article 4 on the Decision is to be encouraged, as is the involvement of supervisory bodies at regional and local level, where appropriate.</p> | <p>Annex, Section II, Action 1.2, paragraph 1 1. The Community is to support multilateral projects undertaken by establishments and bodies active in the initial or in-service training of staff directly involved in school education. The participation of schools and other players involved in the field of education described in Article 4 on the Decision is to be encouraged, as is the involvement of supervisory bodies at regional and local level, where appropriate. <u>The Community is also to encourage a limited number of pilot projects designed to allow young qualified teachers seeking a first job to teach for a given period in a school in another Member State</u></p> |

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| | in order to allow them to acquire a first <u>experience in the job.</u> |
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| <p>Annex, Section II, Action 2.1, paragraph 2(c) c) consolidation, extension and further development of the European Credit Transfer System (ECTS), <u>which is designed to facilitate academic recognition.</u></p> | <p>Annex, Section II, Action 2.1, paragraph 2(c) c) consolidation, extension and further development of the European Credit Transfer System (ECTS), which is designed to facilitate academic recognition, <u>including the recognition of study courses, in other Member States of the European Union;</u></p> |
| <p>Annex, Section II, Action 2.2, paragraph 3 3. Community financial assistance may be awarded for: - the mobility of students. As the Community's contribution covers only part of the cost of students' mobility, Member States are invited to help provide the necessary funds. In this connection, grants or loans available to students in the Member State of origin shall continue to be paid during the period of study in a host Member State;</p> | <p>Annex, Section II, Action 2.2, paragraph 3 3. Community financial assistance may be awarded for: - the mobility of students. <u>In the context of the awarding of grants, and in so far as the universities are able to do so, the socio-economic situation of applicants should be taken into consideration in an appropriate fashion.</u> As the Community's contribution covers only part of the cost of students' mobility, Member States are invited to help provide the necessary funds. In this connection, grants or loans available to students in the Member State of origin shall continue to be paid during the period of study in a host Member State;</p> |
| <p>Annex, Section II, Action 4, paragraph 2 2. In this context, language teaching covers the teaching and learning as foreign languages of all the official languages of the Community, <u>together with Irish (one of the languages in which the Treaties establishing the European Communities are drawn up) and Lëtzebuergesch (a language spoken throughout the territory of Luxembourg).</u></p> | <p>Annex, Section II, Action 4, paragraph 2 2. In this context, language teaching covers the teaching and learning as foreign languages of all the official languages of the Community, <u>together with Irish (one of the languages in which the Treaties establishing the European Communities are drawn up) and Lëtzebuergesch (a language spoken throughout the territory of Luxembourg). Special attention shall be paid to the less widely used and less widely taught of these languages.</u></p> |
| <p>Annex, Section III, paragraph 2, point a) iii iii) <u>In cases where the Commission's assessment is at variance with the assessment received from the national agency in the coordinating country concerning the quality or appropriateness of the project, the Commission shall consult with the Member State concerned.</u></p> | <p>Annex, Section III, paragraph 2, point a) iii Deleted</p> |
| <p>Annex, Section IV.B, paragraph 1 1. Having due regard to the quality and quantity of applications for financial support, the following guidelines will be taken into account when allocating resources in accordance with Article 7(3), (4) and (5) of the Decision: (a) the resources to be committed under Action 1 (Comenius) will not be less than 27% of the total budget available for this programme;</p> | <p>Annex, Section IV.B, paragraph 1 1. Having due regard to the quality and quantity of applications for financial support, the following guidelines will be taken into account when allocating resources in accordance with Article 7(3), (4) and (5) of the Decision: a) the resources to be committed under Action 1 (Comenius) will not be less than 27% of the total budget available for this programme;</p> |

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| <p>(b) the resources to be committed under Action 2 (Erasmus) will not be less than <u>51%</u> of the total budget available for this programme;</p> <p>(c) the resources to be committed under Action 3 (Grundtvig) will not be less than <u>7%</u> of the total budget available for this programme;</p> <p>(d) the resources to be committed for financial assistance for the Socrates national agencies under action 8.2 and for technical assistance under action 8.3 will not exceed 4,5 % of the total annual budget available for this programme.</p> <p>The above percentages are indicative and may be adapted in accordance with Article 7(3), (4) and (5) of the Decision.</p> | <p>b) the resources to be committed under Action 2 (Erasmus) will not be less than <u>50%</u> of the total budget available for this programme;</p> <p>c) the resources to be committed under Action 3 (Grundtvig) will not be less than <u>6%</u> of the total budget available for this programme;</p> <p>(d) the resources to be committed for financial assistance for the Socrates national agencies under action 8.2 and for technical assistance under action 8.3 will not exceed 4,5 % of the total annual budget available for this programme.</p> <p>The above percentages are indicative and may be adapted in accordance with Article 7(3), (4) and (5) of the Decision.</p> |
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