



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 27.06.1997

COM(97) 316 final

97/0173 (CNS)

Proposal for a

COUNCIL DECISION

concerning the conclusion of bilateral agreements
between the Community and Cyprus
on the latter's participation in Community programmes in the fields of
education, training and youth

(presented by the Commission)

Explanatory Memorandum

1. The attached Proposal for a Council Decision represents the legal instrument for the conclusion of the three bilateral Agreements establishing cooperation between the Republic of Cyprus and the European Community within the framework of the Leonardo da Vinci, Youth for Europe III and Socrates programmes.
2. The Council Decision of 6 December 1994 establishing the Leonardo da Vinci programme and the Decisions of the European Parliament and of the Council of 14 March 1995 establishing the Youth for Europe III and Socrates programmes explicitly provide that these three programmes shall be open to the participation of the Republic of Cyprus and Malta.

Moreover, as stated in the resolution of the EU/Cyprus Association Council of 12 June 1995, the participation of Cyprus in these three Community programmes is one of the elements of the pre-accession strategy implemented for that country in accordance with the conclusions of the General Affairs Council of 6 March 1995.

The three bilateral Agreements are aimed at laying down the conditions and arrangements for the participation of that country. The competent departments of the Commission conducted negotiations with the Republic of Cyprus on the basis of the Directives adopted by the Council on 22 December 1995.

3. In accordance with the Council Directives, the three Agreements, initialled on 13 March 1997, contain the following elements:
 - the Republic of Cyprus will participate in all the activities conducted within the framework of the Leonardo da Vinci, Youth for Europe III and Socrates programmes, in principle in the same way as the Member States of the Community (Articles 1 to 4);
 - to ensure the Community dimension of the programmes, all transnational projects proposed by Cyprus will be required to include a minimum number of partners from the EC Member States (Article 4);
 - Cyprus shall put in place the national structures and mechanisms required for its participation (Article 5);
 - Cyprus shall make an annual financial contribution corresponding to the cost of its participation in each programme (Article 6 and Annex);
 - responsibility for the implementation of each agreement will be vested in a Joint Committee (Article 7); Cyprus will also be invited to attend coordination meetings prior to the formal sessions of the programme management committees (Article 8);
 - the Agreements will be concluded for the duration of the programmes (Article 13).

4. These Agreements, intended to establish close cooperation links with Cyprus in the fields of education, training and youth, are in the interest of the Community.

They also represent an essential stage in the Republic of Cyprus's preparation for accession.

The conclusion of these Agreements is, therefore, of considerable political importance.

Ideally, they should enter into effect in the first half of 1997 so as to enable the Republic of Cyprus to take part in the calls for proposals for 1997.

5. In view of the foregoing, the Commission urges the Council to adopt the Proposal for a Decision attached hereto.

**Proposal for a
COUNCIL DECISION**

concerning the conclusion of bilateral agreements
between the Community and Cyprus
on the latter's participation in Community programmes in the fields of
education, training and youth

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Articles 126 and 127, in conjunction with Article 228(3) first paragraph thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament,

Whereas the Resolution of the Association Council E.U./Cyprus of 12 June 1995 established certain elements of a pre-accession strategy which include the participation of Cyprus in Community programmes;

Whereas, pursuant to Council Decision 94/819/EC of 6 December 1994¹, Decision 818/95/EC of the European Parliament and of the Council of 14 March 1995² and Decision 819/95/EC of the European Parliament and of the Council of 14 March 1995³, the Community established an action programme for the implementation of a European Community vocational training policy, hereinafter called "Leonardo da Vinci", adopted the third phase of the "Youth for Europe" programme and established the Community action programme "Socrates";

Whereas the above mentioned Decisions provide, in Articles 9(2), 7(4) and 7(3) respectively, that these three programmes shall be open to the participation of Cyprus,

Whereas the Commission has negotiated, on behalf of the European Community, three agreements to enable Cyprus to participate in these programmes;

Whereas these agreements should be approved;

¹ OJ L 340, 29.12.1994, p. 8.

² OJ L 87, 20.4.1995, p. 1.

³ OJ L 87, 20.4.1995, p. 10.

HAS DECIDED AS FOLLOWS:

Article 1

The three Agreements between the European Community and the Republic of Cyprus concerning the participation of the Republic of Cyprus in the Leonardo da Vinci, Youth for Europe and Socrates programmes, are hereby approved on behalf of the European Community.

The texts of the Agreements are attached to this Decision.

Article 2

The Commission shall represent the Community in the Joint Committee provided for in Article 7 of the respective agreements.

Article 3

The President of the Council shall, on behalf of the Community, give the notifications provided for in Art. 14 of the Agreements.

Article 4

This Decision shall be published in the Official Journal of the European Communities.

Done at Brussels

For the Council

AGREEMENT

between the European Community and the Republic of Cyprus establishing cooperation in the field of vocational training within the framework of the Leonardo da Vinci programme

THE EUROPEAN COMMUNITY,

on the one part, and

THE REPUBLIC OF CYPRUS,

on the other part,

WHEREAS, pursuant to Council Decision 94/819/EC of 6 December 1994⁴, an action programme for the implementation of a European Community vocational training policy, ("the Leonardo da Vinci programme"), was established ;

WHEREAS Decision 94/819/EC provides, in its Article 9, for the opening of the Leonardo da Vinci programme to Cyprus ;

WHEREAS the participation of Cyprus in the Leonardo da Vinci programme constitutes a significant step in the pre-accession strategy of Cyprus ;

WHEREAS the Contracting Parties have a common interest in cooperation in vocational training as part of the wider cooperation between the Community and Cyprus and with the aim of contributing to a dynamic and homogeneous development in this field;

⁴OJ no L 340, 29.12.1994, p. 8.

WHEREAS, in particular, cooperation between the Community and Cyprus, with a view to pursuing the objectives fixed for the Leonardo da Vinci programme, within the context of transnational cooperation activities involving the Community and Cyprus, by its nature enriches the impact of the different actions undertaken pursuant to that programme, and strengthens the skill levels of human resources in the Community and Cyprus ;

WHEREAS the Contracting Parties consequently expect to obtain mutual benefits from the participation of Cyprus in the Leonardo da Vinci programme;

WHEREAS a successful cooperation in this field implies a general commitment by the Contracting Parties to make complementary efforts to stimulate the European dimension in the field of vocational training;

HAVE AGREED AS FOLLOWS :

Article 1

Field of cooperation

Cooperation between the Community and Cyprus shall be established in all the strands and actions of the Leonardo da Vinci programme as set out in Part A of the Annex to Decision 94/819/EC.

Unless otherwise provided in this Agreement, conditions for participation of Cyprus' organisations or individuals in each of the strands shall be the same as those applicable to organisations or individuals from the Member States of the Community.

Article 2

Objectives and contents of actions

The objectives and contents of the actions to be taken under the Leonardo da Vinci programme are set out in Decision 94/819/EC, in particular in Article 3 and Part A of the Annex.

Language preparation and training concerns the official languages of the Community. In exceptional circumstances, other languages could be accepted if the implementation of the programme so requires.

Article 3

Eligible organisations and individuals

The eligibility of organisations and individuals of Cyprus shall be subject to the rules set out in Decision 94/819/EC, in particular in Article 2 and Part A and Part C, Section I of the Annex.

Article 4

Procedures

Eligible organisations and individuals of Cyprus shall take part in the Leonardo da Vinci programme according to the conditions and rules set out in Decision 94/819/EC, in particular in Part C of the Annex.

The terms and conditions for the submission, evaluation and selection of applications and proposals of pilot projects, programmes and any other measures shall be the same as those applicable to organisations and individuals of the Community.

To ensure the Community dimension of the Leonardo da Vinci programme, transnational projects and activities proposed by Cyprus will be required to include a minimum number of partners from the Member States of the Community. This minimum number will be decided in the framework of the implementation of the Programme, taking into account the nature of the various activities, the number of partners in a given project, and the number of countries participating in the Programme. Projects and activities carried out solely between Cyprus and the EFTA-EEA States or any other third country, including those with an association agreement with the Community, to which participation in the Leonardo da Vinci programme is open, shall not be eligible for Community financial support.

Article 5

National structures

Cyprus shall provide the appropriate structures and mechanisms at national level and shall take all other necessary steps to ensure national coordination and organization of the implementation of the Leonardo da Vinci programme, in conformity with Article 4(3) of Decision 94 /819/EC.

Article 6

Financial conditions

To cover the costs arising from its participation in the Leonardo da Vinci programme, Cyprus shall pay each year a contribution to the General Budget of the European Union, according to the terms and conditions set out in the Annex, which shall constitute an integral part of this Agreement.

Article 7

Joint Committee

1. A Joint Committee is hereby established.
2. The Joint Committee shall consist, on the one hand, of representatives of the Community; and, on the other, of representatives of Cyprus.
3. The Joint Committee shall be responsible for the implementation of this Agreement.
4. At the request of either Party, the Contracting Parties shall exchange information and hold consultations within the Joint Committee on activities covered by this Agreement and related financial aspects.
5. The Joint Committee shall act by agreement.
6. The Joint Committee shall meet at the request of either Contracting Party, in accordance with the conditions to be laid down in its rules of procedure.

Article 8

Coordination meetings

The representatives of the Community in the Joint Committee shall take the appropriate steps to ensure coordination between the implementation of this Agreement and the decisions taken by the Community in respect of the implementation of the Leonardo da Vinci programme.

In order to facilitate this coordination and without prejudice to the procedures set forth in Article 6 of Decision 94/819/EC, representatives of Cyprus shall be invited to coordination meetings prior to the regular Leonardo da Vinci committee meetings. The Commission shall inform Cyprus about the results of such regular meetings.

Article 9

Free movement

The Contracting Parties shall make every effort to facilitate the free movement and residence of persons moving between Cyprus and the Community for the purpose of participating in the activities covered by this Agreement.

Article 10

Monitoring, evaluation and reports

Without prejudice to the responsibilities of the Commission and the Community's Court of Auditors in relation to the monitoring and evaluation of the Programme pursuant to Article 10 of Decision 94/819/EC, Cyprus' participation in the Leonardo da Vinci programme shall be continuously monitored on a partnership basis involving the Commission and Cyprus. Cyprus shall submit to the Commission the reports to which reference is made in Art. 10 of Decision 94/819/EC. It will take part in any other specific activities set out by the Community in this regard.

Article 11

Use of languages

The language to be used as regards the application process, contracts, reports to be submitted and other administrative arrangements for the Leonardo da Vinci programme shall be one of the official languages of the Community.

Article 12

Territories

This Agreement shall apply, on the one hand, to the territories in which the Treaty establishing the European Community is applied and under the conditions laid down in that Treaty and, on the other, to the territory of Cyprus.

Article 13

Duration

1. This Agreement is concluded for the duration of the Leonardo da Vinci programme (until 31 December 1999).

2. Should the Leonardo da Vinci programme be revised, this Agreement may be renegotiated or terminated. Cyprus shall be notified of the revised programme within one month of its adoption. Within a further two months, either Contracting Party may request a renegotiation or termination of this Agreement. In the event of termination, the practical arrangements for dealing with outstanding commitments shall be the subject of negotiations between the Contracting Parties.

3. Either Contracting Party may, at any time, request a revision of this Agreement. To this end, it shall submit a request to the other Contracting Party. The Contracting Parties may instruct the Joint Committee to examine this request and, where appropriate, to make recommendations to them, particularly with a view to opening negotiations.

Article 14

Entry into force

This Agreement shall enter into force on the first day of the month following the notification by the Contracting Parties of the completion of their respective procedures.

Article 15

Languages of the Agreement

This Agreement is drawn up in duplicate in the Danish, Dutch, English, French, Finnish, German, Greek, Italian, Portuguese, Spanish and Swedish languages, each of these texts being equally authentic.

Done at Brussels on the day ofin the year

(...)

For the European Community

(...)

For the Republic of Cyprus

(...)

ANNEX

Financial conditions

1. Cyprus shall pay each year a contribution to the General Budget of the European Union to cover the subsidies or other financial support from the Leonardo da Vinci programme to be received by the Cypriot beneficiaries or by the national agency established by Cyprus in conformity with Article 4(3) of Decision 94/819/EC. This contribution will be 450 000 ECU.

For every budget year, the aggregated amount of subsidies received from the Programme by Cypriot beneficiaries and by the national agency of Cyprus may not exceed the above contribution.

Should the aggregated amount be lower than the contribution, the Commission of the European Communities will transfer the balance to the following budgetary exercise, and it will be deducted from the following year's contribution. Should any balance remain on the termination of the Programme, the corresponding amount will be reimbursed to Cyprus.

2. In addition to the contribution referred to in point 1, Cyprus will pay annually 32000 ECU to cover supplementary administrative costs related to the management of the Programme by the Commission stemming from Cyprus' participation. This amount will not be subject to the provisions set out in the 3rd paragraph of point 1.

3. The Financial Regulation applicable to the General Budget of the European Union shall apply, notably to the management of the contribution of Cyprus.

At the beginning of each year, from 1997 onwards, or immediately after the entry into force of this Agreement, the Commission shall send to Cyprus a call for funds corresponding to its contribution referred to in points 1 and 2 above.

This contribution shall be expressed in ECU and paid into an ECU bank account of the Commission.

Cyprus shall pay its contribution at the latest within three months of the call for funds. Any delay in the payment of the contribution shall give rise to the payment of interest by Cyprus on the outstanding amount from the due date. The interest rate shall correspond to the rate applied by the

European Monetary Cooperation Fund (EMCF), for the month, of the due date, for its operations in ECU⁵, increased by 1,5 percentage points.

4. If necessary to take into account programme developments, the contribution of Cyprus referred to in points 1 and 2 may be adapted by the Joint Committee.

⁵ Rate published monthly in the *Official Journal of the European Communities* - C series.

AGREEMENT

between the European Community and the Republic of Cyprus establishing cooperation in the field of youth within the framework of the third phase of the YOUTH FOR EUROPE programme

THE EUROPEAN COMMUNITY,

on the one part, and

THE REPUBLIC OF CYPRUS,

on the other part,

WHEREAS, pursuant to Decision 818/95/EC⁶ of the European Parliament and of the Council of 14 March 1995, the third phase of the Youth for Europe programme, ("the Youth for Europe programme"), was adopted ;

WHEREAS Decision 818/95/EC provides, in its Article 7, for the opening of the Youth for Europe programme to Cyprus ;

⁶OJ no L 87, 20.04.1995, p.1.

WHEREAS the participation of Cyprus in the Youth for Europe programme constitutes a significant step in the pre-accession strategy of Cyprus;

WHEREAS, in particular, cooperation between the Community and Cyprus, with a view to pursuing the objectives fixed for the Youth for Europe programme, within the context of transnational cooperation activities involving the Community and Cyprus, by its nature enriches the impact of the different actions undertaken pursuant to that programme, and widens the horizon of youth exchanges in the Community and Cyprus ;

WHEREAS the Contracting Parties consequently expect to obtain mutual benefits from the participation of Cyprus in the Youth for Europe programme ;

WHEREAS a successful cooperation in this field implies a general commitment by the Contracting Parties to make complementary efforts to stimulate the European dimension in the youth field;

HAVE AGREED AS FOLLOWS :

Article 1

Field of cooperation

Cooperation between the Community and Cyprus shall be established in all areas of actions of the Youth for Europe programme, as set out in the Annex to Decision 818/95/EC, except Action D.

Unless otherwise provided in this Agreement, conditions for participation of Cyprus' organisations or individuals in each of the actions shall be the same as those applicable to organisations or individuals from the Member States of the Community.

Article 2

Objectives and contents of actions

The objectives and contents of the actions to be taken under the Youth for Europe programme are set out in Decision 818/95/EC, in particular in its Articles 3 and 4 and in its Annex.

Article 3

Eligible organisations and young people

The eligibility of organisations and young people of Cyprus shall be subject to the rules set out in Decision 818/95/EC, including its Article 4.

Article 4

Procedures

Eligible organisations and young people of Cyprus shall take part in the Youth for Europe programme according to the conditions and rules set out in Decision 818/95/EC.

The terms and conditions for the submission, evaluation, selection of applications and any other measures, shall be the same as those applicable to the organisations and young people of the Community.

To ensure the Community dimension of the Youth for Europe programme, transnational projects and activities proposed by Cyprus will be required to include a minimum number of partners from the Member States of the Community. This minimum number will be decided in the framework of the implementation of the Programme, taking into account the nature of the various activities, the number of partners in a given project, and the number of countries participating in the Programme. Projects and activities carried out solely between Cyprus and the EFTA-EEA States or any other third country, including those with an association agreement with the Community, to which participation in the Youth for Europe programme is open, shall not be eligible for Community financial support.

Article 5

National structures

Cyprus shall provide the appropriate structures and mechanisms at national level and shall take all other necessary steps to ensure national coordination and organisation of the implementation of the Youth for Europe programme, in conformity with Article 5 of Decision 818/95/EC.

Article 6

Financial conditions

To cover the costs arising from its participation in the Youth for Europe programme, Cyprus shall pay each year a contribution to the General Budget of the European Union, according to the terms and conditions set out in the Annex, which shall constitute an integral part of this Agreement.

Article 7

Joint Committee

1. A Joint Committee is hereby established.
2. The Joint Committee shall consist, on the one hand, of representatives of the Community, and, on the other, of representatives of Cyprus.
3. The Joint Committee shall be responsible for the implementation of this Agreement.
4. At the request of either Party, the Contracting Parties shall exchange information and hold consultations within the Joint Committee on activities covered by this Agreement and related financial aspects.
5. The Joint Committee shall act by agreement.
6. The Joint Committee shall meet at the request of either Contracting Party, in accordance with the conditions to be laid down in its rules of procedure.

Article 8

Coordination meetings

The representatives of the Community in the Joint Committee shall take the appropriate steps to ensure coordination between the implementation of this Agreement and the decisions taken by the Community in respect of the implementation of the Youth for Europe programme.

In order to facilitate this coordination and without prejudice to the procedures set forth in Article 6 of Decision 818/95/EC, representatives of Cyprus shall be invited to coordination meetings prior to the regular Youth for Europe committee meetings. The Commission shall inform Cyprus about the results of such regular meetings.

Article 9

Free movement

The Contracting Parties shall make every effort to facilitate the free movement and residence of young people and other eligible persons moving between Cyprus and the European Community for the purpose of participating in the activities covered by this Agreement.

Article 10

Monitoring, evaluation and reports

Without prejudice to the responsibilities of the Commission and the Community's Court of Auditors in relation to the monitoring and evaluation of the Programme pursuant to Article 9 of Decision 818/95/EC, Cyprus' participation in the Youth for Europe programme shall be continuously monitored on a partnership basis involving the Commission and Cyprus. Cyprus shall submit to the Commission of the European Communities, to assist the latter in drafting reports on the experience acquired in the application of the programme, a contribution describing the national measures taken by Cyprus in this regard. It will take part in any other specific activities set out by the Community in this regard.

Article 11

Use of languages

The languages to be used as regards the application process, contracts, reports to be submitted and other administrative arrangements for the Youth for Europe programme shall be one of the official languages of the Community.

Article 12

Territories

This Agreement shall apply, on the one hand, to the territories in which the Treaty establishing the European Community is applied and under the conditions laid down in that Treaty and, on the other, to the territory of Cyprus.

Article 13

Duration

1. This Agreement is concluded for the duration of the Youth for Europe programme (until 31 December 1999).

2. Should the Youth for Europe programme be revised, this Agreement may be renegotiated or terminated. Cyprus shall be notified of the revised programme within one month of its adoption. Within a further two months, either Contracting Party may request a renegotiation or termination of this Agreement. In the event of termination, the practical arrangements for dealing with outstanding commitments shall be the subject of negotiations between the Contracting Parties.

3. Either Contracting Party may, at any time, request a revision of this Agreement. To this end, it shall submit a request to the other Contracting Party. The Contracting Parties may instruct the Joint

Committee to examine this request and, where appropriate, to make recommendations to them, particularly with a view to opening negotiations.

Article 14

Entry into force

This Agreement shall enter into force on the first day of the month following the notification by the Contracting Parties of the completion of their respective procedures.

Article 15

Languages of the Agreement

This Agreement is drawn up in duplicate in the Danish, Dutch, English, French, Finnish, German, Greek, Italian, Portuguese, Spanish and Swedish languages, each of these texts being equally authentic.

Done at Brussels on the ... day of ... in the year

For the European Community

For the Republic of Cyprus

ANNEX

Financial conditions

1. Cyprus shall pay each year a contribution to the General Budget of the European Union to cover the subsidies or other financial support from the Youth for Europe programme to be received by the Cypriot beneficiaries or by the national agency established by Cyprus in conformity with Article 5 of Decision 818/95/EC. This contribution will be :

130 000 ECU in 1997 for participating in Action AI (Youth exchange and mobility) and B1 (Support for Action A I) ;

230 000 ECU in 1998 and 280 000 ECU in 1999 for participating in all the actions of the programme, except Action D.

For every budget year, the aggregated amount of subsidies received from the Programme by Cypriot beneficiaries and by the national agency of Cyprus may not exceed the above contribution .

Should the aggregated amount be lower than the contribution, the Commission of the European Communities will transfer the balance to the following budgetary exercise, and it will be deducted from the following year's contribution. Should any balance remain on the termination of the Programme, the corresponding amount will be reimbursed to Cyprus.

2. In addition to the contribution referred to in point 1, Cyprus will pay 9 000 ECU in 1997, 16 000 ECU in 1998, and 20 000 ECU in 1999 to cover supplementary administrative costs related to the management of the Programme by the Commission stemming from Cyprus' participation. These amounts will not be subject to the provisions set out in the 3rd paragraph of point 1.

3. The Financial Regulation applicable to the General Budget of the European Union shall apply, notably to the management of the contribution of Cyprus.

At the beginning of each year, from 1997 onwards, or immediately after the entry into force of this Agreement, the Commission shall send to Cyprus a call for funds corresponding to its contribution referred to in points 1 and 2 above.

This contribution shall be expressed in ECU and paid into an ECU bank account of the Commission.

Cyprus shall pay its contribution at the latest within three months of the call for funds. Any delay in the payment of the contribution shall give rise to the payment of interest by Cyprus on the outstanding amount from the due date. The interest rate shall correspond to the rate applied by the European Monetary Cooperation Fund (EMCF), for the month of the due date, for its operations in ECU⁷, increased by 1,5 percentage points.

4. If necessary to take into account programme developments, the contribution of Cyprus referred to in points 1 and 2 may be adapted by the Joint Committee.

⁷ Rate published monthly in the *Official Journal of the European Communities* - C series.

AGREEMENT

between the European Community and the Republic of Cyprus establishing cooperation in the field of education within the framework of the SOCRATES programme

THE EUROPEAN COMMUNITY,

on the one part, and

THE REPUBLIC OF CYPRUS,

on the other part,

WHEREAS, pursuant to Decision 819/95/EC⁸ of the European Parliament and of the Council of 14 March 1995, the European Community Action Programme in the field of Education, ("the SOCRATES programme"), was established ;

WHEREAS Decision 819/95/EC provides, in its Article 7, for the opening of the SOCRATES programme to Cyprus ;

⁸OJ no L 87, 20.04.1995, p.10.

WHEREAS the participation of Cyprus in the Socrates programme constitutes a significant step in the pre-accession strategy of Cyprus;

WHEREAS, in particular, cooperation between the Community and Cyprus, with a view to pursuing the objectives fixed for the SOCRATES programme, within the context of transnational cooperation activities involving the Community and Cyprus, by its nature enriches the impact of the different actions undertaken pursuant to that programme, and strengthens the skill levels of human resources in the Community and Cyprus ;

WHEREAS the Contracting Parties consequently expect to obtain mutual benefits from the participation of Cyprus in the SOCRATES programme;

WHEREAS a successful cooperation in this field implies a general commitment by the Contracting Parties to make complementary efforts to stimulate the European dimension in the education field;

HAVE AGREED AS FOLLOWS :

Article 1

Field of cooperation

Cooperation between the Community and Cyprus shall be established in all areas of actions of the SOCRATES programme as set out in the Annex to Decision 819/95/EC.

Unless otherwise provided in this Agreement, conditions for participation of Cyprus' organisations or individuals in each of the actions shall be the same as those applicable to organisations or individuals from the Member States of the Community.

Article 2

Objectives and contents of actions

The objectives and contents of the actions to be taken under the SOCRATES programme are set out in Decision 819/95/EC, in particular in its Article 3 and its Annex.

Language preparation under Chapters I and II and language training under Chapter III, Action 1 concern the official languages of the Community. In exceptional circumstances, other languages could be accepted if the implementation of the programme so requires.

Article 3

Eligible institutions, organisations and individuals

The eligibility of institutions, organisations and individuals of Cyprus shall be subject to the rules set out in Decision 819/95/EC, in particular in its Article 2.

Article 4

Procedures

Eligible institutions, organisations, and individuals of Cyprus shall take part in the SOCRATES programme according to the conditions and rules set out in Decision 819/95/EC, and in particular in its Article 5.

The terms and conditions for the submission, evaluation, selection of applications and any other measures, shall be the same as those applicable to the institutions, organisations and individuals of the Community.

To ensure the Community dimension of the SOCRATES programme, transnational projects and activities proposed by Cyprus will be required to include a minimum number of partners from the Member States of the Community. This minimum number will be decided in the framework of the implementation of the Programme, taking into account the nature of the various activities, the number of partners in a given project, and the number of countries participating in the Programme. Projects and activities carried out solely between Cyprus and the EFTA-EEA States or any other third country, including those with an association agreement with the Community, to which participation in the SOCRATES programme is open, shall not be eligible for Community financial support.

Article 5

National structures

Cyprus shall provide the appropriate structures and mechanisms at national level and shall take all other necessary steps to ensure national coordination and organisation of the implementation of the SOCRATES programme, in conformity with Article 5 of Decision 819/95/EC.

Article 6

Financial conditions

To cover the costs arising from its participation in the SOCRATES programme; Cyprus shall pay each year a contribution to the General Budget of the European Union, according to the terms and conditions set out in the Annex, which shall constitute an integral part of this Agreement.

Article 7

Joint Committee

1. A Joint Committee is hereby established.
2. The Joint Committee shall consist, on the one hand, of representatives of the Community, and, on the other, of representatives of Cyprus.
3. The Joint Committee shall be responsible for the implementation of this Agreement.
4. At the request of either Party, the Contracting Parties shall exchange information and hold consultations within the Joint Committee on activities covered by this Agreement and related financial aspects.
5. The Joint Committee shall act by agreement.
6. The Joint Committee shall meet at the request of either Contracting Party, in accordance with the conditions to be laid down in its rules of procedure.

Article 8

Coordination meetings

The representatives of the Community in the Joint Committee shall take the appropriate steps to ensure coordination between the implementation of this Agreement and the decisions taken by the Community in respect of the implementation of the SOCRATES programme.

In order to facilitate this coordination and without prejudice to the procedures set forth in Article 4 of Decision 819/95/EC, representatives of Cyprus shall be invited to coordination meetings prior to the regular SOCRATES committee meetings. The Commission shall inform Cyprus about the results of such regular meetings.

Article 9

Free movement

The Contracting Parties shall make every effort to facilitate the free movement and residence of students, teachers and other eligible persons moving between Cyprus and the European Community for the purpose of participating in the activities covered by this Agreement.

Article 10

Monitoring, evaluation and reports

Without prejudice to the responsibilities of the Commission and the Community's Court of Auditors in relation to the monitoring and evaluation of the Programme pursuant to Article 8 of Decision 819/95/EC, Cyprus' participation in the Socrates programme shall be continuously monitored on a partnership basis involving the Commission and Cyprus. Cyprus shall submit to the Commission of the European Communities, to assist the latter in drafting reports on the experience acquired in the application of the programme, a contribution describing the national measures taken by Cyprus in this regard. It will take part in any other specific activities set out by the Community in this regard.

Article 11

Use of languages

The language to be used as regards the application process, contracts, reports to be submitted and other administrative arrangements for the SOCRATES programme shall be one of the official languages of the Community.

Article 12

Territories

This Agreement shall apply, on the one hand, to the territories in which the Treaty establishing the European Community is applied and under the conditions laid down in that Treaty and, on the other, to the territory of Cyprus.

Article 13

Duration

1. This Agreement is concluded for the duration of the SOCRATES programme (until 31 December 1999).

2. Should the SOCRATES programme be revised, this Agreement may be renegotiated or terminated. Cyprus shall be notified of the revised programme within one month of its adoption by the Community. Within a further two months, either Contracting Party may request a renegotiation or termination of this Agreement. In the event of termination, the practical arrangements for dealing with outstanding commitments shall be the subject of negotiations between the Contracting Parties.

3. Either Contracting Party may, at any time, request a revision of this Agreement. To this end, it shall submit a request to the other Contracting Party. The Contracting Parties may instruct the Joint Committee to examine this request and, where appropriate, to make recommendations to them, particularly with a view to opening negotiations.

Article 14

Entry into force

This Agreement shall enter into force on the first day of the month following the notification by the Contracting Parties of the completion of their respective procedures.

Article 15

Languages of the Agreement

This Agreement is drawn up in duplicate in the Danish, Dutch, English, French, Finnish, German, Greek, Italian, Portuguese, Spanish and Swedish languages, each of these texts being equally authentic.

Done at Brussels on the ... day of ... in the year

For the European Community

For the Republic of Cyprus

ANNEX

Financial conditions

1. Cyprus shall pay each year a contribution to the General Budget of the European Union to cover the subsidies or other financial support to be received by the Cypriot beneficiaries from the Socrates programme. This contribution will be :

236 000 ECU in 1997 for participating in Chapter II (School education, Comenius) and Chapter III (horizontal measures) ;

537 000 ECU in 1998 and in 1999 for participating in the entire Socrates programme.

For every budget year, the aggregated amount of subsidies received from the Programme by Cypriot beneficiaries may not exceed the above contribution .

Should the aggregated amount be lower than the contribution, the Commission of the European Communities will transfer the balance to the following budgetary exercise, and it will be deducted from the following year's contribution. Should any balance remain on the termination of the Programme, the corresponding amount will be reimbursed to Cyprus.

2. In addition to the contribution referred to in point 1, Cyprus will pay 17 000 ECU in 1997, 38 000 ECU in 1998, and 38 000 ECU in 1999 to cover supplementary administrative costs related to the management of the Programme by the Commission stemming from Cyprus' participation. These amounts will not be subject to the provisions set out in the 3rd paragraph of point 1.

3. The Financial Regulation applicable to the General Budget of the European Union shall apply, notably to the management of the contribution of Cyprus.

At the beginning of each year, from 1997 onwards, or immediately after the entry into force of this Agreement, the Commission shall send to Cyprus a call for funds corresponding to its contribution referred to in points 1 and 2 above. This contribution shall be expressed in ECU and paid into an ECU bank account of the Commission.

Cyprus shall pay its contribution at the latest within three months of the call for funds. Any delay in the payment of the contribution shall give rise to the payment of interest by Cyprus on the outstanding amount from the due date. The interest rate shall correspond to the rate applied by the

European Monetary Cooperation Fund (EMCF), for the month of the due date, for its operations in ECU⁹, increased by 1,5 percentage points.

4. If necessary to take into account programme developments, the contribution of Cyprus referred to in points 1 and 2 may be adapted by the Joint Committee.

⁹

Rate published monthly in the *Official Journal of the European Communities* - C series.

DECLARATION

Joint declaration in relation to the Annex, point 1

These figures are calculated on the basis of the Commission PDB 1997 for the Socrates programme and the distribution formulas provided in the different Chapters of the Annex to Decision 819/95/EC, taking into consideration statistics available in 1996 for all participating countries including Cyprus.

The Contracting Parties agree that, should the Cypriot contribution to the Socrates budget be insufficient to cover the Cypriot participation in all the projects selected on a qualitative basis, the Joint Committee will have as duty to establish a balance between the two above mentioned elements.

FINANCIAL STATEMENT

OPENING UP OF ITEMS B3-1001 (SOCRATES), B3-1010 (YOUTH FOR EUROPE) AND B3-1021 (LEONARDO DA VINCI) TO THE PARTICIPATION OF CYPRUS

1. TITLE OF OPERATION

Socrates, Youth for Europe and Leonardo da Vinci programmes.

2. BUDGET HEADINGS INVOLVED

Items B3-1001, B3-1010 and B3-1021.

3. LEGAL BASIS

Treaty establishing the European Community, in particular Articles 126 and 127 thereof, in conjunction with Article 228 (3), first paragraph.

Resolution of the EU/Cyprus Association Council of 12 June 1995, providing for the opening up of the Community programmes.

Council Decision (94/819/EC) of 6 December 1994 establishing the Leonardo da Vinci programme, and in particular Article 9 (2) thereof.

European Parliament and Council Decision (818/95/EC) of 14 March 1995 establishing the Youth for Europe programme, and in particular Article 7 (4) thereof.

European Parliament and Council Decision (819/95/EC) of 14 March 1995 establishing the Socrates programme, and in particular Article 7 (3) thereof.

4. DESCRIPTION OF OPERATION

4.1 General objective

The participation of Cyprus in the three above-mentioned Community programmes will help to prepare the country for its future accession to the Union, which is an objective recognised by the Corfu European Council of June 1994 and confirmed at subsequent European Councils: it is one of the elements of the pre-accession strategy set out in the Association Council's resolution of 12 June 1995. Through its participation, Cyprus will gain insight into the Community programme management methods.

The decision-making process for opening up the programmes entails the conclusion of three bilateral agreements setting out the practical arrangements.

4.2 Period covered and arrangements for renewal

The agreements are concluded for the duration of the three programmes concerned (ending on 31 December 1999).

5. CLASSIFICATION OF EXPENDITURE OR REVENUE

5.1 Non-compulsory expenditure

5.2 Differentiated appropriations

5.3 Type of revenue involved:

Under the terms of Article 6 and the Annex to the three agreements concerned, Cyprus will pay an annual contribution to the general budget of the European Union to cover all the costs of its participation in each of the three programmes. It will be asked to pay its contribution to revenue item 6092 of the Union's budget.

6. TYPE OF EXPENDITURE OR REVENUE

- 100% subsidy;
- subsidy for joint financing with other sources in the public or private sector;
- no provision for partial or full reimbursement of the Community financial contribution.

The participation of Cyprus in the three programmes will be covered by a financial contribution from that country.

7. FINANCIAL IMPACT

7.1 Method of calculating the cost of the operation for the 1997, 1998 and 1999 financial years (link between individual costs and the total cost):

There will be no financial impact on items B3-1001, B3-1010 and B3-1021 of the Community budget, since the additional expenditure resulting from the participation of Cyprus will be covered in full by that country's annual financial contribution.

The financial contribution from Cyprus provided for in the agreements corresponds to the operational and administrative costs arising from its participation, calculated on the basis of certain parameters inherent in the three programmes concerned, i.e. GDP, population, education attainment levels, distances involved.

The cost of Cyprus's participation in the Leonardo da Vinci programme, from 1997 onwards, amounts to ECU 482 000 per year.

With regard to Socrates, the cost amounts to ECU 253 000 in 1997, for participation in Chapters II (Comenius) and III (horizontal activities), given that Erasmus will not be accessible that year. In 1998 and 1999, the cost will be ECU 575 000 per year, including Chapter I (Erasmus).

As regards Youth for Europe, the cost amounts to ECU 139 000 in 1997, for participation in actions AI and BI, ECU 246 000 in 1998 and ECU 300 000 in 1999 for participation in the whole programme.

7.2 Itemised breakdown of cost

in ecus

Programmes	1997	1998	1999	Total
Leonardo da Vinci	482 000	482 000	482 000	1 446 000
Socrates	253 000	575 000	575 000	1 403 000
Youth for Europe	139 000	246 000	300 000	685 000
Total	874 000	1 303 000	1 357 000	3 534 000

The same annual amounts, in commitment appropriations, are earmarked for revenue (item 6092), broken down as follows:

Item 6092	1997	1998	1999	TOTAL
Operational part	816 000	1 217 000	1 267 000	3 300 000
Administrative part	58 000	86 000	90 000	234 000
Total	874 000	1 303 000	1 357 000	3 534 000

7.3 Operational expenditure on studies, meetings of experts, etc, included in Part B

NONE

7.4 Schedule to be completed for multiannual operations

	1997	1998	1999	Subsequent years	TOTAL
Commitment appropriations					
Payment appropriations					
1997					
1998					
1999					
Subsequent years					
Total					

No impact on items B3-1001, B3-1010 and B3-1021.

8. FRAUD PREVENTION MEASURES (AND RESULTS OF ACTION TAKEN)

All contracts, agreements and legal commitments entered into by the Commission allow for the possibility of spot checks by the Commission and the Court of Auditors. In this connection, the recipients of aid in respect of operations are obliged to submit financial reports and accounts, which are analysed both from the point of view of content and in terms of the eligibility of expenditure, in accordance with the objective of Community financing.

The anti-fraud provisions of the basic budget headings shall apply.

9. ELEMENTS OF COST-EFFECTIVENESS ANALYSIS

9.1 Specific and quantified objectives; target population

The opening up of the Socrates, Leonardo da Vinci and Youth for Europe programmes to Cyprus is intended to place Cyprus on an equal footing with the Member States of the European Community in terms of the benefits deriving from these programmes. Community action in the field of education and training must aim primarily to broaden the knowledge and enhance the skills of Europe's citizens, thereby increasing their sense of initiative and creativity and enabling them to participate actively and fully in society and in the building of Europe.

The gradual creation of an open European area for education and training is the cornerstone of such an approach.

In the field of education, the main objective of the Socrates programme is to contribute to the development of quality education by encouraging cooperation between the Member States. More particularly, the aims of the programme are:

- to develop the European dimension of education at all levels so as to strengthen the spirit of European citizenship, drawing on the cultural heritage of each Member State;
- to promote a quantitative and qualitative improvement in knowledge of the languages of the European Union, especially those which are least widely used and least taught, in the interest of greater understanding and solidarity between the peoples of the European Union, and to promote the intercultural dimension of education;
- to promote wide-ranging and intensive cooperation between educational establishments at all levels, enhancing their intellectual and teaching potential;

- to encourage the mobility of teachers with a view to giving a European dimension to studies, and to contribute to the qualitative improvement of their skills;
- to encourage the mobility of students, enabling them to undertake part of their studies in another Member State, thereby consolidating the European dimension in education;
- to encourage contacts among pupils in the European Union and to promote the European dimension in their education;
- to encourage the academic recognition of diplomas, periods of study and other qualifications, with the aim of facilitating the development of an open European area for education;
- to encourage open and distance education within the context of the programme;
- to foster exchanges of information and experience so that the diversity and specificity of educational systems in the Member States become a source of enrichment and mutual stimulation.

In the field of vocational training, the Leonardo da Vinci programme is designed primarily to ensure the implementation of a vocational training policy which supports and supplements the activities of the Member States. The main objectives of the programme are:

- to provide support for the improvement of vocational training systems and arrangements in the Member States: improving the quality of initial vocational training and facilitating young people's entry into working life; improving the quality of the Member States' continuing vocational training arrangements; support for vocational information and guidance; promoting

equal opportunities for men and women in vocational training; improving the quality of vocational training arrangements for those who are disadvantaged on the labour market as a result of socio-economic, geographical or ethnic factors, or through physical or mental disabilities, and those who are unskilled or have insufficient qualifications, placing them at risk of social exclusion;

- to provide support for the improvement of vocational training measures, including university/industry cooperation, for undertakings and workers: innovation in vocational training, with an eye to technological change and its impact on work and the necessary qualifications and skills; investment in continuing vocational training for workers; transfer of technological innovation in the context of university/industry cooperation on continuing vocational training; promoting equal opportunities for men and women;
- to provide support for the development of language skills, knowledge and the dissemination of innovation in the field of vocational training.

As far as youth-oriented policy is concerned, the Youth for Europe programme is designed primarily to contribute to the education of all young people by means of activities supplementing those of the Member States and those provided for at Community level in the fields of education and training. More specifically, the objectives of the programme are:

- to step up exchange schemes for young people aged between 15 and 25 living in one or more Member States;
- to support initiatives and innovative projects of Community interest or of a transnational nature set up by young people for young people, enabling them to play an active and acknowledged role in society and to develop their personal abilities, creativity, sense of solidarity and independence;
- to see that everything is done to make exchanges worthwhile and ensure the high quality of all measures taken under the programme;

- to support the training of youth leaders so that young people may benefit from worthwhile joint measures attuned to the general objectives of the programme;
- to step up cooperation among Member States and between them and the Commission through exchanges of experience and joint initiatives at Community level, and thus to support the Member States in their endeavours to improve the quality of services and measures for young people, in particular through activities aimed at providing young people with information about the objectives of the programme;
- to promote exchanges with young people from third countries, in particular those with which the Community has concluded cooperation agreements.

9.2 Grounds for the operation

- *Need for Community financial aid*

No Community financial aid chargeable to the Community budget.

- *Choice of ways and means*

The ways and means adopted for the three programmes will apply to Cyprus on the same terms as for the Member States.

- *Main factors of uncertainty which could affect the specific results of the operation*

With projects being selected on a qualitative basis, the real impact will depend on the Cypriot operators' ability to respond to the calls for proposals which will be launched by the Commission in connection with the three programmes.

9.3 Monitoring and evaluation of the operation

The monitoring and evaluation arrangements provided for by the Socrates, Leonardo da Vinci and Youth for Europe programmes (with particular reference to the measures laid down in the Decisions establishing the three programmes) will also cover operations financed for beneficiaries in Cyprus.

10. ADMINISTRATIVE EXPENDITURE

Effective mobilisation of the necessary administrative resources is the result of an annual decision by the Commission on the allocation of resources, taking particular account of additional staff and funds to be allocated by the budgetary authority.

10.1 Effect on the number of jobs

Type of job	Staff assigned to administer the operation		Comprising		Duration
	Permanent	Temporary	using existing resources within the departments concerned	recourse to additional resources	1995-1999
Officials or temporary staff					
A					
B					
C					
Other resources					
TOTAL					

10.2 Overall financial impact of additional human resources

(ecus)

	Amounts	Method of calculation
Officials		
Temporary staff		
Other resources (indicate budget heading)		
TOTAL		

10.3 Increase in other operational expenditure arising from the operation

(ecus)

Budget heading (number and title)	Amounts	Method of calculation
A1178/A238 - technical assistance	54 000	Additional appropriations to be managed by the offices assisting the Commission for the three programmes
A1300 - missions	9 000	1 mission per year for each of the three programmes

A2500 - meetings	30 000	Participation by a representative of Cyprus in three annual meetings for each of the three programmes
A2510 - compulsory meetings	141 000	Cost of the additional presence of the representatives of Cyprus, based on the EUR15 budget needed for 1996
Total	234 000	

This expenditure is to be covered by Cyprus's contribution.

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