



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 21.01.2000  
COM(1999) 708 final

2000/0021 (COD)

Proposal for a

**RECOMMENDATION OF THE EUROPEAN PARLIAMENT  
AND OF THE COUNCIL**

**on mobility within the Community for students, persons undergoing training,  
young volunteers, teachers and trainers**

(presented by the Commission)

## EXPLANATORY MEMORANDUM

### **I. INTRODUCTION**

1. Freedom of movement for people is one of the fundamental principles of the EC Treaty. This freedom of course concerns employees and self-employed workers, which in principle includes teachers and trainers. But it does not only concern workers. People who would like to start or continue studies or training, or undertake voluntary work, not necessarily for professional purposes, should also be able to benefit from this freedom when they choose to go to another EU country, whether this is in the context of a Community programme or not.
2. Freedom of movement includes both the right to enter and reside in a Member State. A Community national, who exercises this right, benefits from the guarantee of Article 12 of the EC Treaty, which provides for a general obligation of non-discrimination by the Member States.

### **II. CONTEXT**

3. The mobility of students, persons undergoing training, young volunteers, teachers and trainers has long been a subject of interest to European citizens. In the context of completing the internal market and therefore an area without frontiers, mobility for these categories of people becomes an increasingly important dimension of the assertion of European citizenship, as well as an instrument of intercultural and social integration. It was in the second half of the 1980s that Community action in this field took off, with the adoption of Community programmes such as the Comett programme for training (1986), the Erasmus education programme (1987) and the Youth for Europe programme (1988). Since then, other programmes have been added including European Voluntary Service, and these programmes have enabled thousands of Europeans to live in another country of the Community in order to fulfil the task they have set themselves. In addition to mobility in the context of Community programmes, there is also the 'spontaneous' mobility of individual citizens.
4. The European Parliament has stressed in several Resolutions the importance of working towards fully achieving freedom of movement for people within the European area. It has also advocated the abolition of obstacles to mobility so that people, who so wish, can enjoy such mobility within the Community without any restrictions.
5. The Council of Ministers has also pronounced itself in favour of achieving an open area in which obstacles to mobility must be eliminated. Thus, in the field of education, the Council first affirmed in its Resolution of 24 May 1988<sup>1</sup> and in its conclusions of 27 November 1992<sup>2</sup>, that the mobility of students and teachers plays a key role in developing the European dimension in higher education. Then in its conclusions of 11 June 1993<sup>3</sup>, the Council urged Member States to make a determined effort to eliminate obstacles to mobility in higher education. The same argument was made for

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<sup>1</sup> OJ C 177, 6.7.1988, p. 5.

<sup>2</sup> OJ C 336, 19.12.1992, p. 4.

<sup>3</sup> OJ C 186, 8.7.1993, p. 1.

the field of training. Thus the Council Resolution of 3 December 1992 on the transparency of professional qualifications, and that of 15 July 1996 on the transparency of vocational training certificates, invited the Commission and the Member States to take steps to improve mutual understanding of the diverse qualifications systems of Member States and of the qualifications themselves, and thus facilitate mobility. A “European Forum on the transparency of professional qualifications” was set up by the Commission and Cedefop to follow up these Resolutions with concrete proposals. Moreover, the first recital of the Decision of 21 December 1998<sup>4</sup>, with which the Council introduced the “Europass-Training” system, the aim of which is to ensure better recognition of training acquired abroad, stresses that the mobility of persons undergoing training is critical to the implementation of a vocational training policy. Finally, with regard to young volunteers, the Council and Ministers for Youth, in their conclusions of 30 November 1994<sup>5</sup>, recognised the growing interest in and development of voluntary service activities at European level and emphasised the necessity to remove obstacles to mobility for young volunteers.

6. The Commission’s Agenda 2000 which gives priority to mobility for the categories of people covered by this Recommendation, as well as the Communication “Towards a Europe of knowledge”, have further stressed this message.
7. Nevertheless, as the Commission Green Paper of October 1996 “Education, training, research: the obstacles to transnational mobility”<sup>6</sup> and the “Report of the high-level group on freedom of movement for people” chaired by Mrs Simone Veil, both stress, the mobility of students, persons undergoing training and young volunteers, and to a lesser extent, of teachers and trainers, continues to come up against significant obstacles despite the *acquis communautaire*. These obstacles must be eliminated.
8. The Commission Green Paper and the Report of the high-level group propose lines of action to eliminate the obstacles identified. The debates which followed these two reports, confirmed the need for Community intervention in order to encourage Member States to take the necessary steps to progressively remove existing difficulties, so that Community citizens can be given a set of rights offering a platform for real mobility. The Amsterdam European Council adopted a Single Market Action Plan with the aim of improving the implementation of this market. The Plan identified four strategic objectives, including the implementation of a Single Market for the benefit of all citizens, and covering measures relating to the right of residence and mobility within the Union, as well as a mechanism for maintaining a permanent dialogue with citizens. These considerations demonstrate the need for Community action which must be accompanied by action in the Member States. This Recommendation therefore conforms to the principle of subsidiarity which, as defined in the protocol on the application of the principles of subsidiarity and proportionality (in particular Article 5), justifies Community action on issues such as mobility which have a transnational aspect.

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<sup>4</sup> OJ L 17, 22.1.1999, p. 45.

<sup>5</sup> OJ C 348, 9.12.1994, p. 2.

<sup>6</sup> COM(96) 462 final.

### **III. OBJECTIVES**

9. The objectives of the Recommendation are as follows:

- to get Member States to abolish the considerable obstacles which still exist, despite the *acquis communautaire*, in terms of freedom of movement for students, persons undergoing training, young volunteers, teachers and trainers;
- to get Member States to adopt measures so that third country nationals, who are legally and permanently resident in the Community, benefit from the provisions of the *acquis communautaire* relating to freedom of movement and equality of treatment and from the provisions of the Recommendation; to get Member States to treat third country nationals in the same way as Community nationals when they are undertaking studies, a period of training, voluntary work, or providing teaching or training, within the framework of a Community programme;
- to call on Member States to introduce strategies to incorporate the aspect of transnational mobility into their national policies which apply to the categories of people covered by this Recommendation, in order to promote transnational mobility;
- to contribute to the dissemination of good practice, as developed in particular in the context of the Socrates, Leonardo da Vinci and European Voluntary Service Community programmes.

10. In order to achieve these objectives, Member States are invited in particular: to ensure that people who move within the Community are not penalised, either during or after their stay, by their rights – particularly their social security rights - being diminished; to recognise experience acquired in the host Member State at its true value; to run information campaigns to promote mobility by explaining the conditions which this is subject to.

### **IV. FORM AND LEGAL BASIS**

11. A recommendation is the best instrument for working towards the elimination of the obstacles to mobility which remain in areas as diverse as the recognition of experience, the right of residence, social security and taxation. It is hardly necessary to repeat that the different categories of people concerned each have individual situations which mean that they cannot be treated in the same way. Even within these categories, distinctions often have to be made between the situations in the Member States in view of the specificity of each national system. Moreover the obstacles encountered in one Member State are not necessarily those encountered in another Member State. In this context, a recommendation is the most appropriate instrument for these objectives, because it avoids imposing a common mould, and instead attempts to encourage each Member State to improve their own systems, in conformity with the principle of

subsidiarity mentioned above. A recommendation also fully respects the principle of proportionality because it gives Member States greater leeway than a binding instrument would<sup>7</sup>.

12. This Recommendation is based on Articles 149 and 150 of the EC Treaty. These Articles provide for Community action, in cooperation with the Member States, in the fields of education, training and youth. These measures refer specifically to the need to promote mobility for the categories of people covered by this Recommendation.

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<sup>7</sup> In other areas, the Commission has already favoured using a Recommendation, rather than a Directive for example, based on considerations relating to the principle of proportionality. This was the case with the Commission Recommendation of 30 March 1998 on the principles applicable to the bodies responsible for out-of-court settlement of consumer disputes: see the 1998 Commission Report “Better lawmaking”, COM(1998) 715 final, p. 6, n. 6.

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THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 149(4) and Article 150(4) thereof,

Having regard to the proposal from the Commission<sup>1</sup>,

Having regard to the opinion of the Economic and Social Committee<sup>2</sup>,

Having regard to the opinion of the Committee of the Regions<sup>3</sup>,

Acting in accordance with the procedure referred to in Article 251 of the Treaty,

Whereas:

- (1) The transnational mobility of people contributes to enriching different national cultures and enables those concerned to enhance their own cultural and professional knowledge and European society as a whole to benefit from those effects. Such experience is proving to be increasingly necessary with the current limited employment prospects and with an employment market which requires more flexibility and an ability to adapt to change.
- (2) Mobility for students, persons undergoing training, young volunteers, teachers and trainers – whether in the context of a Community programme or not – is an integral part of freedom of movement for people. This is one of the fundamental freedoms protected by the EC Treaty. The right to move and reside freely is moreover recognised for any citizen of the Union by Article 18 of the EC Treaty<sup>4</sup>.
- (3) Council Directive 68/360/EEC of 15 October 1968 on the abolition of restrictions on movement and residence within the Community for workers of Member States and

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<sup>1</sup> OJ C

<sup>2</sup> OJ C

<sup>3</sup> OJ C

<sup>4</sup> See document “Community law applicable in the field of mobility within the Community for students, persons undergoing training, young volunteers, teachers and trainers”.

their families<sup>5</sup>, as last amended by the Act of Accession of Austria, Finland and Sweden, recognises the right of residence for workers and their families.

Council Directive 93/96/EEC of 29 October 1993 on the right of residence for students<sup>6</sup> obliges Member States to recognise the right of residence for any student who is a national of another Member State and who has been accepted on a vocational training course, and for the student's spouse and their dependent children who do not enjoy this right under other provisions of Community law. Furthermore, Council Directive 90/364/EEC of 28 June 1990 on the right of residence<sup>7</sup> recognises the right of residence more generally, in certain conditions, for European citizens.

- (4) Mobility for students, persons undergoing training, young volunteers, teachers and trainers is also an integral part of the principle of non-discrimination on the grounds of nationality as provided for in Article 12 of the Treaty. That principle applies to the areas covered by the Treaty, as the Court of Justice has ruled on several occasions. It therefore applies to the fields of education, training and youth referred to in Articles 149 and 150 of the EC Treaty.
- (5) Council Regulation (EEC) No 1408/71 of 14 June 1971 on the application of social security schemes to employed persons, to self-employed persons and to members of their families moving within the Community<sup>8</sup>, as last amended by Regulation (EC) No 1399/1999<sup>9</sup>, has in part become applicable to students.
- (6) Council Regulation (EEC) No 1612/68 of 15 October 1968 on freedom of movement for workers within the Community<sup>10</sup>, as last amended by Regulation (EEC) No 2434/92<sup>11</sup>, provides for equality of treatment as regards access to education and vocational training for workers and their families who have exercised their right to freedom of movement.
- (7) The recognition of professional qualifications for entering and exercising regulated professions, such as teaching, is governed in the Community by the general system established by Council Directives 89/48/EEC<sup>12</sup> and 92/51/EEC<sup>13</sup>, as last amended by Commission Directive 97/38/EC<sup>14</sup>.
- (8) The Council Resolution of 3 December 1992 on the transparency of professional qualifications<sup>15</sup>, and the Council Resolution of 15 July 1996 on the transparency of vocational training certificates<sup>16</sup>, called on the Commission and the Member States to take steps to "improve mutual understanding of the diverse qualifications systems of

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<sup>5</sup> OJ L 257, 19.10.1968, p. 13.

<sup>6</sup> OJ L 317, 18.12.1993, p. 59.

<sup>7</sup> OJ L 180, 13.7.1990, p. 26.

<sup>8</sup> OJ L 149, 5.7.1971, p. 2; updated version annexed to Regulation (EC) No 118/97, OJ L 28, 30.1.1997, p. 1.

<sup>9</sup> OJ L 164, 30.6.1999, p. 1.

<sup>10</sup> OJ L 257, 19.10.1968, p. 2.

<sup>11</sup> OJ L 245, 26.8.1992, p. 1.

<sup>12</sup> OJ L 19, 24.1.1989, p. 16.

<sup>13</sup> OJ L 209, 24.7.1992, p. 25.

<sup>14</sup> OJ L 184, 12.7.1997, p. 31.

<sup>15</sup> OJ C 49, 19.2.1993, p. 1.

<sup>16</sup> OJ C 224, 1.8.1996, p. 7.

Member States and of the qualifications themselves”, by making them clearer and more readable, and therefore more transparent. A European Forum on the transparency of vocational qualifications has been created to make concrete proposals for implementing those Resolutions.

- (9) Furthermore, the Member States have invited the Commission to study the feasibility of introducing, on a voluntary basis, a European administrative annex to the diploma in order to establish synergies between academic recognition and professional recognition of qualifications<sup>17</sup>. The work undertaken along those lines by the Commission together with the Council of Europe and UNESCO has finished and will soon be followed up with a public awareness campaign.
- (10) Despite the provisions quoted above, the Green Paper “Education, training, research: the obstacles to transnational mobility”<sup>18</sup>, adopted by the Commission in October 1996, noted the existence of obstacles to mobility. The diversity of the status in the Member States of students, persons undergoing training, teachers and trainers, particularly with regard to provisions on employment law, social security and taxation, is an obstacle to mobility. Similarly, not recognising the specific nature of voluntary work is a hindrance to the mobility of young volunteers.
- (11) The Green Paper proposed a series of lines of action to eliminate those obstacles. They have been largely approved in the context of the debates which have been organised on this subject in all Member States. It is therefore necessary to remove those obstacles to mobility.
- (12) This Recommendation conforms with the principle of subsidiarity insofar as, as emphasised above, a Community action, complemented by action in the Member States, is necessary for the obstacles to mobility to be removed. It is important in this context to emphasise, with regard to the provisions of Article 5 of the Protocol on the application of the principles of subsidiarity and proportionality, that mobility requires Community intervention because by its nature it entails transnational aspects. This Recommendation also conforms to the principle of proportionality because it does not impose any constraints on the Member States, but on the contrary allows them maximum flexibility as to how they achieve those objectives.
- (13) This Recommendation is mainly aimed at Community nationals who would like to experience living in a Member State other than their country of origin. It must also be noted that the European Council confirmed at its special meeting in Tampere on 15 and 16 October 1999 that the European Union must ensure equal treatment for third country nationals who are legally resident in a Member State, and that a Community policy on integration should aim to offer them rights and obligations comparable to those of EU citizens. Third country nationals who are legally and permanently resident in the Community should also benefit from the provisions of the *acquis communautaire* relating to freedom of movement and equality of treatment and from the provisions of this Recommendation. Similarly, third country nationals who take part in a Community programme such as Socrates, Leonardo da Vinci or the European Voluntary Service, should benefit from these provisions.

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<sup>17</sup> OJ C 195, 6.7.1996, p. 6.

<sup>18</sup> COM(96) 462 final.

- (14) The Community programmes, including those mentioned above, have enabled the development at Community level of good practice and of important tools which aim to facilitate mobility for students, persons undergoing training, young volunteers, teachers and trainers. The widest possible introduction of those good practices and tools should be envisaged,

**I. RECOMMEND THE MEMBER STATES:**

1. Measures which concern all categories of people covered by this Recommendation

- (a) to take appropriate measures to encourage the mobility – which should never be hindered – of people who would like to undertake a course of studies, a period of training, a voluntary activity, or provide teaching or training in another Member State, regardless of whether this is in the context of a Community programme or not; these measures should complement those implemented by the Socrates, Leonardo da Vinci and European Voluntary Service Community programmes and should draw on the good practice developed in the context of these programmes; these measures should respond in particular to the financial problems of mobility by providing for financial assistance for mobility; they should also promote language learning as a lack of knowledge of languages is a major obstacle to mobility; these measures should enable Member States to direct the mobility of those concerned towards activities which are not available in their own country or towards activities which are innovative and offer good prospects;
- (b) to take the necessary measures to enable those concerned to report on experience acquired in the host country to the relevant authorities, particularly the academic and professional authorities in their home country; for this purpose, the Member States should fully carry out the objectives of the Council Resolution of 3 December 1992 on the transparency of qualifications<sup>19</sup>; these objectives are, on the one hand, to enable those concerned to present potential employers with all their qualifications and experience and, on the other hand, to enable these employers to assess these qualifications and experience in terms of the requirements of the job, particularly when they have been acquired in another Member State;
- (c) to take appropriate measures so that persons covered by this Recommendation can benefit from all the advantages given to nationals of the host country undertaking the same activity; these advantages include reductions for public transport, financial assistance with accommodation and meals, access to libraries and museums, etc;
- (d) to take appropriate measures so that people interested in going to another country can have easy access to any useful information concerning opportunities for studying, training, volunteering, or providing teaching or training in the other Member States;

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<sup>19</sup> OJ C 49, 19.2.1993, p. 1.

- (e) to take appropriate measures so that third country nationals who are legally and permanently resident in the Community can also benefit from the provisions of the *acquis communautaire* relating to freedom of movement and equality of treatment and from the provisions of the Recommendation; to also treat third country nationals in this way when they are studying, training, doing voluntary work, or providing teaching or training, in the context of a Community programme.

## 2. Measures which specifically concern students

- (a) to ensure the recognition, for academic purposes, in the home Member State of the period of study undertaken in the host Member State; the use of the ECTS (European Credit Transfer System) should be encouraged for this purpose which, based on the transparency of curricula, guarantees the recognition of academic experience thanks to a contract drawn up in advance between the student and the home and host establishments; in this context appropriate measures should be taken so that the decisions of the authorities responsible for academic recognition are adopted within reasonable timescales, are justified and can be subject to administrative and/or legal appeal;
- (b) to encourage educational establishments to issue a European supplement as an administrative annex to the diploma, the aim of which is to describe the studies undertaken in order to facilitate their recognition;
- (c) to take appropriate measures so that students who have private insurance, particularly health insurance, can transfer the advantages of this insurance to the host country in so far as they are not covered by Regulation (EEC) No 1408/71, as amended by Regulation (EC) No 307/1999<sup>20</sup>;
- (d) to facilitate the integration (academic guidance, educational psychology etc.) of students into the education system of the host country, as well as their reintegration back into the education system of the home country, following the example of the Socrates programme; to this end, the co-ordination of academic calendars should be considered, in particular by introducing terms or semesters in the structure of higher education;
- (e) to take appropriate measures so that the procedures for transferring and paying grants and other financial assistance abroad are facilitated and simplified;
- (f) to take the necessary measures so that the risk of double taxation on grants and other financial assistance is eliminated;

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<sup>20</sup> OJ L 38, 12.2.1999, p. 1.

3. Measures which specifically concern persons undergoing training

- (a) to ensure the validation in the home Member State of the training undertaken in the host Member State; to this end, the use of the “Europass-Training” document, amongst others, should be encouraged, which was provided for in Council Decision 1999/51/EC of 21 December 1998 on the promotion of European pathways in work-linked training, including apprenticeship<sup>21</sup>; the adoption of more transparent models for vocational training certificates should also be encouraged, as provided for in the Council Resolution of 15 July 1996 on the transparency of vocational training certificates<sup>22</sup>; finally, the concrete proposals presented by the European Forum on the transparency of professional qualifications should be implemented;
- (b) to take appropriate measures so that persons undergoing training can benefit from social security cover in the host country, particularly in terms of health care;
- (c) to ensure that unemployed people who attend training in another Member State continue to receive the unemployment benefit which they were receiving in their home country;
- (d) to take the period of training spent in another Member State into account when calculating the waiting period before the trainee receives unemployment benefit, and not to impose a further waiting period on the trainee as a result of a period in another Member State;
- (e) to treat those people who, although attending training in another Member State, are not covered by Directive 93/96/EC, at least in accordance with the provisions of that Directive, with the exception of the requirement to register in an approved establishment;

4. Measures which specifically concern young volunteers

- (a) to create a specific framework suited to the situation of young volunteers, when this does not exist;
- (b) to ensure the validation in the home Member State of the voluntary activity undertaken in the host Member State; to this end, the use of documents such as the attestation document provided for in Article 8 of Decision No 1686/98/EC of the European Parliament and of the Council of 20 July 1998 establishing the Community action programme “European Voluntary Service for Young People”<sup>23</sup>, amongst others, should be encouraged;
- (c) to allow young volunteers to take the health care cover which they benefited from in the home country to the host country by means of the E111 form;

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<sup>21</sup> OJ L 17, 22.1.1999, p. 45.

<sup>22</sup> OJ C 224, 1.8.1996, p. 7.

<sup>23</sup> OJ L 214, 31.7.1998, p. 1.

- (d) to enable the young volunteer, or the parents of the young volunteer, to continue to receive family benefits or other benefits throughout the period of the voluntary activity, despite the fact that the person has gone to another Member State, providing that their official domicile remains in the country where the benefits are paid;
- (e) to count the period of voluntary work for the young volunteer who is unemployed or who has applied for unemployment benefit; this means in particular that the period of voluntary work is taken into account when calculating the waiting period for benefits, that the young unemployed person does not have to wait for a further period when they return, and that they are exempt from having to be available for work during the period of voluntary work; on the other hand, this does not mean that the unemployment benefit continues to be paid during the period of voluntary work, but that it is suspended during this period.
- (f) as the voluntary work is unpaid, to avoid the young volunteer and the organisation where they are carrying out their voluntary work from being subject to social security or tax deductions; to also avoid the possibility of double taxation on such activity.

5. Measures which specifically concern teachers and trainers

- (a) to take all necessary measures to ensure that a person, who comes under the tax system of one Member State but is covered by the social security system of another Member State, is treated as favourably as if they came under only one Member State for both tax and social security purposes.
- (b) to take organisational measures, particularly in terms of academic calendars, to enable teachers to move to another country, normally on a short-term basis, without disrupting the academic year in their home establishment;
- (c) to introduce European sabbatical periods which would enable teachers and trainers to move to another country more easily;
- (d) to encourage the introduction of a European dimension in the training programmes of teachers and trainers, on the basis of experience gained in the context of the Socrates and Leonardo programmes, by converging training programmes, and organising exchanges and training periods in another Member State;
- (e) to reward those who undertake professional experience in another Member State, in particular by means of promotion.

**II. INVITE THE MEMBER STATES:**

to produce a report once every two years on the implementation of the different aspects covered by this Recommendation and to submit this report to the Commission;

### **III. INVITE THE COMMISSION:**

- (a) to set up a group of experts which represent all Member States and include people who know the different client groups covered by this Recommendation, in order to enable the exchange of information and experience on the different aspects of this Recommendation;
- (b) to submit a report once every two years to the European Parliament, the Council, the Economic and Social Committee and the Committee of the Regions based on contributions from the Members States on the implementation of the different aspects covered by this Recommendation.

Done at Brussels,

*For the European Parliament  
The President*

*For the Council  
The President*

## ANNEX

### **CATEGORIES OF PEOPLE COVERED BY THE RECOMMENDATION**

#### **I. STUDENTS:**

people who study in educational establishments such as those covered by Article 149(2)(3) of the EC Treaty.

#### **II. PERSONS UNDERGOING TRAINING:**

people who, regardless of their age, attend vocational training at any level including higher education;

#### **III. YOUNG VOLUNTEERS:**

people, aged mainly between 18 and 25 who, in the context of the “European Voluntary Service” or of transnational voluntary projects similar to the “European Voluntary Service”, undertake an activity of solidarity which is non-profit making and unpaid, which helps them acquire social and personal skills, and in exchange for which they receive the support of a mentor.

#### **IV. TEACHERS:**

people who teach in educational establishments such as those covered by Article 149(2)(3) of the EC Treaty;

#### **V. TRAINERS:**

people who provide training both in educational establishments such as those covered by Article 149(2)(3) of the EC Treaty and in learning centres or companies.

Note: the abovementioned people are only covered by this Recommendation if they move from one Member State (the home country) of the Community to another (the host country) for a limited period of time and return to the home country at the end of their stay. It does not cover them if they stay in only one Member State, or go to live in another Member State indefinitely or on a long-term basis.

## FINANCIAL STATEMENT

### **1. TITLE OF OPERATION**

Proposal for a Recommendation of the Council and of the European Parliament on mobility within the Community for students, persons undergoing training, young volunteers, teachers and trainers

### **2. BUDGET HEADING INVOLVED**

Part A of the general budget, section III (Commission)

### **3. LEGAL BASIS**

Articles 149 and 150 of the EC Treaty

### **4. BUDGET DETAILS**

#### **4.1 Period covered by the Recommendation**

The Recommendation covers an initial period of two years following its adoption by the European Parliament and the Council and until the first report from the Commission (implementation will probably start during the second half of 2001).

### **5. TYPE OF EXPENDITURE**

Implementation of the Recommendation will not involve any operational expenditure for the Commission. In the context of implementation, two meetings of experts a year will be organised.

### **6. NEED FOR COMMUNITY INTERVENTION AND OBJECTIVES PURSUED**

#### **6.1 Need for Community intervention, with regard in particular to the principle of subsidiarity**

This proposal for a Recommendation constitutes part of the follow-up to the Green Paper on the obstacles to transnational mobility published by the Commission in October 1996 (COM(96) 642).

This set out the various obstacles encountered by those wishing to study, teach, conduct research or take part in voluntary activities in another Member State of the European Union, and proposed lines of action to tackle these obstacles. The wide-ranging consultations and discussions which followed – including those at Member State level and in the Council of Education Ministers of 27 June 1997 -

confirmed the existence of the obstacles identified and the case for introducing corrective measures.

The choice of this legal instrument is justified by the fact that:

- Articles 149 and 150 exclude any harmonisation of national legislation in this matter.
- as the situations are sometimes very different from one Member State to another, a restrictive and uniform mould for all countries is not desirable.

## **6.2. General objective**

Pursing the main aim of facilitating mobility for those categories of people concerned, the proposal for a Recommendation invites the Member States to eliminate the obstacles which still exist despite the *acquis communautaire*. The proposal first formulates recommendations applicable to all the categories of people covered (for example in terms of recognising experience acquired in another Member State). More specific recommendations are then made for each of the categories covered.

## **7. MONITORING**

In accordance with the proposal for a Recommendation, the implementation of the provisions thereof will be the subject of a report by the Commission two years after its adoption by the European Parliament and the Council and covering the period elapsed. This report will assess progress by the Member States in the areas referred to by the Recommendation.

## 8. ADMINISTRATIVE EXPENDITURE

Actual mobilisation of the administrative resources required will result from the annual decision by the Commission on the allocation of resources, taking particular account of the staff and the additional sums granted by the budgetary authority.

### 8.1 *Effect on the number of posts*

Type of post		Staff to be assigned to managing the operation		Source		Duration
		Permanent posts	Temporary posts	Existing resources in the DG or department concerned	Additional resources	
Officials or temporary staff	A	1.5		1.5		
	B	0.5		0.5		
	C	0		0		
Other resources (DNE - A7003)			0	0		
<b>Total</b>		<b>2.0</b>		<b>2.0</b>		<b>2001-2002</b>

### 8.2 *Overall financial impact of human resources*

(euros)

	Amounts	Method of calculation
Officials <sup>1</sup>	432 000	108 000 euros x 2 man/year x 2 years
Other resources (DNE - A7003)		Titles A1, A2, A4, A5, A7
<b>Total</b>	<b>432 000</b>	

<sup>1</sup> By using existing resources assigned to manage the operation (calculation based on titles A-1, A-2, A-4, A-5 and A-7) – annual cost.

### 8.3 Financial impact of other operational expenditure resulting from the action

(euros)

Budget heading (no. and description)	Amounts	Method of calculation
A-7030 Cost of meetings	<b>117.000</b>	2 meetings x 3 experts x 15 x 650 euros x 2 years  See 1. below

The appropriations will be taken from the Education and Culture DG existing budget.

1. Covering the following expenditure: two meetings per year of the group of experts created for this purpose (each Member State designating one expert for students and teachers, one expert for persons undergoing training and trainers and one expert for young volunteers).