



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 09.11.2000  
COM(2000) 723 final

2000/0021 (COD)

Amended 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 pursuant  
to Article 250 (2) of the EC Treaty)

## EXPLANATORY MEMORANDUM

### 1. BACKGROUND DETAILS

- a) On 21 January 2000, the Commission forwarded to the European Parliament and to the Council its proposal for a decision (COM (1999) 708 – C5-0052/2000 – 2000/0021 (COD)).
- b) On 27 April 2000 the Economic and Social Committee delivered a favourable opinion.
- c) On 15 June 2000 the Committee of the Regions delivered a favourable opinion.
- d) On 31 June Mr R. EVANS, the rapporteur, submitted his first draft report.
- e) On 24 May, the Committee on Employment and Social Affairs delivered its opinion.
- f) On 11 July, the Committee on Petitions delivered its opinion.
- g) On 13 September, the draft report was voted in the Committee on Culture.
- h) On 5 October, the European Parliament adopted at its first reading a favourable resolution comprising 56 amendments to the Commission proposal.

### 2. AIM OF THE PROPOSAL

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 the European citizenship, as well as an instrument of intercultural and social integration. Since the adoption of Community programmes such as Socrates, Leonardo and Youth for Europe, 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 to pursue training, do teaching work or do a spell of voluntary service.

On the basis of Articles 149 and 150 of the Treaty, the aims of this proposal for a recommendation are:

- to get the 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 call on the Member States to introduce strategies to incorporate the aspect of transnational mobility into their national policies which apply to the categories of people concerned by this Recommendation, in order to promote transitional mobility.

### **3. COMMISSION OPINION ON THE AMENDMENTS PROPOSED BY THE EUROPEAN PARLIAMENT**

#### **3.1. AMENDMENTS ACCEPTED BY THE COMMISSION<sup>1</sup>**

A number of amendments have been adopted without change by the Commission. These are amendments 4 (addition of the first proposals from the European Forum for the transparency of qualifications), 5 (clarification of the nature of the transnational voluntary activities), 11 (reference to the conclusions of the Lisbon European Council), 12 (correction of the reference to the Tampere conclusions and reference to the Commission initiative on the right of entry and stay of third country nationals for the purposes of study and vocational training), 16 to 18 (specification of the measures designed to reduce the language and cultural obstacles, to facilitate the funding of mobility and the promotion of a European qualifications area), 25 to 28 (details concerning students and people in training under mobility arrangements: making it easier to prove health care cover, integrating the student undertaking mobility, recognition of training, more transparent formats for vocational training certificates), 30 (unemployment benefits maintained during the training period), 31 (waiting period for unemployment benefits), 33 to 38 (details on measures targeting volunteers), 40 (tax and social security system for teachers), 41 (facilitating the mobility of teachers), 44 (recognition of the value of mobility), 53 (definition of short term mobility), 54 (definition of volunteer) and 55 (definition of trainers) designed to clarify the terms of the proposed Recommendation or to strengthen the Commission's proposal. These amendments are in line with the Commission's own approach in the matters concerned.

Other amendments have been accepted subject to reformulation. These are amendments 7 and 9 (recognition that obstacles exist and that there is a need for Community action to promote mobility), 13 (addition of a reference to raising awareness in the applicant countries), 20 (principle of non-discrimination), 22 (abolition of fees for issuing or renewing residence permits), 23 (intercultural preparation for mobility), 29 (maintenance of health care), 32 (proof of sufficient resources), 43 (European dimension of the educational environment), 52 (raising awareness in the applicant countries).

Lastly, the Commission has accepted in part the following amendments: 6 (acceptance of the reference to the right of residence as an obstacle to mobility; rejection of the reference to research workers), 10 (acceptance of the explicit reference to the most disadvantaged and the most vulnerable groups; rejection of the reference to the disabled), 15 (acceptance of the reference to legal and administrative obstacles; rejection of the reference to research workers), 19 (acceptance of the information measures proposed; rejection of the reference to research workers), 21 (acceptance of an approach to third countries targeting the nationals of non-EU countries taking part in a Community programme; rejection of the reference to research workers), 24 (acceptance of the replacement of the word "ensure" by the word "facilitate"; rejection of the rest).

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<sup>1</sup> In view of the high number and the wide range of content covered by the amendments, it is not possible to group them into categories. It was therefore decided to respect the order in which the amendments were presented in the GAP (Parliamentary Affairs Group) fiche.

### **3.2. AMENDMENTS NOT ACCEPTED BY THE COMMISSION**

The amendments referring to research workers cannot be accepted on account of the legal basis. The needs of this specific group will be the subject of a specific document as part of the follow-up to the Communication on the "European research area". The amendments concerned are: 1, 2, 3, 6 (in part), 13 (in part), 14, 15 (in part), 19 (in part), 21 (in part), 39, 42 (in part), 45, 52 (in part), 56.

As for amendment 8, it is pointed out that the Heads of State and Government acknowledged in the conclusions of the special Lisbon European Council the importance of mobility in education and training, and that the Member States were urged therein to take the necessary steps to encourage mobility.

Amendments 46 to 51 - which call on the Commission and the Member States to ensure that the recommendation is followed up – have not been accepted following a decision by the Commission on 4 October on the resources needed to implement new responsibilities. The concerns expressed in these amendments will be taken into account as part of the new open method of coordination advocated by the Lisbon European Council.

Amended proposal for a

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**on mobility within the Community for students, persons undergoing training, young  
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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 Articles 149(4) and 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 knowledge and European society as a whole to benefit from these 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 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

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<sup>1</sup> OJ C **708** of **21.1.2000**

<sup>2</sup> OJ C **168** of **16.6.2000**, p.25.

<sup>3</sup> ~~OJ L 17~~ of **COR 20/2000**.

<sup>4</sup> See document entitled "Community law applicable to mobility within the Community for students, persons undergoing training, young volunteers, teachers and trainers".

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

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 EC 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 to 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 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. **The first proposals were submitted in February 2000.**

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

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

<sup>8</sup> OJ L 149 of 5.7.1971, p. 2. Updated version giving in the annex to Regulation (EC) No 118/97, OJ L 28 of 30.1.1997, p. 4.

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

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

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

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

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

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

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

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

**(9) Involvement in transnational voluntary activities helps to shape people's future careers, develop their social skills and smooth their integration into society, thereby fostering the development of an active citizenship.**

(10)(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 and 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.

**(11)(10) Despite the provisions quoted above, the Green Paper "Education, training, research: the obstacles to transnational mobility", 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 right of residence, 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.**

**(12) Persons wishing to undertake mobility in the areas of education, training and youth, particularly students, persons in training, volunteers and teachers and trainers, are often put off by the many obstacles they encounter, as is testified by the petitions they address to the European Parliament. In this context, the European Union's action must cater for the aspirations of its citizens when it comes to mobility in education and training.**

**(13)(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. Special attention should be paid to the needs of the most disadvantaged and the most vulnerable groups.**

**(14) The European Council of Lisbon of 23 and 24 March 2000 declared its support for mobility as an essential feature of the new knowledge society and in promoting lifelong education. It called on the Member States, the Council and the Commission to:**

- **take the necessary steps to foster the mobility of students, teachers and training staff, in particular by removing obstacles, through greater transparency in the recognition of qualifications and periods of study and training, and through specific measures for removing obstacles to the mobility of teachers by 2002;**
- **develop a common European format curriculum vitae to encourage mobility by helping the assessment, by education and training establishments and employers, of knowledge acquired.**

**The European Council also called on the Council and the Commission to create a European data base on jobs and learning opportunities to facilitate mobility, while making it easier to find jobs and overcome the skills shortage.**

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

**(15) Mobility favours the discovery of new cultural and social environments; there is therefore a need to facilitate the cultural preparation and initiation of the persons concerned into living, learning and working practices in different European countries, as well as their social reintegration back into the home community, namely by training relevant contact persons of the target groups (university teachers and administrators, vocational teachers and trainers, teachers and head teachers, staff of sending and hosting organisations, etc.) interculturally, and to encourage educational institutions to appoint staff to coordinate and facilitate their intercultural training.**

**(16)**~~(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~~ **paragraph** 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 the maximum flexibility as to how they achieve those objectives.

**(17)**~~(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 **more energetic** Community policy on integration should aim to offer them rights and obligations comparable to those of ~~Community~~ **EU** citizens<sup>18</sup>. ~~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~~ **In this respect, legally resident third country nationals who take part in a Community programme such as** Socrates, Leonardo da Vinci or the European Voluntary Service **Youth**, should be allowed to benefit from the *acquis communautaire* in respect of freedom of movement and equality of treatment. **Moreover, in its scoreboard, submitted on 27 March 2000, the Commission undertook to submit an initiative on the entry and residence of third country nationals for the purpose of study and professional training.**

**(18) Participation in Community education, training and youth programmes is open to the countries of the European Free Trade Association (EFTA) and the associated countries of Central and Eastern Europe (CEEC), in accordance with the conditions set out in the Europe agreements, in their additional protocols and the decisions of the relevant association councils, and to Cyprus, Malta and Turkey. This Recommendation should accordingly be brought to the attention of these countries and mobility should be facilitated for any nationals from those countries who pursue studies or training, take part in voluntary activities, or provide teaching or training within the European Union under a Community programme.**

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



~~(19)~~(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 these good practices and tools should be envisaged.

## **I. RECOMMEND THAT MEMBER STATES:**

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

- a) take measures **they judge to be** appropriate **to remove legal and administrative barriers** to 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 (**Socrates, Leonardo da Vinci and European Voluntary Service Youth**) or not, ~~these measures should complement those implemented by the Community 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;~~ **and promote, in conjunction with the Commission, exchanges of experience and good practice relating to the transnational mobility of those concerned and to the various aspects of this Recommendation;**
- b) **take measures they judge to be appropriate to reduce language and cultural barriers, and in particular to:**
  - **promote the learning of at least two Community languages and to make young people in particular more aware of European citizenship and the need to show respect for cultural and social differences;**
  - **encourage linguistic and cultural preparation prior to any mobility scheme;**
- c) **take measures they judge to be appropriate to respond adequately to the financial problems of mobility, and in particular to:**
  - **promote wider use of various means of financial assistance (allowances, grants, subsidies, loans, etc);**
  - **ensure that national grants and other forms of assistance are portable;**
- db) take the necessary measures **they judge to be appropriate** to **promote the European qualifications area, that is to say** to enable those concerned to report **on qualifications obtained and experience acquired in the host country** to the relevant authorities, particularly the academic and professional authorities in their home country; **this could be achieved by carrying out the**

objectives of the Council Resolutions of 3 December 1992 and 15 July 1996 on the transparency of qualifications and vocational training certificates, encouraging the use of the "Europass-Training" document described in Council Decision 1999/51/EC of 21 December 1998 on the promotion of European work-linked training pathways, including apprenticeship<sup>19</sup>, and of the European diploma supplement, and acting upon the conclusions of the Lisbon European Council, with particular reference to a common European format for curricula vitae; 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;

- ee) take appropriate measures so that persons covered by this Recommendation can benefit from all the advantages given to nationals of the host country undertaking this same activity; these advantages include reductions for public transport, financial assistance with accommodation and meals, access to libraries and museums, etc.;
- fd) take appropriate measures so ensure 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, extending the work of the National Academic Recognition Information Centres, the European Network of Information Centres and Europe Direct, and in particular;
- to disseminate on a broader basis information about the opportunities for transnational mobility and the conditions for achieving it (with particular regard to the forms of financial assistance available);
  - to ensure that their citizens are aware of their entitlements under existing reciprocal arrangements concerning social security and health cover while they are temporarily resident in another Member State;
  - to encourage the provision on a regular basis of training and information on the *acquis communautaire* relating to mobility to the relevant administrative staff at all levels;
  - to take part in the establishment of a Europe-wide data base on jobs and learning opportunities;
- g) ensure that all the categories of person covered by this Recommendation are not placed at a disadvantage in their country of origin with respect to the same categories of person undertaking the same type of activity without going to another Member State in order to do so;
- he) take the measures they judge to be appropriate so that third-country nationals who are legally and permanently resident in the Community can also benefit

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<sup>19</sup> OJ C49 of 19.2.1993, p.1 L 17 of 22.1.1999, p.45.

~~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 **to remove the obstacles to the mobility of** third country nationals when they are studying, training, doing voluntary work, or providing teaching or training, in the context of a Community programme;~~

- i) abolish any fees that they currently charge to the categories of person covered by this Recommendation for the processing of applications for, or the issuing or renewal of, residence permits to nationals of another Member State or nationals of third countries participating in the Community programme;**

2. Measures which specifically concern students:

- a) ~~ensure~~ **facilitate** 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 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) 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) ~~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~~ **to make it easier for students to prove that they have health care cover, with a view to obtaining a residence permit;**
- d) 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) take appropriate measures so that the procedures for transferring and paying grants and other financial assistance abroad are facilitated and simplified;
- f) take the necessary measures so that the risk of double taxation on grants and other financial assistance is eliminated;

3. Measures which specifically concern persons undergoing training:

- a) ensure the ~~validation~~ **recognition** 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>20</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; finally, the concrete proposals presented by the European Forum on the transparency of professional qualifications should be implemented;

**b) encourage the adoption of more transparent models for the vocational training certificates provided for in the Council Resolution of 15 July 1996 on the transparency of vocational training certificates<sup>21</sup> and in the proposals put forward by the European Forum on the transparency of professional qualifications, aimed in particular at:**

- **issuing with each official national certificate a translation of and a European supplement to that certificate;**
- **designating national contact points responsible for providing information on national professional qualifications;**

**c)b)** take appropriate measures **they judge to be appropriate** so that persons undergoing **who move to another Member State in order to undertake training can benefit from are able to preserve for the duration of such training their** social security cover in the host country, particularly in terms of health care;

**e)d)** 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; **not to discriminate between unemployed people who undertake training in their home Member State with a view to improving their job prospects and those who undertake training in another Member State for the same purpose, inter alia by ensuring that throughout their period of training in the host Member State they continue to receive the unemployment and other benefits to which they are entitled under the law of their home country;**

**d)e)** 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; **ensure that the provisions governing the qualifying period for the receipt of unemployment benefit do not act as a barrier to mobility where training is undertaken in another Member State with a view to improving job prospects;**

**e)f)** 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; **take measures they judge to be appropriate to**

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<sup>20</sup> OJ L 17 of 22.1.1999, p.45.

<sup>21</sup> **OJ C 224 of 1.8.1996, p.7.**

**make it easier to prove that a person undertaking training in another Member State has adequate resources, in accordance with Directive 90/364/EEC;**

4. Measures which specifically concern young volunteers:

- a) ~~create a specific framework suited to the situation of young volunteers, when this does not exist;~~ **recognise that voluntary work is an activity in its own right and, as such, cannot be treated in the same way as other categories of activity; in particular, recognise that voluntary service is an activity distinct from waged labour; take measures they judge to be appropriate to ensure that national legislative and administrative provisions take account of that specificity;**
- b) ~~ensure the validation~~ **encourage the recognition** in the home Member State of the voluntary activity undertaken in the host Member State **as an informal educational project, by means of a** ~~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", amongst others, should be encouraged;~~ **document attesting to participation in voluntary projects, the purpose of which is to facilitate recognition of the knowledge acquired, in keeping with the objective of developing a common European format for curricula vitae that was laid down by the Lisbon European Council;**
- c) ~~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~~ **take measures they judge to be appropriate to ensure that the social security authorities in the home country issue an** E111 form **valid for the duration of the voluntary activity;**
- d) ~~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;~~ **take measures they judge to be appropriate to ensure that volunteers and their families are not penalised for moving to another Member State by being deprived of disability, family and other social security benefits or assistance;**
- e) **take the measures necessary** 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 weighting 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~~ **during the period of voluntary work payment of unemployment benefit is suspended, without affecting any of the other rights of the beneficiary, subject to the expiry period;**

- ~~–~~ **during the period of voluntary work unemployed persons in receipt of benefit are exempt from the obligation to make themselves available for the labour market;**

f) **take measures they judge appropriate to prevent voluntary activities from being treated as paid employment or self-employment, and in particular to ensure that:**

- ~~–~~ **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 the volunteer's allowance, board and lodgings are not subject to tax deductions;**
- ~~–~~ **the approved national organisations responsible for volunteers on transnational mobility schemes are not treated as employers and thereby obliged to pay social security contributions and make tax deductions on those voluntary activities;**

5. Measures which specifically concern teachers and trainers:

a) ~~take all necessary measures~~ **they judge to be appropriate** 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 **teacher or trainer moving to another Member State for a limited period, 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 in respect of social security contributions and tax deductions as if they came under the tax and social security system of only one Member State;**

b) ~~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;~~ **they judge to be appropriate to make it easier for teachers and trainers to move to another Member State, and in particular to:**

- ~~–~~ **make arrangements for the replacement of teachers and trainers moving to another Member State;**
- ~~–~~ **ensure that arrangements are made to facilitate their integration in the host establishment;**

c) ~~introduce~~ **consider the possibility of introducing** European sabbatical periods which would **raise awareness of opportunities for mobility in addition to those already available under Community programmes and** enable teachers and trainers to move to another country more easily;

- d) encourage the introduction of a European dimension in the ~~training programmes of teachers and trainers~~ **educational and research environments**, 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;~~ **and in particular:**
- **in the content of the training programmes of teachers and trainers;**
  - **by fostering contacts between training centres for teachers and trainers located in other Member States of the European Community, including by means of exchanges and training periods in another Member State;**
- e) ~~reward those who undertake professional experience in another Member State, in particular by means of promotion~~ **encourage due recognition of the value of experience gained by teachers and trainers in another Member State as one of the elements to be taken into account for promotion purposes.**

## 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 represents all Member States and includes people who know the different client groups covered by the 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 Member States on the implementation of the different aspects covered by this Recommendation;

Done at Brussels, on

*For the European Parliament*  
*The President*

*For the Council*  
*The President*

## ANNEX

### CATEGORIES OF PEOPLE COVERED BY THE RECOMMENDATION

Note: The ~~abovementioned~~ people mentioned below 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.~~ They retain their legal residence, as defined by the law of each Member State, in their home Member State.

#### 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" section of the "Youth" Community programme or of transnational voluntary projects similar to the "«European Voluntary Service»" which have been approved by the national authorities, 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 or training establishments such as those covered by Article ~~149(2)(3)~~ 150(2)(4) of the EC Treaty and in learning centres or companies.

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