

**Agreement between the European Community and the United States of America
renewing a programme of cooperation in higher education and vocational education and
training**

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AGREEMENT

between the European Community and the United States of America renewing a programme
of cooperation in higher education and vocational education and training

THE EUROPEAN COMMUNITY,

of the one part, and

THE UNITED STATES OF AMERICA,

of the other part,

hereinafter collectively referred to as "the Parties",

NOTING that the Transatlantic Declaration adopted by the European Community and its Member States and the Government of the United States of America in November 1990 makes specific reference to strengthening mutual cooperation in various fields which directly affect the present and future wellbeing of their citizens, such as exchanges and joint projects in education and culture, including academic and youth exchanges;

CONSIDERING that the adoption and the implementation of the 1995 Agreement Between the European Community and the United States of America establishing a cooperation programme in higher education and vocational education and training give effect to the commitments of the Transatlantic Declaration and constitute examples of highly successful and cost-effective cooperation;

NOTING that the new Transatlantic Agenda adopted at the EU-US Summit in December 1995 in Madrid refers under Action IV - Building bridges across the Atlantic - to the EC/US Agreement establishing a cooperation programme in education and vocational training as a potential catalyst for a broad spectrum of innovative cooperative activities of direct benefit to students and teachers and refers to the introduction of new technologies into classrooms, linking educational establishments in the United States of America with those in the European Union and encouraging teaching of each other's languages, history and culture;

ACKNOWLEDGING the crucial contribution of education and training to the development of human resources capable of participating in the global knowledge-based economy;

RECOGNISING that cooperation in education and vocational training should complement other relevant cooperation initiatives between the European Community and the United States of America;

NOTING that the 1997 "Bridging the Atlantic: people to people links" Transatlantic Conference underlined the potential for cooperation between the European Community and the United States of America in the field of non-formal education;

ACKNOWLEDGING the importance of ensuring complementarily with relevant initiatives carried out in the field of higher education and vocational training by international organisations active in these fields such as OECD, UNESCO and the Council of Europe;

RECOGNISING that the Parties have a common interest in cooperation in higher education and vocational education and training between them;

EXPECTING to obtain mutual benefit from cooperative activities in higher education and vocational education and training;

RECOGNISING the need to widen access to the activities supported under this Agreement, in particular those activities in the vocational education and training sector; and

DESIRING to establish a formal basis for continued cooperation in higher education and vocational education and training,

HAVE AGREED AS FOLLOWS:

Article 1

Purpose

This Agreement renews the cooperation programme in higher education and vocational education and training (hereinafter referred to as "the Programme"), originally established under the 1995 Agreement Between the European Community and the United States of America establishing a cooperation programme in higher education and vocational education and training.

Article 2

Definitions

For the purpose of this Agreement:

1. **"higher education institution" means any establishment according to the applicable laws or practices which offers qualifications or diplomas at the higher education level, whatever such establishment may be called;**

2. "vocational education and training institutions" means any type of public, semi-public or private body, which, irrespective of the designation given to it, in accordance with the applicable laws and practices, designs or undertakes vocational education or training, further vocational training, refresher vocational training or retraining; and

3. "students" means all those persons following learning or training courses or programmes which are run by higher education or vocational education and training institutions as defined in this Article.

Article 3

Objectives

The objectives of the Programme shall be to:

1. promote mutual understanding between the peoples of the European Community and the United States of America including broader knowledge of their languages, cultures and institutions;
2. improve the quality of human resource development in both the European Community and the United States of America, including the acquisition of skills required to meet the challenges of the global knowledge-based economy;
3. encourage an innovative and sustainable range of student-centred higher education and vocational education and training cooperative activities between the different regions in the European Community and in the United States of America that have a durable impact;
- 4. improve the quality of transatlantic student mobility by promoting transparency, mutual recognition of periods of study and training, and, where appropriate, portability of credits;**
5. encourage the exchange of expertise in e-learning and open and distance learning and their effective use to broaden Programme impact;
6. promote or enhance partnerships among higher education and vocational education and training institutions, professional associations, public authorities, private sector and other associations as appropriate in both the European Community and the United States of America;
7. reinforce a European Community and United States dimension to transatlantic cooperation in higher education and vocational education and training; and
8. complement relevant bilateral programmes between the Member States of the European Community and the United States of America as well as other European Community and United States programmes and initiatives.

Article 4

Principles

Cooperation under this Agreement shall be guided by the following principles:

1. full respect for the responsibilities of the Member States of the European Community and the States of the United States of America and the autonomy of higher education and vocational education and training institutions;
2. mutual benefit from activities undertaken through this Agreement;
3. effective provision of seed-funding for a diverse range of innovative projects that build new structures and links, that have a multiplying effect through consistent and effective

dissemination of results, that are sustainable over the longer term without on-going Programme support and that, where student mobility is involved, provide mutual recognition of periods of study and training and, where appropriate, portability of credits;

4. broad participation across the different Member States of the European Community and the United States of America;

5. recognition of the full cultural, social, and economic diversity of the European Community and the United States of America; and

6. selection of projects on a competitive basis, taking account of the foregoing principles.

Article 5

Programme actions

The Programme shall be pursued by means of the actions described in the Annex, which forms an integral part of this Agreement.

Article 6

Joint Committee

1. A Joint Committee is hereby established. It shall comprise an equal number of representatives of each Party.

2. The functions of the Joint Committee shall be to:

(a) review the cooperative activities envisaged under this Agreement; and

(b) provide a report annually to the Parties on the level, status and effectiveness of cooperative activities undertaken under this Agreement.

3. The Joint Committee shall meet at least every second year, with such meetings being held alternately in the European Community and the United States of America. Other meetings may be held as mutually determined.

4. Decisions of the Joint Committee shall be reached by consensus. Minutes, comprising a record of the decisions and principal points, shall be taken at each meeting. These Minutes shall be approved by those persons selected from each side to jointly chair the meeting, and shall, together with the annual report, be made available to appropriate Minister-level officials of each Party.

Article 7

Monitoring and evaluation

The Programme shall be monitored and evaluated as appropriate on a cooperative basis. This shall permit, as necessary, the reorientation of activities in the light of any needs or opportunities becoming apparent in the course of its operation.

Article 8

Funding

1. Activities under this Agreement shall be subject to the availability of funds and to the applicable laws and regulations, policies and programmes of the European Community and the United States of America. Financing will be, to the extent possible, on the basis of an overall matching of funds between the Parties. The Parties shall attempt to offer Programme activities of comparable benefit and scope.

2. Costs incurred by or on behalf of the Joint Committee shall be met by the Party to whom the members are responsible. Costs, other than those of travel and subsistence, which are directly associated with meetings of the Joint Committee, shall be met by the host Party.

Article 9

Entry of personnel

Each Party shall use its best efforts to facilitate entry to and exit from its territory of personnel, students, material and equipment of the other Party engaged in or used in cooperative activities under this Agreement.

Article 10

Other agreements

This Agreement shall not replace or otherwise affect other agreements or activities undertaken in the fields covered between any Member State of the European Community and the United States of America.

Article 11

Territorial application of this Agreement

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 hand, to the territory of the United States of America.

Article 12

Entry into force and termination

1. This Agreement shall enter into force on 1 January 2001 or on the first day of the month following the date on which the Parties shall have notified each other in writing that their legal requirements for the entry into force of this Agreement have been fulfilled, whichever is the later date. This Agreement replaces the 1995 Agreement between the European Community and the United States of America establishing a cooperation programme in higher education and Vocational education and training in its entirety.

2. This Agreement shall remain in force for five years and may be extended or amended by mutual written agreement. Amendments or extensions shall enter into force on the first day of

the month following the date on which the Parties shall have notified each other in writing that their requirements for entry into force of the agreement providing for the amendment or extension in question have been fulfilled.

3. This Agreement may be terminated at any time by either Party by twelve months' written notice. The expiration or termination of this Agreement shall not affect the validity or duration of any pre-existing arrangements made under it.

Article 13

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

EN FE DE LO CUAL, los abajo firmantes, debidamente autorizados, suscriben el presente Acuerdo./TIL BEKRÆFTELSE HERAF har undertegnede behørigt befuldmægtigede underskrevet denne aftale./ZU URKUND DESSEN haben die Unterzeichneten, hierzu gehörig befugten Bevollmächtigten dieses Abkommen unterschrieben./ΕΙΣ ΠΙΣΤΩΣΗ ΤΩΝ ΑΝΩΤΕΡΩ, οι υπογράφοντες πληρεξούσιοι, δεόντως εξουσιοδοτημένοι προς τούτο, έθεσαν την υπογραφή τους κάτω από την παρούσα συμφωνία./IN WITNESS WHEREOF **the undersigned, being duly authorised, have signed the present Agreement.**/EN FOI DE QUOI, les soussignés, dûment mandatés, ont apposé leur signature au bas du présent accord./IN FEDE DI CHE i sottoscritti, muniti di regolari poteri, hanno firmato il presente accordo./TEN BLIJKE WAARVAN de ondergetekenden, naar behoren gemachtigd, hun handtekening onder deze overeenkomst hebben geplaatst./EM FÉ DO QUE os abaixo assinados, com os devidos poderes para o efeito, apuseram as suas assinaturas no presente Acordo./TÄMÄN VAKUUDEKSI jäljempänä mainitut täysivaltaiset edustajat ovat allekirjoittaneet tämän sopimuksen./TILL BEVIS HÄR PÅ har undertecknade befullmäktigade undertecknat detta avtal.

Hecho en Washington D.C., el /dieciocho de diciembre del año dos mil./Udfærdiget i Washington D.C. den /attende december to tusind./Geschehen zu Washington D.C. am /achtzehnten Dezember zweitausend./Έγινε στην Ουάσιγκτον D.C., στις /δέκα οκτώ Δεκεμβρίου δύο χιλιάδες./**Done at Washington D.C. on the /eighteenth day of December in the year two thousand.**/Fait à Washington D.C., le /dix-huit décembre deux mille./Fatto a Washington D.C., addì /diciotto dicembre duemila./Gedaan te Washington D.C., de /achttiende december tweeduizend./Feito em Washington D.C., em /dezoito de Dezembro de dois mil./Tehty Washington D.C.:ssä /kahdeksantentoista päivänä joulukuuta vuonna kaksituhatta./Som skedde i Washington D.C. den /artonde december tjugohundra.

Por la Comunidad Europea/For Det Europæiske Fællesskab/Für die Europäische Gemeinschaft/Για την Ευρωπαϊκή Κοινότητα/For the European Community/Pour la Communauté européenne/Per la Comunità europea/Voor de Europese Gemeenschap/Pela Comunidade Europeia/Euroopan yhteisön puolesta/På Europeiska gemenskapens vägnar.

Por los Estados Unidos de América/For Amerikas Forenede Stater/Für die Vereinigten Staaten von Amerika/Για τις Ηνωμένες Πολιτείες της Αμερικής/**For the United States of America**/Pour les États-Unis d'Amérique/Per gli Stati Uniti d'America/Voor de Verenigde Staten van Amerika/Pelos Estados Unidos da América/Amerikan yhdysvaltojen puolesta/På Amerikas förenta stater vägnar.

ANNEX

ACTIONS

ACTION 1

Joint European Community/United States consortia projects

1. The Parties shall provide support to higher education and vocational education and training institutions which form joint EC/US consortia for the purpose of undertaking joint projects in the area of higher education and vocational education and training. The European Community will provide support for the use of the European Community consortia partners; the United States of America will provide support for United States consortia partners.
2. Each joint consortium must have a minimum of three active partners on each side from at least three different Member States of the European Community and three different States of the United States of America.
3. Each joint consortium should, as a rule, involve transatlantic mobility of students, with a goal of parity in the flows in each direction, and should foresee adequate language and cultural preparation.
4. The structural cooperative activities of a consortium will be supported by seed-funding for a maximum period of three years. Preparatory or project development activities may be supported for a period of up to one year.
5. Appropriate authorities on each side will mutually agree upon the eligible subject areas for joint EC/US consortia.
6. Project activities eligible for support may include:
 - (a) preparatory or project development activities;
 - (b) development of organisational frameworks for student mobility, including work placements, which provide adequate language preparation and full recognition by the partner institutions;
 - (c) structured exchanges of students, teachers, trainers, administrators, and other relevant specialists;
 - (d) joint development and dissemination of innovative curricula, including teaching materials, methods and modules;
 - (e) joint development and dissemination of new methodologies in higher education and vocational education and training, including the use of information and communication technologies, e-learning, and open and distance learning;
 - (f) short intensive programmes of a minimum of three weeks, provided they are an integral part of the programme of study or training;

(g) teaching assignments at a transatlantic partner institution that support the project's curriculum development; and

(h) other innovative projects which aim to improve the quality of transatlantic cooperation in higher education and vocational education and training and meet at least one of the objectives specified in Article 3 of this Agreement.

ACTION 2

Fulbright/European Union programme

The Parties shall provide scholarships for the study of, and research and lecturing on, European Community affairs and EC/US relations. Grants will be provided under the Fulbright/European Union programme.

ACTION 3

Complementary activities

The Parties may support a limited number of complementary activities in accordance with the objectives of the Agreement, including exchanges of experience or other forms of joint action in the fields of education and training.

PROGRAMME ADMINISTRATION

Administration of the Actions shall be implemented by the competent officials of each Party. These tasks may include:

1. deciding upon the rules and procedures for the presentation of proposals including the preparation of a common set of guidelines for applicants;
2. establishing a timetable for publication of calls for proposals, submission and selection of proposals;
3. providing information on the Programme and its implementation;
4. appointing academic advisors and experts;
5. recommending to the appropriate authorities of each Party which projects to finance;
6. providing financial management; and
7. promoting a cooperative approach to programme monitoring and evaluation.

TECHNICAL SUPPORT MEASURES

Under the present Programme, funds may be used for the purchase of services necessary to the implementation of the Programme. In particular, the Parties may have recourse to experts; may organise seminars, colloquia or other meetings likely to facilitate the implementation of the Programme; and may undertake evaluation, information, publication and dissemination activities.