



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 5 November 2007

**Interinstitutional File:
2007/0145 (COD)**

14454/07

LIMITE

**EDUC 184
RELEX 772
CODEC 1150**

REPORT

from : Coreper

to : Council

No. Cion prop. : 11708/07 EDUC 118 RELEX 565 CODEC 813- COM(2007) 395 final
+ ADD 1 + ADD 2

No. prev.doc. 14206/07 EDUC 173 RELEX 748 CODEC 1112

Subject: Proposal for a Decision of the European Parliament and of the Council
establishing an action programme for the enhancement of quality in higher
education and the promotion of intercultural understanding through co-
operation with third countries (Erasmus Mundus) (2009-2013)
- general approach

1. Coreper has examined the above proposal with a view to preparing a general approach for agreement at the Education Youth and Culture Council of 15/16 November 2007, pending the first reading opinion of the European Parliament. The text resulting from this examination is attached in annex.¹

¹ The general approach, in line with customary practice, does in principle not cover the recitals. Hence, the appended text reproduces the articles and annexes of the draft Decision only.

2. The only issue still open concerns the absence of a "comitology" procedure (i.e. a procedure involving Member States) for selection decisions made under the programme (Article 7(2a) see footnote 4, page 12). The Commission has proposed that, under the new programme, such decisions will be made by the Commission with the assistance only of a Selection Board comprised of high-standing academics. The Commission considers that, whilst Member States should be involved in fixing selection criteria and procedures, as well as the composition and rules of the selection board, the individual selection decisions are purely executive and Member State involvement therefore results in administrative delay with no added-value.

Whilst a number of Member States have been convinced by the Commission's arguments, others (CY, CZ, FR and SK in particular) are less willing to accept that Member States should no longer be involved. The Presidency has sought to reach a compromise by adding to Article 7(2a) a requirement for the Commission to inform Member States immediately about decisions, and by inviting the Commission to make a statement to the Council minutes on the subject.

3. The Council is invited to address this outstanding question with a view to reaching a general approach.

2007/0145 (COD)

Proposal for a

DECISION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

establishing an action programme for the enhancement of quality in higher education and the promotion of intercultural understanding through co-operation with third countries (Erasmus Mundus) (2009-2013)

Article 1

Establishment of the programme

1. This Decision establishes a programme — ‘Erasmus Mundus’ (hereinafter ‘the programme’) — for the enhancement of quality in European higher education and the promotion of intercultural understanding through cooperation with third countries as well as for the development of third countries in the field of higher education.
2. The programme shall be implemented over a period starting on 1 January 2009 and ending on 31 December 2013. However, preparatory measures, including decisions by the Commission in accordance with Article 7, may be implemented as from the entry into force of this Decision.
3. The programme shall support and supplement action taken by and in the Member States while fully respecting their responsibility for the content of education and the organisation of education and training systems, and their cultural and linguistic diversity.
4. [...]

Article 2

Definitions

For the purpose of this Decision:

- 1. "higher education" means all types of courses of study, or sets of courses of study, training or training for research at the post secondary level which are recognized by the relevant national authorities of a participating country as belonging to its higher education system;
1. "higher education institution" means an establishment providing higher education and recognized by the competent national authority of a participating country as belonging to its system of higher education;²
2. "bachelor student" (student in first cycle) means a person enrolled in a first cycle higher education programme and who will obtain after the completion of the programme a first higher education degree;
3. "master student" (student in second cycle) means a person enrolled in a second cycle higher education programme and who has already obtained a first higher education degree or has a recognised equivalent level of learning according to national legislation and practices;
4. "doctoral candidate" (candidate in third cycle) means an early-stage researcher at the beginning his/her research career, starting at the date of obtaining the degree which would formally entitle him/her to embark on a doctoral programme;
5. "post-doctoral researcher" means an experienced researcher who is in possession of a doctoral degree or who has at least three years of full-time equivalent research experience, including the period of research training, at a research centre established in accordance with national legislation and practice after obtaining the degree which formally allowed him/her to embark on a doctoral programme offered by higher education institution;

² New recital added: "[Whereas] in accordance with Article 149 of the Treaty, this Decision does not affect national legal frameworks and procedures concerning, inter alia, the establishment and recognition of higher education institutions." Scrutiny reserve: FR.

6. “academic” means a person with outstanding academic and/or professional experience who lectures or conducts research in a higher education institution or a research centre established in accordance with national legislation and practice;
7. “higher education staff” means persons who, through their duties, are involved directly in the educational process related to higher education;
8. "third country" means a country which is not a Member State of the European Union and which does not participate in the programme according to Article 9. “Third-country” referring to an individual means a person who is neither a national nor a resident of any of the Member States or the countries participating in the programme according to Article 9. “Third-country” referring to an institution means an institution which is not located in any of the Member States or the countries participating in the programme according to Article 9. The countries participating in the Lifelong Learning Programme³ are not considered as third countries for the implementation of the action of the programme referred to in Article 4(1)(b);
9. "European country" means a country which is a Member State of the European Union or which participates in the programme according to Article 9. “European” referring to an individual means a person who is a national or a resident of any of the Member States or the countries participating in the programme according to Article 9. “European” referring to an institution means an institution which is located in any of the Member States or the countries participating in the programme according to Article 9;
10. [...]
11. “masters programme” (second cycle) means a second cycle higher education programme that follows a first degree or equivalent level of learning and leads to a masters level qualification offered by a higher education institution;

³ OJ L 327, 24.11.2006, p.45

12. “doctoral programme” (third cycle) means a research-related programme of higher education study that follows a higher education degree and leads to a doctoral degree offered by higher education institution or, in those Member States where this is in accordance with national legislation and practice, by a research centre;
13. “post-doctoral programme” means higher education study or research offered by a higher education institution or a research centre established in accordance with national legislation and practice that follows a doctoral degree;
14. “mobility” means moving physically to another country, in order to undertake study, work experience, research, other learning or teaching or research activity or related administrative activity, supported as appropriate by preparation in the host language;
15. “double or multiple degree” means two or more national diplomas issued by two or more higher education institutions and recognised officially in the countries where the degree-awarding institutions are located;
16. “joint degree” means a single diploma issued by at least two of the higher education institutions offering an integrated programme and recognised officially in the countries where the degree-awarding institutions are located;
17. “enterprise” means all undertakings engaged in economic activity in the public and private sector, whatever their size, legal status or the economic sector in which they operate, including the social economy.

Article 3

Objectives of the programme

1. The programme's overall aim is to enhance the quality of European higher education and to promote dialogue and understanding between peoples and cultures through cooperation with third countries as well as to promote EU external policy objectives and the sustainable development of third countries in the field of higher education.
2. The programme's specific objectives are:
 - a) to foster structured cooperation between higher education institutions and academic staff in Europe and third countries with a view to creating centres of excellence and providing highly trained human resources;
 - b) to contribute to the mutual enrichment of societies by developing a pool of well-qualified, open-minded and internationally experienced women/men through promoting mobility for the most talented students and academics from third countries to obtain qualifications and/or experience in the European Union and for the most talented European students and academics towards third countries;
 - c) to contribute towards the development of human resources and the international cooperation capacity of higher education institutions in third countries through increased mobility streams between the European Union and third countries;
 - d) to improve accessibility and enhance the profile and visibility of European higher education in the world as well as its attractiveness for third-country nationals.
3. The Commission shall ensure that no group of EU citizens or third-country nationals is excluded or disadvantaged.

Article 4

Programme actions

1. The objectives of the programme as set out in Article 3 shall be pursued by means of the following actions:
 - (a) Erasmus Mundus joint programmes (masters and doctoral programmes) of outstanding academic quality, including a scholarship scheme;
 - (b) Erasmus Mundus partnerships between European and third-country higher education institutions as a basis for structural co-operation, exchange and mobility at all levels of higher education;
 - (c) Promotion of European Higher Education, measures enhancing the attractiveness of Europe as an educational destination.

Further details of these actions are set out in the Annex.

2. The following types of approaches may be used, combined where appropriate:
 - (a) support for the development of joint educational programmes and cooperation networks facilitating the exchange of experience and good practice;
 - (b) enhanced support for mobility, between the Community and third countries, of people in the field of higher education;
 - (c) promotion of language skills, preferably providing students with the possibility of learning at least two of the languages spoken in the countries in which the higher education institutions are situated, and promotion of the understanding of different cultures;

- (d) support for pilot projects based on partnerships with an external dimension designed to develop innovation and quality in higher education;
 - (e) support for the analysis and follow-up of trends in, and evolution of, higher education in an international perspective.
3. The programme provides for technical support measures including studies, meetings of experts as well as information and publications directly linked to the achievement of the objectives of the programme.
4. Support for the actions referred to in this Article shall be awarded by the Commission following the consideration of responses to calls for proposals and/or calls for tenders. For measures taken pursuant to paragraph 3, the Commission may, where appropriate, implement these measures directly in accordance with Council Regulation No 1605/2002. The Commission shall systematically inform the Committee referred to in Article 8 of the measures it implements directly.

Article 5

Access to the programme

Under the conditions and arrangements for implementation specified in the Annex and bearing in mind the definitions in Article 2, the programme is aimed in particular at:

- a) higher education institutions;
- b) students in higher education, at all levels, including doctoral candidates;
- ba) post-doctoral researchers;
- c) academics;

- d) higher education staff;
- e) other public or private bodies active in the field of higher education, according to national legislation;
- f) enterprises;
- g) research centres.

Article 6

Tasks of the Commission and of the Member States

1. The Commission shall:
 - (a) ensure the effective and efficient implementation of the Community actions provided for by the programme in conformity with the Annex and, as regards the action of the programme referred to in Article 4(1)(b), with the legal instruments mentioned in Article 7(1);
 - (b) take account of bilateral cooperation with third countries undertaken by Member States;
 - (c) seek synergies and, where appropriate, develop joint actions with other Community programmes and actions in the field of higher education and research.
 - (d) Consult the relevant European associations and organisations in the field of higher education about issues raised during the implementation of the programme and shall inform the Committee referred to in Article 8 of the results of such consultation.

2. The Member States shall:
 - (a) take the necessary steps to ensure the efficient running of the programme at Member State level involving all the parties concerned in higher education in accordance with national practice, including endeavours to adopt such measures as may be deemed appropriate to remove legal and administrative barriers;
 - (b) designate appropriate structures to cooperate closely with the Commission;
 - (c) encourage potential synergies with other Community programmes and possible similar national initiatives taken at Member State level.
3. The Commission, in cooperation with the Member States, shall ensure:
 - (a) appropriate information, publicity and follow-up with regard to actions supported by the programme;
 - (b) the dissemination of the results of the actions undertaken within the framework of the programme.

Article 7

Implementing measures

1. All measures necessary for the implementation of the action referred to in Article 4(1)(b) shall be governed by the procedures set out in Regulations (EC) No 1085/2006, 1638/2006, 1905/2006 and 1934/2006 and Decisions (EC) No 599/2005 and 608/2006 (Decision No 1/2006 of the ACP-EC Council of Ministers). The Committee referred to in Article 8 shall be informed by the Commission of the measures taken on a regular basis.

2. The following measures necessary for the implementation of the other actions of this Decision shall be adopted by the Commission in accordance with the management procedure referred to in Article 8(2):
 - (a) the annual plan of work, including priorities;
 - (b) the annual allocations and the breakdown of funds among the different actions of the programme and indicative grant amounts;
 - (c) the general guidelines for implementing the programme;
 - (d) the selection criteria and procedures, including the composition and the internal rules of procedure of the selection board;
 - (e) the arrangements for monitoring and evaluating the programme and for the dissemination and transfer of results.
- 2a. Selection decisions shall be taken by the Commission. The Committee referred to in Article 8 shall be informed immediately by the Commission regarding these decisions⁴.
3. All other measures necessary for the implementation of this Decision shall be adopted in accordance with the advisory procedure referred to in Article 8(3).

Article 8

Committee procedure

1. The Commission shall be assisted by a committee.

⁴ Scrutiny reservations from CY, CZ, FR, and SK on the absence of a comitology procedure for selection decisions. The Cion undertakes to make a statement on the issue for the Council minutes.

2. Where reference is made to this paragraph, Articles 4 and 7 of Decision 1999/468/EC shall apply, having regard to the provisions of Article 8 thereof.

The period laid down in Article 4(3) of Decision 1999/468/EC shall be set at two months.

3. Where reference is made to this paragraph, Articles 3 and 7 of Decision 1999/468/EC shall apply, having regard to the provisions of Article 8 thereof.
4. The committee shall adopt its rules of procedure.

Article 9

Participation of other countries in the programme on the same footing as Member States

The programme shall be open to the participation of:

- a) EFTA countries which are members of the EEA, in accordance with the conditions laid down in the EEA Agreement;
- b) the candidate countries which have a pre-accession strategy, in accordance with the general principles and general terms and conditions laid down in the framework agreements concluded with these countries for their participation in Community programmes;
- c) the countries of the Western Balkans, in accordance with the general principles and general terms and conditions laid down in the framework agreements concluded with these countries for their participation in Community programmes;
- d) The Swiss Confederation, provided that a bilateral agreement foreseeing this participation is concluded with that country.

Article 10

Horizontal issues

In implementing the programme, due regard shall be paid to ensuring that it contributes fully to furthering the horizontal policies of the Community, in particular by:

- a) enhancing the European knowledge-based economy and society and contributing to strengthening the global competitiveness of the European Union, its sustainable economic growth and its greater social cohesion;
- b) promoting an awareness of the importance of cultural and linguistic diversity within Europe, as well as of the need to combat racism and xenophobia;
- c) making provision for students with special needs, and in particular by helping to promote their integration into mainstream higher education;
- d) promoting equality between men and women and contributing to combating all forms of discrimination based on sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation.

Article 11

Consistency and complementarity with other policies

1. The Commission shall, in cooperation with the Member States, ensure overall consistency and complementarity with other relevant Community policies, instruments and actions, in particular with the Lifelong Learning Programme, the Seventh Framework Programme for Research, with external cooperation programmes and with the European Fund for the Integration of third-country nationals.

2. The Commission shall keep the Committee referred to in Article 8(1) regularly informed about Community initiatives taken in relevant fields, ensure efficient linkage and, where appropriate, joint actions between the programme and the programmes and actions in the area of higher education undertaken within the framework of the Community's cooperation with third countries, including bilateral agreements, and the competent international organisations.

Article 12

Funding

1. The financial envelope for the implementation of the actions of the programme referred to in Article 4(1)(a) and 4(1)(c) and the technical support measures related to those actions referred to in Article 4(3) for the period specified in Article 1(2) is hereby set at EUR 493.69 million.
2. The financial envelope for the implementation of the actions of the programme referred to in Article 4(1)(b) and the technical support measures related to those actions referred to in Article 4(3) for the period specified in Article 1(2) is set in accordance with the rules and procedures laid down in Regulations (EC) No 1085/2006, 1638/2006, 1905/2006 and 1934/2006 and Decisions (EC) No 599/2005 and 608/2006 (Decision No 1/2006 of the ACP-EC Council of Ministers).
3. The annual appropriations shall be authorised by the budgetary authority within the limits of the financial framework.

Article 13

Monitoring and evaluation

1. The Commission shall regularly monitor the programme in cooperation with the Member States. The results of the process of monitoring and evaluation of the programme and of the previous programme shall be utilised when implementing the programme. This monitoring shall include the reports referred to in paragraph 3 and specific activities.

2. The programme shall be evaluated regularly by the Commission having regard to the objectives referred to in Article 3, the impact of the programme and the complementarity between action under the programme and that pursued under other relevant Community policies, instruments and actions.
3. The Commission shall submit to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions:
 - a) an interim evaluation report on the results achieved and on the qualitative and quantitative aspects of the implementation of the programme by 31 March 2012;
 - b) a communication on options for the future of the programme after 2013 by 30 June 2012;
 - c) an ex post evaluation report by 31 December 2015.

Article 14

Transitional provision

1. Actions which are initiated on or before 31 December 2008 on the basis of Decision 2317/2003/EC shall be administered in conformity with the provisions of that Decision, with the exception that the committee established by that Decision shall be replaced by the committee established by Article 8 of the present Decision.
2. Actions which are initiated on or before 31 December 2008 on the basis of the procedures laid down in the legal instruments mentioned in Article 1(4) shall be administered in conformity with the provisions of those instruments.

Article 15

Entry into force

This Decision shall enter into force on the day following its publication in the *Official Journal of the European Union*.

Done at Brussels,

For the European Parliament
The President

For the Council
The President

COMMUNITY ACTIONS

ACTION 1: ERASMUS MUNDUS JOINT PROGRAMMES

A. ERASMUS MUNDUS MASTERS PROGRAMMES

1. The Community will select master programmes of outstanding academic quality which, for the purposes of the programme, will be called 'Erasmus Mundus masters programmes'.
2. For the purpose of the programme, Erasmus Mundus masters programmes:
 - a) shall involve higher education institutions from a minimum of three different European countries;
 - b) may involve higher education institutions or other relevant partners, such as research centres, from third countries;
 - c) shall implement a study programme which involves a period of study in at least two of the participating higher education institutions;
 - d) where appropriate, shall encourage placements as part of the study programme;
 - e) shall have built-in mechanisms for the recognition of periods of study undertaken in partner institutions based on, or compatible with, the European credit transfer and accumulation system;
 - f) shall result in the awarding of joint and/or double or multiple degrees, recognised or accredited by the European countries, from the participating institutions. Programmes resulting in the awarding of joint degrees are encouraged.

- g) shall establish stringent self-evaluation procedures and agree to be peer reviewed by external experts (from European or third countries) in order to ensure the continuing high quality of the masters programme;
 - h) shall reserve a minimum of places for, and host, European and third-country students who have been granted financial support under the programme;
 - i) shall establish transparent joint conditions for admissions which pay due regard, inter alia, to gender issues and equity issues;
 - j) shall ensure that where tuition fees are payable they are established as joint tuition fees regardless of the actual place of study of the students within the masters programme;
 - k) shall agree to comply with the rules applicable to the selection procedure of grantees (students and academics);
 - l) shall put in place appropriate arrangements to facilitate access for, and hosting of, European and third-country students (information facilities, accommodation, assistance with visas, etc.);
 - m) without prejudice to the language of instruction, shall provide for the use of at least two European languages spoken in the Member States where the higher education institutions involved in the Erasmus Mundus masters programme are situated and, as appropriate, for language preparation and assistance for students, in particular by means of courses organised by the institutions in question.
3. Erasmus Mundus masters programmes will be selected for a five-year period, subject to an annual renewal procedure based on progress reporting.

4. The Erasmus Mundus masters programmes selected under the previous Erasmus Mundus programme will continue within the framework of this action until the end of the period for which they have been selected, subject to an annual renewal procedure based on progress reporting.

B. ERASMUS MUNDUS DOCTORAL PROGRAMME

1. The Community will select doctoral programmes of outstanding academic quality which, for the purposes of the programme, will be called 'Erasmus Mundus doctoral programmes'.
2. For the purpose of the programme, Erasmus Mundus doctoral programmes:
 - a) shall involve higher education institutions from a minimum of two different European countries and, where appropriate, other relevant partners to ensure innovation and employability;
 - b) may involve higher education institutions or other relevant partners, such as research centres, from third countries;
 - c) shall implement a doctoral programme which involves a period of study and research in at least two of the participating higher education institutions under point (a);
 - d) where appropriate, shall encourage placements as part of the doctoral programme;
 - e) shall have built-in mechanisms for the recognition of periods of study and research undertaken in partner institutions;
 - f) shall result in the awarding of joint and/or double or multiple degrees, recognised or accredited by the European countries, from the participating institutions. Programmes resulting in the awarding of joint degrees are encouraged;

- g) shall establish stringent self-evaluation procedures and agree to be peer reviewed by external experts (from European or third countries, but working in European countries) in order to ensure the continuous high quality of the doctoral programme;
- h) shall reserve a minimum of places for, and host, European and third-country doctoral candidates who have been granted financial support under the programme;
- i) shall establish transparent joint conditions for admissions which pay due regard, inter alia, to gender issues and equity issues;
- j) shall ensure that where tuition fees are payable they are established as joint tuition fees regardless of the actual place of study and research of the doctoral candidates within the doctoral programme;
- k) shall agree to respect the rules applicable to the selection procedure of doctoral candidates;
- l) shall put in place appropriate arrangements to facilitate access for, and hosting of, European and third-country doctoral candidates (information facilities, accommodation, assistance with visas, etc.);
- m) may provide for the use of employment contracts as an alternative to scholarships for doctoral candidates, if this is allowed by national legislation;
- n) without prejudice to the language of instruction, shall provide for the use of at least two European languages spoken in the Member States where the higher education institutions involved in the Erasmus Mundus doctoral programme are situated and, as appropriate, for language preparation and assistance for doctoral candidates, in particular by means of courses organised by the institutions in question.

3. Erasmus Mundus doctoral programmes will be selected for a five-year period, subject to an annual renewal procedure based on progress reporting. This period could include a year's preparatory activities before the recruitment of doctoral candidates.

C. SCHOLARSHIPS

1. The Community may provide full-study scholarships to third-country and European master students and doctoral candidates as well as short-term scholarships for third-country and European academics. In order to make the programme more attractive for third country nationals, the amount of the full-study scholarships will be higher for third-country master students and doctoral candidates (Category A scholarships) than for European (Category B scholarships).
 - a) The Community may provide full-study Category A scholarships to third-country master students and doctoral candidates who have been admitted, through a competitive process, to Erasmus Mundus masters programmes and Erasmus Mundus doctoral programmes. These scholarships are for study at the European institutions involved in an Erasmus Mundus masters programme or an Erasmus Mundus doctoral programme. Category A scholarships shall not be awarded to third-country students who have carried out their main activities (studies, work, etc.) for more than a total of 12 months over the last five years in any of the Member States or the countries participating in the programme according to Article 9.
 - b) The Community may provide full-study Category B scholarships to European master students and doctoral candidates who have been admitted, through a competitive process, to Erasmus Mundus masters programmes and Erasmus Mundus doctoral programmes. These scholarships are for study at the higher education institutions involved in an Erasmus Mundus masters programme or an Erasmus Mundus doctoral programme. Category B scholarships may be provided to third country students who do not qualify for Category A scholarships.

- c) The Community may provide short-term scholarships to third-country academics visiting the Erasmus Mundus masters programmes, with a view to carrying out teaching and research assignments and scholarly work in the European institutions participating in Erasmus Mundus masters programmes.
 - d) The Community may provide short-term scholarships to European academics visiting third-country institutions involved in Erasmus Mundus masters programmes, with a view to carrying out teaching and research assignments and scholarly work in the third-country institutions participating in Erasmus Mundus masters programmes.
2. Scholarships will be open to European and third-country master students and doctoral candidates as well as academics as defined in Article 2.
 3. Persons having received a scholarship for Erasmus Mundus masters programmes are also eligible for receiving a scholarship for Erasmus Mundus doctoral programmes.
 4. The Commission shall take steps to ensure that no person receives financial support for the same purpose under more than one Community programme. In particular, persons having received an Erasmus Mundus scholarship are not eligible to receive an Erasmus grant for the same Erasmus Mundus masters programme or doctoral programme under the Lifelong Learning Programme. Similarly, persons benefiting from a grant under the "People Specific Programme" (Marie Curie Actions) of the 7th Framework Programme for research, technological development and demonstration activities⁵ are not eligible to receive an Erasmus Mundus grant for the same period of study or research.

⁵ OJ L 54, 22.2.2007, p.91

ACTION 2: ERASMUS MUNDUS PARTNERSHIPS

1. The Community will select partnerships of high academic quality which, for the purposes of the programme, will be called ‘Erasmus Mundus partnerships’. They pursue and are in line with the objectives of article 3.
2. For the purpose of the programme, Erasmus Mundus partnerships shall:
 - a) involve a minimum of five higher education institutions from a minimum of three different European countries and a number of higher education institutions in specific third countries not participating in the Lifelong Learning Programme to be defined in the annual calls for proposals;
 - b) implement a partnership as a basis for transfer of know-how;
 - c) exchange students at all levels of higher education (from bachelor students to post-doctoral researchers), academics and higher education staff for mobility periods of variable length, including the possibility of placement periods. Mobility must take European nationals to third countries and third-country nationals to European countries. The scheme will also allow the hosting of third-country nationals who are not linked to the third-country institutions involved in the partnerships, as well as include specific provisions for vulnerable groups, as appropriate to the political and socio-economic context of the respective region/country;
 - d) have built-in mechanisms for the recognition of periods of study and research undertaken in partner institutions based on, or compatible with, the European credit transfer and accumulation system;

- e) use mobility instruments developed under the Erasmus programme, such as the recognition of previous study periods, the learning agreement and the transcript of records;
 - f) establish transparent conditions for the award of mobility grants which pay due regard, inter alia, to gender issues and equity issues;
 - g) agree to respect the rules applicable to the procedure for the selection of grantees (students, academics and higher education staff);
 - h) put in place appropriate arrangements to facilitate access for, and hosting of, European and third-country students, academics and higher education staff (information facilities, accommodation, assistance with visas, etc.);
 - i) without prejudice to the language of instruction, provide for the use of the languages spoken in the countries where the higher education institutions involved in the Erasmus Mundus partnerships are situated and, as appropriate, for language preparation and assistance for scholarships grantees, in particular by means of courses organised by the institutions in question;
 - j) implement further partnership activities, such as double degrees, joint curriculum development, transfer of best practices, etc.
3. The Commission, after consultation of the competent authorities in the third countries concerned via its Delegations, shall define national and regional priorities according to the needs of the specific third country/ies concerned by the partnerships.
4. Erasmus Mundus partnerships will be selected for a three-year period, subject to an annual renewal procedure based on progress reporting.

5. Scholarships will be open to European and third-country students and academics as defined in Article 2.
6. In assigning the scholarships under this action, the Commission shall support socio-economic disadvantaged groups and populations in vulnerable situations.
7. The Commission shall take steps to ensure that no person receives financial support for the same purpose under more than one Community programme. In particular, persons having received an Erasmus Mundus scholarship are not eligible to receive an Erasmus grant for the same mobility period under the Lifelong Learning Programme. Similarly, persons benefiting from a grant under the "People Specific Programme" (Marie Curie Actions) of the 7th Framework Programme for research, technological development and demonstration activities are not eligible to receive an Erasmus Mundus grant for the same period of study or research.
8. The partnerships selected under the Erasmus Mundus External Cooperation Window (previous name of this action) will continue within the framework of that action until the end of the period for which they have been selected, subject to a lightweight annual renewal procedure based on progress reporting.

ACTION 3: PROMOTION OF EUROPEAN HIGHER EDUCATION

1. Through this action, the Community may support activities aimed at enhancing the attractiveness, profile, image and visibility of, and accessibility to, European higher education. Activities shall contribute to the objectives of the programme and relate to the international dimension of all aspects of higher education, such as promotion, accessibility, quality assurance, credit recognition, recognition of European qualifications abroad and mutual recognition of qualifications with third countries, curriculum development, mobility, quality of services, etc. Activities may include the promotion of the programme and its outputs.
2. Eligible institutions may include, in accordance with Article 5e), public or private bodies active in the field of higher education. Activities shall be conducted within projects involving organisations from a minimum of three different European countries and may involve organisations from third countries.
3. Activities can take various forms (conferences, seminars, workshops, studies, analyses, pilot projects, prizes, international networks, production of material for publication, development of ICT tools, etc.) and may take place anywhere in the world.
4. Activities shall seek to establish links between higher education and research and higher education and the private sector in European countries and third countries, and exploit potential synergies whenever possible.
5. The Community may support, as appropriate, the structures designated in accordance with Article 6(2)(b) in their efforts to promote the programme and disseminate its results nationally and worldwide.
6. The Community shall support an alumni association of all students (third-country and Europeans) graduating from Erasmus Mundus masters programmes and Erasmus Mundus doctoral programmes.

TECHNICAL SUPPORT MEASURES

The overall financial envelope of the programme may also cover expenditure related to experts, an executive agency, existing competent bodies in Member States and, if necessary, to other forms of technical and administrative assistance to which the Commission may need to have recourse for the implementation of the programme. These may in particular include studies, meetings, information activities, publications, monitoring activities, control and audit activities, evaluation activities, expenditure on informatics networks for the exchange of information and any other expenditure directly necessary for the implementation of the programme and for the achievement of its objectives.

SELECTION PROCEDURES

The selection procedures should respect the following provisions:

- a) proposals under action 1 will be selected by the Commission assisted by a selection board presided over by a person whom it elects, composed of personalities of high standing from the academic world who are representative of the diversity of higher education in the European Union. The selection board shall ensure that Erasmus Mundus masters programmes and doctoral programmes correspond to the highest academic quality. Balanced representation of different fields of study will be sought over the duration of the programme. The Commission shall organise a European-level assessment of all eligible proposals by independent academic experts prior to submitting the proposals to the selection board. Each Erasmus Mundus masters programme and doctoral programme will be allocated a specific number of scholarships which will be paid to the selected individuals by the body or bodies managing the masters programmes and doctoral programmes. The selection of master students, doctoral candidates and academics will be carried out by the institutions participating in the Erasmus Mundus masters programmes and doctoral programmes following consultation with the Commission; Selection procedures for Erasmus Mundus masters programmes and doctoral programmes shall involve consultation with the structures designated in accordance with Article 6(2)(b).
- b) proposals under action 2 will be selected by the Commission according to the rules laid down in Regulations (EC) No 1085/2006, 1638/2006, 1905/2006 and 1934/2006 and Decisions (EC) No 599/2005 and 608/2006;
- c) proposals under action 3 will be selected by the Commission.
- ca) The Committee referred to in Article 8 shall be informed immediately by the Commission regarding all selection decisions.
- d) [...]

FINANCIAL PROVISIONS

1. Flat-rate grants, scales of unit costs and prizes

Flat-rate grants and/or scales of unit costs, as provided for in Article 181(1) of Commission Regulation No 2342/2002 may be used in the case of all actions referred to in Article 4.

Flat-rate grants may be used up to a maximum of EUR 25 000 per partner within a grant agreement. They may be combined up to a maximum of EUR 100 000 and/or used in conjunction with scales of unit costs.

The Commission may provide for the award of prizes in relation to activities undertaken in the framework of the programme.

2. Partnership agreements

Where actions under the programme are supported by means of framework partnership grants, pursuant to Article 163 of Regulation (EC, Euratom) No 2342/2002, such partnerships may be selected and funded for a five-year period, subject to a lightweight renewal procedure.

3. Public higher education institutions or organisations

All higher education institutions and organisations specified by Member States which have received over 50% of their annual revenues from public sources over the last two years, or which are controlled by public bodies or their representatives, shall be treated by the Commission as having the necessary financial, professional and administrative capacity, together with the necessary financial stability to carry out projects under the programme; they shall not be required to present further documentation to demonstrate this. Such institutions or organisations may be exempted from auditing requirements pursuant to Article 173(4) of Regulation (EC, Euratom) No 2342/2002.

4. Applicants' professional competencies and qualifications

The Commission may decide in accordance with Article 176(2) of Regulation (EC, Euratom) No 2342/2002 that specified categories of beneficiaries have the professional competencies and qualifications required to complete the proposed action or work programme.

5. Anti-fraud provisions

Commission decisions taken under Articles 7, the contracts and agreements resulting from them, as well as agreements with participating third countries, shall provide in particular for supervision and financial control by the Commission (or any representative authorized by it), including by the European Anti-fraud Office (OLAF), and for audits - if necessary on the spot - by the Court of Auditors.

The beneficiary of a grant shall ensure that, where applicable, supporting documents in the possession of partners or members are made available to the Commission.

The Commission may have an audit of the use made of the grant carried out either directly by its own staff or by any other qualified outside body of its choice. Such audits may be carried out throughout the lifetime of the agreement and for a period of five years from the date of closure of the project. Where appropriate, the audit findings may lead to recovery decisions by the Commission.

Commission staff and outside personnel authorised by the Commission shall have an appropriate right of access, in particular to the beneficiary's offices and to all the information, including information in electronic format, needed in order to conduct such audits.

The Court of Auditors and OLAF shall enjoy the same rights, especially of access, as the Commission.

In addition, the Commission may carry out on-the-spot checks and inspections under the programme in accordance with Council Regulation (Euratom, EC) No 2185/96 concerning on-the-spot checks and inspections carried out by the Commission in order to protect the European Communities' financial interest against fraud and other irregularities.⁶

For the Community actions financed under this decision, the notion of irregularity referred to in Article 1(2) of Regulation (EC, Euratom) No 2988/95 on the protection of the European Communities' financial interests⁷ shall mean any infringement of a provision of Community law or any breach of a contractual obligation resulting from an act or omission by an economic operator, which has, or would have, the effect of prejudicing the general budget of the European Communities or allocations managed by them, by an unjustified item of expenditure.

⁶ OJ L 292, 15.11.1996, p.2

⁷ OJ L 312, 23.12.1995, p.1