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**A5-0097/1999**

## **\*\*\*III REPORT**

on the joint text approved by the Conciliation Committee for a European and Council decision establishing the second phase of the Community action programme in the field of education, 'Socrates'  
(C5-0267/1999 – 1998/0195(COD))

European Parliament delegation to the Conciliation Committee

Rapporteur: Doris Pack

### ***Symbols for procedures***

- \* Consultation procedure  
*majority of the votes cast*
- \*\*I Cooperation procedure (first reading)  
*majority of the votes cast*
- \*\*II Cooperation procedure (second reading)  
*majority of the votes cast, to approve the common position*  
*majority of Parliament's component Members, to reject or amend the common position*
- \*\*\* Assent procedure  
*majority of Parliament's component Members except in cases covered by Articles 105, 107, 161 and 300 of the EC Treaty and Article 7 of the EU Treaty*
- \*\*\*I Codecision procedure (first reading)  
*majority of the votes cast*
- \*\*\*II Codecision procedure (second reading)  
*majority of the votes cast, to approve the common position*  
*majority of Parliament's component Members, to reject or amend the common position*
- \*\*\*III Codecision procedure (third reading)  
*majority of the votes cast, to approve the joint text*

(The type of procedure depends on the legal basis proposed by the Commission)

### ***Abbreviations for committees***

- I. AFET Committee on Foreign Affairs, Human Rights, Common Security and Defence Policy
- II. BUDG Committee on Budgets
- III. CONT Committee on Budgetary Control
- IV. LIBE Committee on Citizens' Freedoms and Rights, Justice and Home Affairs
- V. ECON Committee on Economic and Monetary Affairs
- VI. JURI Committee on Legal Affairs and the Internal Market
- VII. INDU Committee on Industry, External Trade, Research and Energy
- VIII. EMPL Committee on Employment and Social Affairs
- IX. ENVI Committee on the Environment, Public Health and Consumer Policy
- X. AGRI Committee on Agriculture and Rural Development
- XI. PECH Committee on Fisheries
- XII. REGI Committee on Regional Policy, Transport and Tourism
- XIII. CULT Committee on Culture, Youth, Education, the Media and Sport
- XIV. DEVE Committee on Development and Cooperation
- XV. AFCO Committee on Constitutional Affairs
- XVI. FEMM Committee on Women's Rights and Equal Opportunities
- XVII. PETI Committee on Petitions

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## PROCEDURAL PAGE

At the sitting of 5 November 1998 Parliament delivered its opinion at first reading on the proposal for a European Parliament and Council decision establishing the second phase of the Community action programme in the field of education, 'Socrates' (COM(1998) 329 – 1998/0195](COD)).

At the sitting of 14 January 1999 the President of Parliament announced that the common position had been received and referred to the Committee on Culture, Youth, Education, the Media and Sport (13327/1/1998 – C4-0018/1999).

At the sitting of 25 February 1999 Parliament adopted amendments to the common position.

By letter of 13 August 1999 the Council stated that it was unable to approve all Parliament's amendments.

The President of the Council, in agreement with the President of Parliament, convened a meeting of the Conciliation Committee on 29 September 1999.

At its meetings of 29 September, 21 October and 9 and 10 November 1999 the Conciliation Committee considered the common position on the basis of the amendments proposed by Parliament.

At the last meeting it reached agreement on a joint text.

On 24 November 1999 the co-chairmen of the Conciliation Committee established that the joint text had been approved, pursuant to paragraph 8 of the Joint declaration on practical arrangements for the new codecision procedure,<sup>1</sup> and forwarded it to Parliament and the Council in all the official languages.

On 8 December 1999 Parliament's delegation to the Conciliation Committee adopted the draft legislative resolution unanimously.

The following took part in the vote: Renzo Imbeni, chairman; Ingo Friedrich, vice-chairman; Doris Pack, rapporteur; Ole Andreasen, Lissy Gröner, (for Christa Prets), Cristina Gutiérrez Cortines, (for James L.C. Provan), Christopher Heaton-Harris, Ruth Hieronymi, Ulpu Iivari, Lucio Manisco, Mario Walter Mauro (for Giuseppe Gargani) and Luckas Vander Taelen.

The report was tabled on 8 December 1999.

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<sup>1</sup> OJ C 148, 28.5.1999, p. 1.

## DRAFT LEGISLATIVE RESOLUTION

**European Parliament legislative resolution on the joint text approved by the Conciliation Committee for a European Parliament and Council decision establishing the second phase of the Community action programme in the field of education, 'Socrates' (C5-0267/1999 – 1998/0195(COD))**

**(Codecision procedure: third reading)**

*The European Parliament,*

- having regard to the joint text approved by the Conciliation Committee (C5-0267/1999),
  - having regard to its position at first reading<sup>1</sup> on the Commission proposal to the European Parliament and the Council (COM(1998) 329<sup>2</sup>),
  - having regard to the Commission's amended proposal (COM(1998) 719 – C4-0672/1998)<sup>3</sup>
  - having regard to its position at second reading on the Council common position<sup>4</sup>,
  - having regard to the Commission's opinion on Parliament's amendments to the common position (COM(1999) 293 – C5-0063/1999)<sup>5</sup>,
  - having regard to Article 251(5) of the EC Treaty,
  - having regard to Rule 83 of its Rules of Procedure,
  - having regard to the report of its delegation to the Conciliation Committee (A5-0097/1999),
1. Approves the joint text;
  2. Instructs its President to sign the act with the President of the Council pursuant to Article 254(1) of the EC Treaty;
  3. Instructs its Secretary-General duly to sign the act and, in agreement with the Secretary-General of the Council, to have it published in the Official Journal of the European Communities;
  4. Instructs its President to forward this legislative resolution to the Council and Commission.

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<sup>1</sup> OJ C 359, 23.11.1998, p. 74.

<sup>2</sup> OJ C 314, 13.10.1998, p. 5.

<sup>3</sup> OJ C 34, 9.12.1999, p. 7.

<sup>4</sup> OJ C 153, 1.6.1999, P. 24.

<sup>5</sup> OJ C

## EXPLANATORY STATEMENT

### Background

1. On 28 August 1998 the Commission submitted a proposal for a decision establishing the second phase of the Community action programme in the field of education, 'Socrates'.

The purpose of the new programme is to encourage a general education of high quality, by supporting cooperation, strengthening mobility and developing the European dimension in all spheres of education.

2. On 5 November 1998 Parliament adopted the proposal at first reading, with 54 amendments. However, the Council was only able to accept 25 amendments in its common position, which it adopted on 21 December 1998.
3. At second reading on 25 February 1999 Parliament adopted the common position with 14 amendments. On 13 August 1999 the Council formally notified Parliament that it could not accept these amendments. This made it necessary to convene a conciliation committee.

#### *Conciliation*

4. Informal negotiations with the Council began early in 1999, soon after the second reading. But at that time it was not yet possible to convene a conciliation committee. After elections to the European Parliament informal contacts with the Council resumed in September 1999 and the delegation held its constituent meeting.
5. The first meeting of the Conciliation Committee took place on 29 September 1999, under the joint chairmanship of Mr Imbeni, Vice-President and Mrs Rask, the Finnish Minister of Education, and in the presence of Mrs Reding, Member of the Commission. The meeting was able to confirm the agreement reached in the informal contacts on seven out of the 14 amendments.

Of the remaining amendments, three concern the budgetary aspects of the programme, namely the extent of the financial framework, the possibility of a later review and the allocation of funding between the various measures. There were considerable differences between the institutions over the financial provisions for the programme: while the Council was proposing a financial framework of EUR 1 550 million for the seven-year programme, Parliament argued for an increase to EUR 2 500 million.

Other important amendments concerned the use of the term 'European educational area' and Parliament's wish to simplify administration of the programme, in order to confine the total duration of the selection of projects to five months.

Parliament's text at second reading does not contain any amendments concerning comitology. But Socrates is the first 'dossier' to be adopted by conciliation following adoption of the new Council comitology decision<sup>1</sup>. So there is a need to come into line

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<sup>1</sup> OJ L 184, 17.7.1999, p. 23.

with that decision.

6. The second Conciliation Committee meeting took place on 21 October 1999. Although agreement was reached on a further three amendments, it was only possible to bring about some rapprochement between positions on the questions of the financial provisions. The Council improved its offer from EUR 1 550 million to EUR 1 650 million; but Parliament rejected the increase as insufficient, countering by offering to reduce the amount it had originally demanded from EUR 2 500 to 2 400 million.
7. The third Conciliation Committee meeting took place on the evening of 9 November 1999. After failing to reach agreement by 3.20 a.m. the meeting was adjourned; negotiations resumed the following afternoon. The meeting reached a comprehensive agreement at about 8.30 p.m., containing the following elements.
8. The financial provisions for the programme over its seven-year life would be EUR 1 850 million, an increase on the common position of EUR 300 million.
9. The Committee made provision for a review clause for the agreed financial framework, in addition to the financial framework as established. At the time of enlargement the Commission should submit a report on the financial implications of enlargement and if necessary make a proposal to adjust the financial framework. On this basis Parliament and the Council were able to agree, through the conciliation procedure, on the relevant adjustments to the programme.
10. On the issue of the 'European educational area' the meeting agreed on the term 'European dimension in education', which is in line with the wording of Article 149 of the Treaty. On simplification of the selection of projects, Parliament accepted consultation of the Member States if there was disagreement on the projects submitted; but this consultation will be subject to two conditions. First, this additional step will not occur automatically, but only at the express request of the Member State concerned; and second, the consultation may not last for more than two weeks. These limitations made it possible to meet Parliament's aim of confining the overall duration of the project selection phase.
11. On the issue of comitology a compromise was reached through close cooperation between the Legal Services of the three institutions, in line with the decisions of the Conference of Committee Chairmen of 26 October 1999.

### *Conclusion*

12. Parliament's delegation accepts the agreement as obtained. The financial framework of EUR 1 850 million can be described as satisfactory, particularly bearing in mind its further review in the event of enlargement. The delegation recommends that Parliament adopts the joint text attached.