



EUROPEAN COMMISSION

Brussels, 30.5.2012
C(2012) 3495 final

COMMISSION IMPLEMENTING DECISION

of 30.5.2012

**adopting the Multi-beneficiary Programme for Tempus under the IPA Transition
Assistance and Institution Building Component for the year 2012**

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THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Council Regulation (EC) No 1085/2006 of 17 July 2006 establishing an Instrument for Pre-Accession Assistance (IPA)¹, and in particular Article 14(2)(a) thereof,

Whereas:

- (1) Regulation (EC) No 1085/2006 lays down the objectives and main principles for pre-accession assistance to candidate countries and potential candidates.
- (2) In accordance with Article 7 of Regulation (EC) No 1085/2006, the assistance should be provided through multi-annual or annual programmes. These programmes should be drawn up in accordance with the general policy framework referred to in Article 4 of Regulation (EC) No 1085/2006 and the relevant multi-annual indicative planning document referred to in Article 6 of that Regulation.
- (3) The Council established an Accession Partnership or European Partnership for all candidate countries and potential candidates. The Commission has adopted on 20.06.2011 a Multi-beneficiary Multi-annual Indicative Planning Document 2011-2013² which presents indicative allocations for the main priorities for Multi-beneficiary pre-accession assistance to all relevant candidate countries and potential candidates.
- (4) Therefore, the Multi-beneficiary Programme for Tempus under the IPA Transition Assistance and Institution Building Component for the year 2012 aims at facilitating the reform of higher education institutions by upgrading the quality and management of academic institutions, in line with changing political, social and economic needs and through benchmarking with EU Member States within the sector Social Development.
- (5) This Decision meets the requirements of Article 90 of Commission Regulation (EC, Euratom) No 2342/2002 of 23 December 2002 laying down detailed rules for the implementation of Council Regulation No 1605/2002³ (hereafter: “Implementing Rules”) and constitutes thus a Financing Decision within the meaning of Article 75 (2) of Council Regulation (EC, Euratom) No 1605/2002 of 25 June 2002 on the Financial

¹ OJ L 210, 31.7.2006, p. 82.

² C(2011)4179

³ OJ L 357, 31.12.2002, p. 1

Regulation applicable to the general budget of the European Communities⁴ (hereafter: "Financial Regulation").

- (6) The measures provided for by this Decision are in accordance with the opinion of the IPA Committee⁵.

HAS DECIDED AS FOLLOWS:

Article 1

The Multi-beneficiary Programme for Tempus under the IPA Transition Assistance and Institution Building Component for the year 2012, as set out in the Annex, is hereby adopted.

This programme shall be implemented by indirect centralised management.

It shall be implemented by means of financing agreements to be concluded between the Commission and the Governments of the Beneficiaries.

Article 2

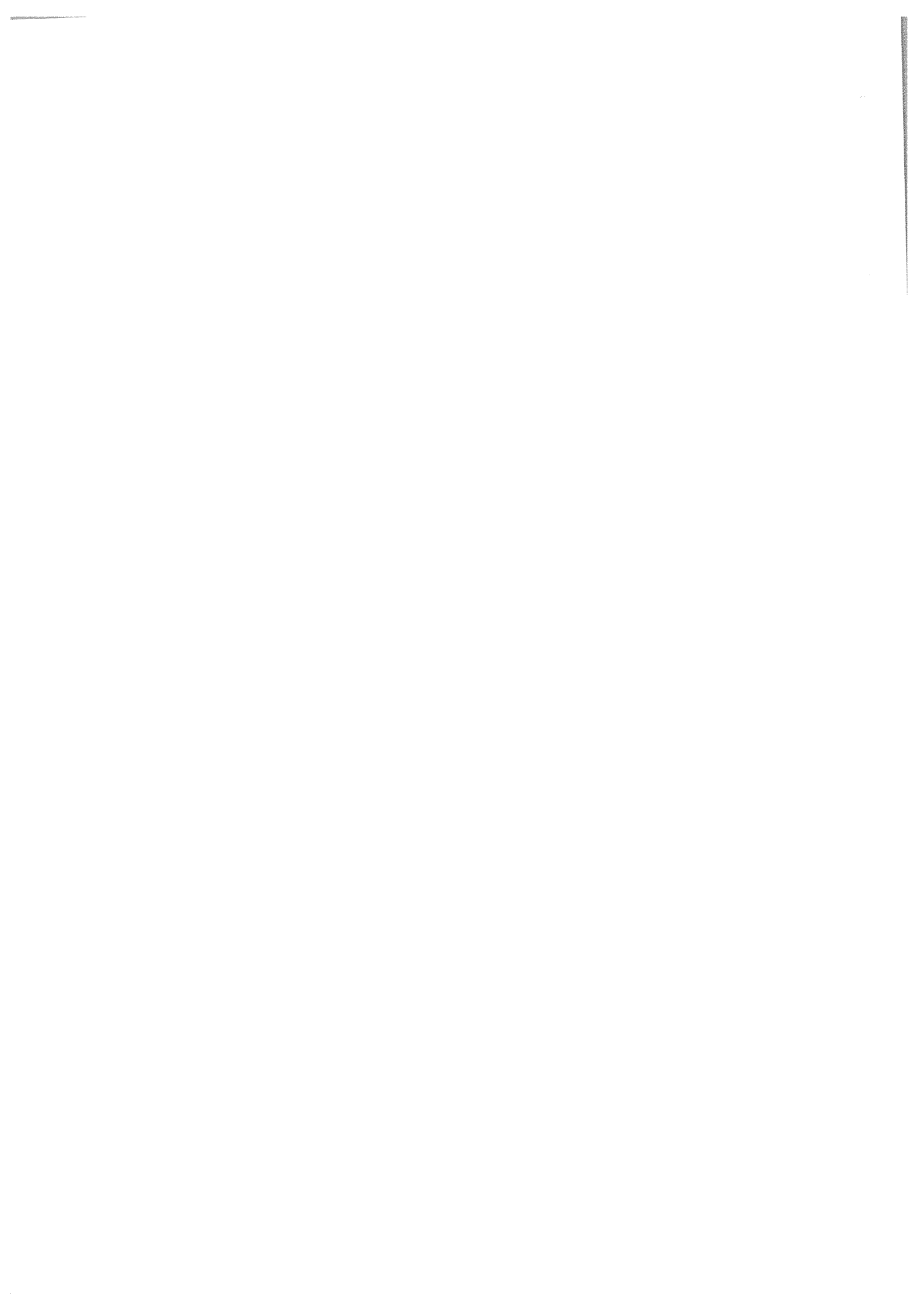
The maximum amount of the European Union contribution shall be **EUR 14.9 million**, to be financed through Item 22.020701 of the general budget of the European Union for 2012.

Done at Brussels, 30.5.2012

For the Commission
Štefan FÜLE
Member of the Commission

⁴ OJ L 248, 16.9.2002, p.1

⁵ The Member States have declared, recalling the Council Conclusions of 18 February 2008, that the adoption of the Multi-Beneficiary Programme for Tempus under the IPA Transition Assistance and Institution Building Component for the year 2012 does not prejudice the position of each individual Member State on the status of Kosovo under UNSCR 1244/99, which will be decided in accordance with their national practice and international law.



ANNEX

Multi-Beneficiary Programme for Tempus under the IPA Transition Assistance and Institution Building Component for the year 2012

1 IDENTIFICATION

Beneficiary	Albania, Bosnia and Herzegovina, Montenegro, Serbia, as well as Kosovo*
CRIS decision number	SI2.615827
Year	2012
EU contribution	EUR 14 900 000
Implementing Authority	The programme will be implemented by the Education, Audiovisual and Culture Executive Agency (EACEA).
Final date for concluding the Financing Agreement	at the latest by 31 December 2013
Final date[s] for contracting	3 years following the date of conclusion of the financing agreement. This date applies also to the national co-financing.
Final date for execution	4 years following the end date for contracting. This date applies also to the national co-financing.
Budget line(s) concerned	22.02.07.01: regional and horizontal programmes
Programming Unit	Unit D3, Regional Programmes, DG Enlargement
Implementation Unit/ EU Delegation	Education, Audiovisual and Culture Executive Agency (EACEA).

2 THE PROGRAMME

2.1 PRIORITIES SELECTED UNDER THIS PROGRAMME

This IPA Multi-beneficiary (MB) Programme is designed to respond to priority needs as indicated in the IPA Multi-beneficiary Multi-annual Indicative Planning Document (MIPD) 2011-2013 as well as National MIPDs, taking into account the guidance provided in EU strategic documents, the lessons learned from the programming and implementation of previous EU assistance and the findings from consultations with, *inter alia*, the beneficiaries, International Financial Institutions (IFIs), the Regional

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence

Cooperation Council (RCC), EU Member States, civil society organisations and European Commission services.

The European Partnership for all candidates and potential candidates highlights as a short term priority the importance of developing action plans to implement the education strategies with increased dialogue and coordination at all levels and with all stakeholders. Furthermore, it is necessary to allocate sufficient resources, and to ensure a better involvement in the EU higher education programmes, inter alia Tempus.

The European Commission considers higher education as an important priority for its co-operation activities with the beneficiaries. The Tempus programme, which is the longest-standing EU instrument in this sector and which has a strong focus on institutional co-operation, is in its fourth phase spanning the years 2007-2013. Since its inception in 1990, university cooperation under the Tempus programme has contributed successfully to institution building related to higher education in the Western Balkans and to sustainable university partnerships as well as to enhancing mutual understanding between the European Union and the Western Balkans.

The contribution to the participation in the Tempus Programme is foreseen within the national IPA allocation in each beneficiary. Multi-beneficiary assistance covers regional projects that set out to promote cooperation between IPA beneficiaries as well as horizontal projects that address common needs of the IPA beneficiaries and aim to achieve efficiencies and economies of scale.

To facilitate programming, the Multi-beneficiary IPA 2012 projects managed by DG Enlargement, Unit Regional Programmes have been consolidated into separate Programmes:

- Multi-beneficiary Programme 2012;
- Tempus Programme 2012 (this programme);

In addition, the European Commission has adopted a Programme to support Civil Society development in 2011-2012 for which Multi-beneficiary assistance will complement funds from national IPA programmes in the Civil Society Facility.

2.2 SECTORS SELECTED UNDER THIS PROGRAMME AND DONOR COORDINATION

To achieve the priorities selected for support in the programming period 2011-2013, the MB MIPD contains seven (7) sectors on which IPA assistance will be focused:

- Justice and home affairs, including fundamental rights and vulnerable groups
- Public administration reform
- Support to civil society
- Private sector development
- Transport and energy infrastructure, including nuclear safety
- Environment and climate change
- Social Development.

Likewise, in all national MIPD of each beneficiary education is a priority under the Sector Social Development with a view to foster reforms and regional cooperation.

2.3 DESCRIPTION

Tempus is the European Union's programme which supports the modernisation of higher education in the Partner Countries of Eastern Europe, central Asia, the Western Balkans and the Mediterranean region, mainly through university cooperation projects. The Multi-beneficiary Programme for Tempus facilitates the reform of higher education institutions by upgrading the quality and governance of universities, in line with changing political, social and economic needs and through benchmarking with EU Member States.

In particular, the Tempus programme helps promote voluntary convergence with EU developments in the field of higher education deriving from the Lisbon agenda and the Bologna process, create bridges between higher education and the labour market and foster the human capital.

The Tempus programme pursues a series of overall objectives which are common to all beneficiaries. These common objectives can be complemented by regional or beneficiary-specific objectives, as appropriate. The Fourth Phase of the Tempus programme which was launched in 2007 contributes to preparing candidates and potential candidates for accession, in particular for participation in the Integrated Lifelong Learning Programme (2007-2013).

Based on experience acquired during the previous phase, the Tempus programme (2007-2013) provides for the following three components that are sufficiently flexible to be adapted to the needs and priorities of individual beneficiaries:

Component I: Joint Projects

Joint Projects are based on multilateral partnerships between higher education institutions in the EU and the beneficiaries. Joint Projects aim at transferring knowledge from EU universities to institutions in the Beneficiaries and between partner institutions.

Component II: Structural Projects

Structural projects are designed to support the structural reform of higher education systems and strategic framework development at the national level based on the priorities that the competent authorities of partner countries have identified.

Structural projects can equally target one or more beneficiaries. They involve higher education institutions and other non-academic members as appropriate. Ministries of Education must be involved.

Component III: Accompanying Measures

Accompanying Measures comprise meetings of project coordinators and other stakeholders, dissemination activities as well as support to National Tempus Offices in the beneficiaries. In addition, other relevant activities such as thematic conferences, studies on specific issues and activities aimed at the identification and dissemination of good practice may be carried out.

The Tempus programme aims to achieve the following results:

- Higher Education institutions prepared for successful participation in the Life Long Learning Programme including implementation of Bologna process;

- Increased synergy between higher education legislation and policy, and institutional reform
- Improved university management capacity; enhanced transparency and efficiency in decision making processes;
- Revised curricula and courses in line with changed social and economic needs.
- Improved skills of non-academic staff relevant for public administration reform and civil society development
- Trained teachers on modern education practices and methodologies;
- Enhanced modern teaching and learning methodologies and materials, with a special focus on the upgrading of text books;
- Closer co-operation and sharing of resources and experience between higher education institutions at regional and EU level.

Progress in achieving the results will be assessed taking into account the following measurable indicators:

- 80% of new and revised (harmonized with the three cycle system) university curricula successfully implemented by 2016;
- 75% of Tempus projects comply with the standards of the technical and academic evaluations;
- 75% of study programmes issue diploma supplement automatically and free of charge to students;
- More than 75% of participating institutions and programmes are using ECTS by 2016;
- Frequency of public discussions involving Higher Education Institutions and Public Administration bodies;
- Frequency of meetings between Higher Education Institutions and the officials in charge of the labour market reform;
- 50% of participating institutions have developed internal quality assessment procedures by 2016;
- 50% of participating institutions exchange management best practices with other HEIs and other sectors by 2016;
- Number of measures of efficiency of internal administrative procedures;
- Number of measures for use of equipment purchased;
- At least 10 new curricula are developed and at least 200 students have followed newly developed or revised curricula by 2016;
- At least 50 new training courses are carried out by 2016;
- At least 400 trainees with different background (academic, administration, civil society) are trained by 2016;
- Mentoring and supervisory mechanisms are established for all newly developed programmes;

- At least 5% increase of the number of upgraded text books published by 2016;
- 100% of projects respect priority areas indicated in the Call for proposals for the Joint projects;
- 65% of regional projects over total.

For *programme components I "Joint Projects"* and *component II "Structural Projects"*, project proposals will be submitted in reply to annual calls for proposals in quarter 4, 2012 published in the Official Journal and on the programme's website. In order to focus the programme's interventions and to maximise its impact, regional and national priorities will be defined. Projects under both components can be proposed by consortia of Higher Education Institutions (HEIs) from the EU and the partner countries. Public administrations (ministries, other national, regional and local administrations) or governmental organisations may also participate in the Tempus programme as partners but may not receive funding from the grant with the exception of per diem and travel costs.

The indicative budget allocation for the Components I and II should represent indicatively 90% of the total budget (i.e. EUR 13 410 000), the rest being dedicated to Accompanying Measures. The financial contribution from the Commission cannot exceed 90% of the total eligible costs. The funded consortia must contribute with a minimum of 10 % of the eligible costs of the project.

The essential selection criteria are: operational capacity and financial capacity of the applicants. The award criteria are:

- clarity, coherence and relevance of the project objectives;
- quality of the partnership;
- quality of the project's contents and applied methodology;
- sustainability;
- budget and cost-effectiveness.

For *programme component III, "Accompanying Measures"*, will be implemented through calls for tender (in line with the procurement procedures laid down in Part one, Title V "Procurement" of the Financial Regulation complemented by Part two, Title III, Chapter 3 of the same Financial Regulation), specific assignments under existing framework contracts (using framework contract EAC/10/2009/01 with the service provider Teamwork. In this contract, EACEA is one of the contracting authorities together with DG EAC and the European Institute of Innovation and Technology (EIT)) and contracts with experts drawn from a call for expression of interest (using the list of eligible experts that has been established following the Agency's call for expression of interest EACEA/2007 in line with Title VII of Part Two Experts' of the Financial Regulation). In particular, meetings of project coordinators and other stakeholders will be organised through the appropriate framework contract. Dissemination of information can be organised through various activities such as thematic seminars (implemented through a framework contract) or studies (implemented through calls for tender or calls for expression of interest).

2.4 CROSS-CUTTING ISSUES

Equal Opportunity:

Over the past few decades there has been increasing attention paid to the gender dimension of poverty and development in transition economies, particularly in relation to the role of women in educational processes and the impact of higher education on equal opportunity policies.

Projects should integrate gender mainstreaming in their aims and activities, specifically in subject matters and areas of study where the presence of women in the economy has traditionally been very low (science and technology). Projects should promote gender balance and identify factors influencing gender discrimination. They should monitor and evaluate the transition from education and training to working life, recruitment and career development of potential female top managers.

Projects in the sphere of education and sciences should promote the change of gender roles and societal stereotypes, avoiding any sort of cultural prejudice in educational materials.

The principle of equal opportunities should be taken into account when evaluating the quality of all projects proposed under the three components. Specific attention will be paid to this dimension when determining the benefit of mobility activities.

While implementing the project activities and to the extent applicable, gender disaggregated data should be made available to carry out an analysis of the social and economic impact of the actions undertaken.

Environment:

Due consideration should be given to the Government's development policy relating to environmental management and that such policy is embodied, within all strategic policy documents they may draft, all training activities they may carry out and new study programmes and curricula they may design.

Minorities:

Rights of minorities should be taken into account when evaluating the quality of all projects proposed under the three components.

2.5 ASSUMPTIONS AND PRE-CONDITIONS

This Programme will be implemented on the assumption that academic institutions from the Beneficiaries and from the EU Member States will be interested to participate in the proposed activities. The commitment of the Beneficiaries to make the necessary resources available, to cooperate closely and to share knowledge as well as experiences is essential to the success of the programme.

3 BUDGET

3.1 INDICATIVE BUDGET TABLE (CENTRALISED MANAGEMENT)

Tempus Beneficiary	Institution Building (IB)				Investment (INV)				Total (IB + INV)		Total IPA EU contribution	
	Total expenditure	IPA EU contribution		Other contribution*	Total expenditure	IPA EU contribution		Other contribution*	Total (g)=(a)+(d)	EUR (h)=(b)+(e)	%	%
		EUR (a)=(b)+(c)	EUR (b)			%(1)	EUR (c)					
Albania	2 222 222	2 000 000	90	222 222	10				2 222 222	2 000 000	13.4	
Bosnia and Herzegovina	2 666 666	2 400 000	90	266 666	10				2 666 666	2 400 000	16.1	
Kosovo	3 000 000	2 700 000	90	300 000	10				3 000 000	2 700 000	18.1	
Montenegro	888 888	800 000	90	88 888	10				888 888	800 000	5.4	
Serbia	7 777 777	7 000 000	90	777 777	10				7 777 777	7 000 000	47	
TOTAL	16 555 553	14 900 000	90	1 655 553	10				16 555 553	14 900 000	100	

Amounts net of VAT

* Contribution (public and private national and/or international contribution) provided by national counterparts
 (1) Expressed in % of the Total expenditure IB or INV (column (a) or (d)).

(2) Sector or Project rows only. Expressed in % of the grand total of column (h). It indicates the relative weight of the sector or with reference to the total IPA EU contribution of the entire FP.

3.2 PRINCIPLE OF CO-FINANCING APPLYING TO THE PROGRAMME

The European Union contribution, which represents 90% of the total budget allocated to this programme, has been calculated in relation to the **eligible expenditure**, which is based on the **total expenditure**. Co-financing is provided by the consortia applying for funding.

Due to its horizontal character it is not possible to require national co-financing for this Programme.

In the case of grants, the funded consortia must contribute with a minimum of 10 % of the eligible expenditure of the project.

4 IMPLEMENTATION

4.1 MANAGEMENT MODES AND IMPLEMENTATION MODALITIES

The programme will be implemented on an indirect centralised management basis by the Education, Audiovisual and Culture Executive Agency in accordance with Article 54(2) of the Financial Regulation.

EACEA was created by Commission Decision 2005/56/EC of 14 January 2005. With its decision C(2008)5582 adopted on 9 October 2008, the Commission entrusted the Executive Agency with the management of the Tempus III and Tempus IV programme. According to Article 12 (3) of the Council Regulation No (EC) 58/2003 of 19 December 2002 laying down the statute for executive agencies to be entrusted with certain tasks in the management of Community programmes¹, any programme delegated to an executive agency has to contribute to the financing of the administrative budget of the agency.

4.2 GENERAL RULES FOR PROCUREMENT AND GRANT AWARD PROCEDURES

Procurement shall follow the provisions of Part Two, Title IV of the Financial Regulation and Part Two, Title III, Chapter 3 of its Implementing Rules as well as the rules and procedures for service, supply and works contracts financed from the general budget of the European Communities for the purposes of cooperation with third countries adopted by the Commission on 24 May 2007 (C (2007)2034).

Grant award procedures shall follow the provisions of Part One, Title VI of the Financial Regulation and Part One, Title VI of its Implementing Rules.

5 MONITORING AND EVALUATION

5.1 MONITORING

The Commission may undertake any actions it deems necessary to monitor the programmes concerned.

¹ OJ L11, 16.1.2003, p. 1-8

5.2 EVALUATION

Programmes shall be subject to ex ante evaluations, as well as interim and/or, ex post evaluations in accordance with Articles 57 and 82 of IPA Implementing Regulation, with the aim of improving the quality, effectiveness and consistency of the assistance from EU funds and the strategy and implementation of the programmes.

The results of evaluations shall be taken into account in the programming and implementation cycle.

The Commission may also carry out strategic evaluations.

6 AUDIT, FINANCIAL CONTROL AND ANTI-FRAUD MEASURES

The accounts and operations of all parties involved in the implementation of this programme, as well as all contracts and agreements implementing this programme, are subject to, on the one hand, the supervision and financial control by the Commission (including the European Anti-Fraud Office), which may carry out checks at its discretion, either by itself or through an outside auditor and, on the other hand, audits by the European Court of Auditors. This includes measures such as ex-ante verification of tendering and contracting carried out by the EU Delegation in the Beneficiary.

In order to ensure the efficient protection of the financial interests of the European Union, the Commission (including the European Anti-Fraud Office) may conduct on-the-spot checks and inspections in accordance with the procedures foreseen in Council Regulation (EC, Euratom) 2185/96².

The controls and audits described above are applicable to all contractors, subcontractors and grant beneficiaries who have received EU funds.

7 NON SUBSTANTIAL REALLOCATION OF FUNDS

The authorising officer by delegation (AOD), or the authorising officer by sub-delegation (AOSD), in line with the delegation of powers conferred upon him/her by the AOD, in accordance with the principles of sound financial management, may undertake non substantial reallocations of funds without an amending financing decision being necessary. In this context, cumulative reallocations not exceeding 20% of the total amount allocated for the programme, subject to a limit of EUR 4 million, shall not be considered substantial, provided that they do not affect the nature and objectives of the programme. The IPA Committee shall be informed of the above reallocation of funds.

8 LIMITED CHANGES

Limited changes in the implementation of this programme affecting essential elements listed under Article 90 of the Implementing Rules to the Financial Regulation, which are of an indicative nature³, may be undertaken by the authorising officer by delegation (AOD), or by the authorising officer by sub-delegation (AOSD), in line with the delegation of powers

² OJ L 292; 15.11.1996; p. 2

³ These essential elements of an indicative nature are, for grants, the indicative amount of the call for proposals and, for procurement, the indicative number and type of contracts envisaged and the indicative time frame for launching the procurement procedures.

conferred upon him by the AOD, in accordance with the principles of sound financial management without an amending financing decision being necessary.