EDUCATION

Agreement Between
the UNITED STATES OF AMERICA
and the EUROPEAN COMMUNITY

Signed at Vienna June 21, 2006

with

Annex

NOTE BY THE DEPARTMENT OF STATE

Pursuant to Public Law 89—497, approved July 8, 1966 (80 Stat. 271; 1 U.S.C. 113)—

". . .the Treaties and Other International Acts Series issued under the authority of the Secretary of State shall be competent evidence . . . of the treaties, international agreements other than treaties, and proclamations by the President of such treaties and international agreements other than treaties, as the case may be, therein contained, in all the courts of law and equity and of maritime jurisdiction, and in all the tribunals and public offices of the United States, and of the several States, without any further proof or authentication thereof."

EUROPEAN COMMUNITY

Education

Agreement signed at Vienna June 21, 2006;
Entered into force April 1, 2007.
With annex.

AGREEMENT
BETWEEN THE UNITED STATES OF AMERICA
AND THE EUROPEAN COMMUNITY
RENEWING A PROGRAMME OF COOPERATION
IN HIGHER EDUCATION AND
VOCATIONAL EDUCATION AND TRAINING

ACUERDO
ENTRE LOS ESTADOS UNIDOS DE AMÉRICA
Y LA COMUNIDAD EUROPEA
POR EL QUE SE RENUEVA EL PROGRAMA DE COOPERACIÓN
EN MATERIA DE ENSEÑANZA SUPERIOR Y
DE ENSEÑANZA Y FORMACIÓN PROFESIONALES

DOHODA
MEZI SPOJENÝMI STÁTY AMERICKÝMI
A EVROPSKÝM SPOLEČENSTVÍM,
KTEROU SE OBNOVUJE PROGRAM SPOLUPRÁCE
V OBLASTI VYSOKOŠKOLSKÉHO VZDĚLÁVÁNÍ
A ODBORNÉHO VZDĚLÁVÁNÍ A PŘÍPRAVY

AFTALE
MELLEM USA OG DET EUROPÆISKE FÆLLESSKAB
OM FORNYELSE AF SAMARBEJDSPROGRAMMET
FOR VIDEREGÅENDE UDDANNELSE
OG ERHVERVSUDDANNELSE

ABKOMMEN
ZWISCHEN DEN VEREINIGTEN STAATEN VON AMERIKA
UND DER EUROPÄISCHEN GEMEINSCHAFT
ZUR ERNEUERUNG DES KOOPERATIONSPROGRAMMS
IM BEREICH DER
HOCHSCHUL- UND BERUFSBILDUNG

AMEERIKA ÜHENDRIIKIDE
JA EUROOPA ÜHENDUSE VAHELISE
KÕRG- JA KUTSEHARIDUSALASE
KOOSTÖÖPROGRAMMI
UUENDAMISE LEPING

ΣΥΜΦΩΝΙΑ
ΜΕΤΑΞΥ ΤΩΝ ΗΝΩΜΕΝΩΝ ΠΟΛΙΤΕΙΩΝ ΤΗΣ ΑΜΕΡΙΚΗΣ
ΚΑΙ ΤΗΣ ΕΥΡΩΠΑΪΚΗΣ ΚΟΙΝΟΤΗΤΑΣ
ΓΙΑ ΤΗΝ ΑΝΑΝΕΩΣΗ ΤΟΥ ΠΡΟΓΡΑΜΜΑΤΟΣ ΣΥΝΕΡΓΑΣΙΑΣ
ΣΤΗΝ ΤΡΙΤΟΒΑΘΜΙΑ ΕΚΠΑΙΔΕΥΣΗ ΚΑΙ
ΤΗΝ ΕΠΑΓΓΕΛΜΑΤΙΚΗ ΕΚΠΑΙΔΕΥΣΗ ΚΑΙ ΚΑΤΑΡΤΙΣΗ

ACCORD
ENTRE LES ÉTATS-UNIS D'AMÉRIQUE
ET LA COMMUNAUTÉ EUROPÉENNE
RENOUVELANT UN PROGRAMME DE COOPÉRATION
DANS LE DOMAINE DE L'ENSEIGNEMENT SUPÉRIEUR ET
DE L'ENSEIGNEMENT ET DE LA FORMATION PROFESSIONNELS

ACCORDO
TRA GLI STATI UNITI D'AMERICA
E LA COMUNITÀ EUROPEA
CHE RINNOVA IL PROGRAMMA DI COOPERAZIONE
IN MATERIA D'ISTRUZIONE TERZIARIA E
D'ISTRUZIONE E FORMAZIONE PROFESSIONALI

NOLĪGUMS
STARP AMERIKAS SAVIENOTAJĀM VALSTĪM
UN EIROPAS KOPIENU
,AR KO ATJAUNO PROGRAMMU SADARBĪBAI
AUGSTĀKĀS IZGLĪTĪBAS UN
ARODIZGLĪTĪBAS UN ARODAPMĀCĪBU JOMĀ

JUNGTINIŲ AMERIKOS VALSTIJŲ IR
EUROPOS BENDRIJOS SUSITARIMAS,
ATNAUJINANTIS BENDRADARBIAVIMO PROGRAMĄ
AUKŠTOJO MOKSLO BEI PROFESINIO ŠVIETIMO IR
MOKYMO SRITYSE

MELLÉKLET
MEGÁLLAPODÁS AZ AMERIKAI EGYESÜLT ÁLLAMOK
ÉS AZ EURÓPAI KÖZÖSSÉG KÖZÖTT
A FELSŐOKTATÁSBAN, A SZAKOKTATÁSBAN
ÉS A SZAKKÉPZÉSBEN TÖRTÉNŐ
EGYÜTTMŰKÖDÉSRE IRÁNYULÓ PROGRAM MEGÚJÍTÁSÁRÓL

FTEHIM
BEJN L-ISTATI UNITI TA' L-AMERIKA
U IL-KOMUNITÀ EWROPEA
LI JĠEDDED PROGRAMM TA' KOPERAZZJONI
FL-EDUKAZZJONI SUPERJURI,
FL-EDUKAZZJONI VOKAZZJONALI U FIT-TAHRIĠ

OVEREENKOMST
TUSSEN DE VERENIGDE STATEN VAN AMERIKA
EN DE EUROPESE GEMEENSCHAP
TOT VERNIEUWING VAN EEN SAMENWERKINGSPROGRAMMA
OP HET GEBIED VAN HET HOGER ONDERWIJS,
HET BEROEPSONDERWIJS EN DE BEROEPSOPLEIDING

UMOWA
MIĘDZY STANAMI ZJEDNOCZONYMI AMERYKI
A WSPÓLNOTĄ EUROPEJSKĄ
ODNAWIAJĄCA PROGRAM WSPÓŁPRACY
W ZAKRESIE SZKOLNICTWA WYŻSZEGO ORAZ
KSZTAŁCENIA I SZKOLENIA ZAWODOWEGO

ACORDO
ENTRE OS ESTADOS UNIDOS DA AMÉRICA
E A COMUNIDADE EUROPEIA
QUE RENOVA O PROGRAMA DE COOPERAÇÃO
NO DOMÍNIO DO ENSINO SUPERIOR E
DO ENSINO E FORMAÇÃO PROFISSIONAIS

DOHODA
MEDZI SPOJENÝMI ŠTÁTMI AMERICKÝMI
A EURÓPSKYM SPOLOČENSTVOM,
KTOROU SA OBNOVUJE PROGRAM SPOLUPRÁCE
V OBLASTI VYŠŠIEHO VZDELÁVANIA,
ODBORNÉHO VZDELÁVANIA A ODBORNEJ PRÍPRAVY

SPORAZUM
MED ZDRUŽENIMI DRŽAVAMI AMERIKE
IN EVROPSKO SKUPNOSTJO
O OBNOVITVI PROGRAMA SODELOVANJA
NA PODROČJU VISOKEGA ŠOLSTVA
TER POKLICNEGA IZOBRAŽEVANJA
IN USPOSABLJANJA

AMERIKAN YHDYSVALTOJEN
JA EUROOPAN YHTEISÖN
VÄLINEN SOPIMUS
KORKEA-ASTEEN KOULUTUKSEN
JA AMMATILLISEN KOULUTUKSEN
YHTEISTYÖOHJELMAN UUSIMISESTA

AVTAL
MELLAN AMERIKAS FÖRENTA STATER
OCH EUROPEISKA GEMENSKAPEN
OM FÖRLÄNGNING AV SAMARBETSPROGRAMMET
INOM HÖGRE UTBILDNING OCH
YRKESINRIKTAD UTBILDNING

AGREEMENT
BETWEEN
THE UNITED STATES OF AMERICA AND
THE EUROPEAN COMMUNITY
RENEWING A PROGRAM OF COOPERATION
IN HIGHER EDUCATION AND
VOCATIONAL EDUCATION AND TRAINING

THE UNITED STATES OF AMERICA,

of the one part, and

THE EUROPEAN COMMUNITY,

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 (hereinafter referred to as "the European Community") and the Government of the United States of America (hereinafter referred to as "the United States") 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;

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 with those in the European Union and encouraging the teaching of each other's languages, history and culture;

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;

NOTING that at the EU-US Summit in June 2005, leaders agreed on an initiative to enhance transatlantic economic integration and growth which identified education cooperation as one of the tools "to increase synergies across the Atlantic as we become more knowledge-based economies" and committed to work to "renew and reinforce the US-EU Agreement on Higher Education and Vocational Training, which includes the Fulbright/European Union Program, to boost education cooperation and transatlantic exchanges between our citizens;"

CONSIDERING that the adoption and the implementation of the 1995 Agreement Between the European Community and the United States of America Establishing a Cooperation Program in Higher Education and Vocational Education and Training and the 2000 Agreement Between the European Community and the United States Renewing a Programme of Cooperation 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;

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

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

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

RECOGNIZING that the Parties have a common interest in cooperation in higher education and vocational education and training;

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

RECOGNIZING 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 2000 Cooperation Programme in Higher Education and Vocational Education and Training (hereinafter referred to as "the Program"), 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 participating in learning or training courses or programs which are run by higher education or vocational education and training institutions as defined in this Article.

ARTICLE 3

Objectives

1. The general objectives of the Program shall be to:

(a) Promote mutual understanding between the peoples of the European Community and the United States including broader knowledge of their languages, cultures and institutions; and

(b) Improve the quality of human resource development in both the European Community and the United States, including the acquisition of skills required to meet the challenges of the global knowledge-based economy.

2. The specific objectives of the Program shall be to:

(a) Enhance collaboration between the European Community and the United States in the domains of higher education and vocational training;

(b) Contribute to the development of higher education and vocational training institutions;

(c) Contribute to individual participants' personal development for their own sake and as a way to achieve the general objectives of the Program; and

(d) Contribute to transatlantic exchanges between EU and US citizens.

3. The operational objectives of the Program shall be to:

(a) Support collaboration between higher education and vocational training institutions with a view to promoting joint study programs and mobility;

(b) Improve the quality of transatlantic student mobility by promoting transparency, mutual recognition of qualifications and periods of study and training, and, where appropriate, portability of credits;

(c) Support collaboration between public and private organizations active in the field of higher education and vocational training with a view to encouraging discussion and exchange of experience on policy issues; and

(d) Support transatlantic mobility of professionals with a view to improving mutual understanding of issues relevant to EC/US relations.

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

4. Recognition of the full cultural, social, and economic diversity of the European Community and the United States of America.

ARTICLE 5

Program Actions

The Program 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 from each of the Parties.

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

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

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

3. The Joint Committee shall meet every second year or as agreed upon by the Parties, with such meetings being held alternately in the European Community and the United States.

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 chair jointly the meeting, and shall, together with the biannual report, be made available to appropriate Minister-level officials of each Party.

ARTICLE 7

Monitoring and Evaluation

The Program shall be monitored and evaluated as appropriate on a cooperative basis. This shall permit, as necessary, the reorientation of activities in 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 programs of the European Community and the United States. 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 Program 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 United States.

ARTICLE 12

Entry into Force and Termination

1. This Agreement 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 legal requirements for the entry into force of this Agreement have been fulfilled, whichever is the later date. This Agreement replaces the 2000 Agreement Between the European Community and the United States Renewing a Programme of Cooperation in Higher Education and Vocational Education and Training in its entirety.

2. This Agreement shall remain in force for eight 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 providing 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

Done at Vienna this twenty-first day of June 2006, in duplicate in the English, Czech, Danish, Dutch, Estonian, Finnish, French, German, Greek, Hungarian, Italian, Latvian, Lithuanian, Maltese, Polish, Portuguese, Slovak, Slovenian, Spanish and Swedish languages, all texts being equally authentic. In the event of discrepancies, the English language shall prevail.

IN WITNESS WHEREOF the undersigned, being duly authorized, have signed the present Agreement.

NOTE: Only English text will be printed in this publication.

For the United States of America
Por los Estados Unidos de América
Za Spojené státy americké
For Amerikas Forenede Stater
Für die Vereinigten Staaten von Amerika
Ameerika Ühendriikide nimel
Για τις Ηνωμένες Πολιτείες της Αμερικής
Pour les Etats-Unis d'Amérique
Per gli Stati Uniti d'America
Amerikas Savienoto Valstu vārdā
Jungtinių Amerikos Valstijų vardu
az Amerikai Egyesült Államok részéről
Ghall-Istati Uniti ta' l-Amerika
Voor de Verenigde Staten van Amerika
W imieniu Stanów Zjednoczonych Ameryki
Pelos Estados Unidos da América
Za Spojené štáty americké
Za Združene države Amerike
Amerikan yhdysvaltojen puolesta
På Amerikas förenta staters vägnar

For the European Community
Por la Comunidad Europea
Za Evropské společenství
For Det Europæiske Fællesskab
Für die Europäische Gemeinschaft
Euroopa Ühenduse nimel
Για την Ευρωπαϊκή Κοινότητα
Pour la Communauté européenne
Per la Comunità europea
Eiropas Kopienas vārdā
Europos bendrijos vardu
az Európai Közösség részéről
Ghall-Komunità Ewropea
Voor de Europese Gemeenschap
W imieniu Wspólnoty Europejskiej
Pela Comunidade Europeia
Za Európske spoločenstvo
za Evropsko skupnost
Euroopan yhteisön puolesta
På Europeiska gemenskapens 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.

2. Each joint consortium must be formed by a multilateral partnership of EC and US higher education and vocational training institutions.

3. Joint consortia projects should normally involve transatlantic mobility of students in the framework of joint study programs, with a goal of parity in the flows in each direction, and should foresee adequate language and cultural preparation.

4. Appropriate authorities on each side will jointly agree upon the eligible subject areas for joint EC/US consortia based on priority fields which are key to EC–US cooperation.

ACTION 2 – Excellence (follow-up) Mobility Projects

The Parties may provide financial support for student mobility to joint consortia of higher education and vocational training institutions that have a proven track record of excellence in the implementation of joint projects funded by the Parties.

ACTION 3 – Policy-oriented measures

The Parties may provide financial support to multilateral projects involving organizations active in the field of higher education and vocational training with a view to enhancing collaboration between the European Community and the United States as regards the development of higher education and vocational training. Policy-oriented measures may include studies, conferences, seminars, working groups, benchmarking exercises and address horizontal higher education and vocational training issues, including recognition of qualifications.

ACTION 4 – " Fulbright-Schuman" Grants

The Parties intend to provide scholarships to highly qualified professionals (including professionals-in-training, who may be engaged in advanced studies at universities and professional schools) who want to undertake studies or training, in areas of specific relevance to the EU/US relationship, which would be jointly identified by the Parties. For the purpose of promoting " Fulbright-Schuman" grants and supporting grantees, the Parties may provide financial support to an organization that they shall jointly designate.

ACTION 5 – Alumni Association

The Parties may provide financial support to Alumni Associations involving students who have participated in exchanges supported by the EC/US cooperation program in higher education and vocational training. Alumni Associations may be run by organizations that the Parties shall jointly designate.

PROGRAM ADMINISTRATION

Administration of these 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 Program 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 program monitoring and evaluation.

As a rule, the European Community will provide support for the use of the European Community project partners; the United States will provide support for United States project partners. In providing support, the Parties may have recourse to flat-rate grants, scales of unit costs and/or scholarships.

TECHNICAL SUPPORT MEASURES

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