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Committee on Employment and Social Affairs

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DRAFT REPORT

on the proposal for a regulation of the European Parliament and of the Council
establishing a European Training Foundation (recast)
(COM(2007)0443 – C6-0243/2007 – 2007/0163(COD))

Committee on Employment and Social Affairs

Rapporteur: Bernard Lehideux

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.)

Amendments to a legislative text

In amendments by Parliament, amended text is highlighted in ***bold italics***. Highlighting in *normal italics* is an indication for the relevant departments showing parts of the legislative text for which a correction is proposed, to assist preparation of the final text (for instance, obvious errors or omissions in a given language version). These suggested corrections are subject to the agreement of the departments concerned.

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DRAFT EUROPEAN PARLIAMENT LEGISLATIVE RESOLUTION

on the proposal for a regulation of the European Parliament and of the Council
establishing a European Training Foundation (recast)
(COM(2007)0443 – C6-0243/2007 – 2007/0163(COD))

(Codecision procedure: first reading)

The European Parliament,

- having regard to the Commission proposal to the European Parliament and the Council (COM(2007)0443),
 - having regard to Articles 251(2) and 150 of the EC Treaty, pursuant to which the Commission submitted the proposal to Parliament (C6-0243/2007),
 - having regard to the Interinstitutional Agreement of 28 November 2001 on a more structured use of the recasting technique for legal acts¹,
 - having regard to Rules 80 a and 51 of its Rules of Procedure,
 - having regard to the favourable opinion of the Committee on Legal Affairs,
 - having regard to the report of the Committee on Employment and Social Affairs (A6-0000/2008),
1. Approves the Commission proposal as amended;
 2. Calls on the Commission to refer the matter to Parliament again if it intends to amend the proposal substantially or replace it with another text;
 3. Instructs its President to forward its position to the Council and Commission.

Text proposed by the Commission

Amendments by Parliament

Amendment 1 Recital 20

(20) The Commission and the *member* States should be represented within a Governing Board in order to control effectively the functions of the Foundation. This Board should be entrusted with the necessary powers to establish the budget,

(20) The Commission, ***the European Parliament*** and the *Member* States should be represented within a Governing Board in order to control effectively the functions of the Foundation. This Board should be entrusted with the necessary powers to

¹ OJ C 77, 28.3.2002, p.1.

verify its execution, adopt the appropriate financial rules, establish transparent working procedures for decision making by the Foundation and appoint the Director.

establish the budget, verify its execution, adopt the appropriate financial rules, establish transparent working procedures for decision making by the Foundation and appoint the Director

Justification

Relations between the decentralised European agencies and the European Parliament are inadequate. MEPs are often very poorly informed of the functions these agencies fulfil and what they actually do. To remedy this situation, it would be extremely useful for the Governing Board of the Foundation to include representatives from Parliament. These representatives could act as intermediaries, passing on to MEPs matters of concern to the Foundation. The idea is to create a link to improve understanding of the Foundation's work.

Amendment 2 Article 1, point c)

c) other countries designated by decision of the Governing Board ***on a proposal from*** the Commission, in accordance with the external relations priorities of the European Union and as far as available resources allow.

c) other countries designated by decision of the Governing Board ***after*** the Commission ***has delivered an opinion***, in accordance with the external relations priorities of the European Union and as far as available resources allow.

Justification

The European training foundation should not be prevented from operating in countries outside the scope of the Neighbourhood Policy or of pre-accession programmes. Its expertise could be very beneficial to those ACP or Latin American countries with which the EU has close links. Your rapporteur therefore proposes greater flexibility for the procedure enabling the Foundation to take action outside the areas specified in Article 1 a and 1 b.

Amendment 3 Article 2, point a)

a) provide information, policy analysis and advice on human resources development issues ***and their links with sector policy objectives in the partner countries;***

a) provide information, policy analysis and advice on human resources development issues;

Justification

Seeks to clarify the mission of the Foundation.

Amendment 4
Article 7

1. The Foundation shall have a Governing Board consisting of six representatives of the Member States and six representatives of the Commission, as well as three representatives of the partner countries.

Representatives may be replaced by alternates appointed at the same time.

2. The representatives of the Member States shall be appointed by the Council on the basis of their experience and expertise in the Foundation's areas of work.

The Commission shall appoint its own representatives.

The representatives of the partner countries shall be appointed by the Commission.

The Commission and the Council shall endeavour to ensure a balanced representation of men and women on the Governing Board.

1. The Foundation shall have a Governing Board consisting of six representatives of the Member States, **three representatives of the European Parliament** and six representatives of the Commission, as well as three representatives of the partner countries.

Representatives may be replaced by alternates appointed at the same time.

2. The representatives of the Member States shall be appointed by the Council on the basis of their experience and expertise in the Foundation's areas of work.

The Commission shall appoint its own representatives.

The European Parliament shall appoint its own representatives.

The representatives of the partner countries shall be appointed by the Commission.

The Commission, ***the European Parliament*** and the Council shall endeavour to ensure a balanced representation of men and women on the Governing Board.

Justification

Relations between the decentralised European agencies and the European Parliament are inadequate. MEPs are often very poorly informed of the functions these agencies fulfil and what they actually do. To remedy this situation, it would be extremely useful for the Governing Board of the Foundation to include representatives from Parliament. These representatives could act as intermediaries, passing on to MEPs matters of concern to the Foundation. The idea is to create a link to improve understanding of the Foundation's work.

Amendment 5
Article 10, paragraph 1, subparagraph 1

1. The Director of the Foundation shall be appointed by the Governing Board on the basis of a list of candidates proposed by the Commission, for a period of five years.

1. The Director of the Foundation shall be appointed by the Governing Board on the basis of a list of ***at least three*** candidates proposed by the Commission, for a period

Before being appointed, the candidate selected by the Governing Board **may** be invited to make a statement before the competent committee(s) of the European Parliament and answer questions put by its/their members.

of five years. Before being appointed, the candidate selected by the Governing Board **shall** be invited to make a statement before the competent committee(s) of the European Parliament and answer questions put by its/their members.

Justification

With a view to fostering contacts between Parliament and the Foundation, it is essential that Parliament's relevant committees be given a chance to put questions to the candidates.

It is also essential that the list of candidates proposed by the Commission should offer the Governing Board genuine room for manoeuvre in selecting the best candidate.

Amendment 6 Article 13, paragraph 4 a (new)

4a. The Director of the Foundation shall present the Foundation's annual report before the relevant committees of the European Parliament.

Justification

Relations between the decentralised European agencies and the European Parliament are inadequate. MEPs are often very poorly informed of the functions these agencies fulfil and what they actually do. At present the Director of the European Training Foundation appears annually at the request of the Committee on Employment and Social Affairs. It is desirable to create a formal basis for the Director's attendance on the occasion of the publication of the Annual Report.

Amendment 7 Article 18

Without prejudice to the controls referred to above and, in particular the budgetary and discharge procedures, the European Parliament or the Council may ask at any time, ***and in particular upon publication of the Foundation's annual activity report***, for a hearing with the Director on any subject relating to the Foundation's activities.

Without prejudice to the controls referred to above and, in particular the budgetary and discharge procedures, the European Parliament or the Council may ask at any time for a hearing with the Director on any subject relating to the Foundation's activities.

Justification

Your rapporteur proposes to formalise the presentation of the annual report in Article 13.

EXPLANATORY STATEMENT

Background

The European Training Foundation, hereinafter referred to as the ETF or the Foundation, is a decentralised EU agency created under Council Regulation (EEC) No 1360/90 of 7 May 1990¹. ETF is situated in Turin, Italy.

According to its founding Regulation, the ETF's overall objective is to contribute to developing vocational training systems in partner countries falling within its geographical scope.

The ETF was originally created to support implementation of the PHARE external assistance programme in the vocational training field. However, following three consecutive amendments to its founding Regulation, the ETF has acquired an extended geographical scope also covering the countries of the previous TACIS, CARDS and MEDA programmes.

Since the ETF's founding Regulation was last amended, there have been important developments in the European Union's policy outlook in both the education & training and external relations fields, while new instruments have been adopted to implement these policies. Accordingly, a new amendment to the ETF founding Regulation is necessary to take into account recent developments, to update its role and function and to provide a sound basis for its future work.

1. Legal basis

The proposed legal basis is Article 150 of the Treaty on vocational training, and especially paragraph 3 thereof stipulating that "*the Community and the Member States shall foster cooperation with third countries and the competent international organisations in the sphere of vocational training*".

This seems to be the appropriate legal basis for the ETF founding Regulation.

2. ETF's remit should cover lifelong learning as well as related labour market issues

Your rapporteur supports the Commission's wish to take into account the broadening of the concept of vocational training.

Vocational training traditionally refers to a procedure providing people with work-related skills of immediate use in the labour market.

Your rapporteur considers that the thematic remit of the ETF should be broadened to include human resources development, particularly education and training with a view to lifelong learning as well as related labour market issues.

¹ OJ L 131, 23.5.1990, p. 1.

3. It should be possible to expand the ETF's geographical scope in line with the EU's external relations priorities

The Commission proposes to update the ETF's geographical scope principally by reference to the Instrument for Pre-Accession (IPA) and to the European Neighbourhood and Partnership Instrument (ENPI). Your rapporteur supports this aim.

However, your rapporteur is convinced that the European Training Foundation should be able to operate in all the EU's partner countries, including those outside the framework of the Neighbourhood Policy and the pre-accession programmes, such as the countries of Africa, the Caribbean and the Pacific (ACP) or Latin America.

Support for training policies in countries affected by the reform of the COM in sugar is one instance of a potential use for the ETF. These countries have been forced to make drastic reforms to, and in some cases diversify, their industrial activities. This has given rise to a need for human resources adaptation to which the ETF could usefully have contributed.

That being so, your rapporteur considers that the procedure proposed by the Commission to enable the Foundation to operate in countries falling outside its primary geographical scope is too restrictive. Your rapporteur therefore proposes to increase the flexibility of the procedure permitting the Foundation to take action outside the areas specified in Article 1 a and 1 b.

4. Relations between the Foundation and the European Parliament should be strengthened

Relations between the decentralised European agencies and the European Parliament are inadequate. MEPs are often very poorly informed of the functions these agencies fulfil and what they actually do.

Your rapporteur is convinced of the need to create a link between Parliament and the Foundation to promote better understanding by MEPs of the Foundation's activities.

First and foremost, your rapporteur considers that it would be extremely useful for the Governing Board of the Foundation to include representatives of the European Parliament. These representatives could act as intermediaries, passing on the Foundation's concerns to all MEPs. Parliament already appoints representatives to other EU agencies¹.

To the same end, namely fostering contacts between Parliament and the Foundation, your rapporteur proposes that, when the post of Director of the Foundation comes up for renewal, Parliament's relevant committees should be able to put questions to the candidates proposed by the Commission.

¹ European Environment Agency (Article 8 of Regulation 1210/90), European Centre for Disease Prevention and Control (Article 14 of Regulation 851/2004), European Food Safety Authority (Article 25 of Regulation 178/2002), European Medicines Agency (Article 65 of Regulation 726/2004), European Monitoring Centre for Drugs and Drug Addiction (Article 8 of Regulation 302/93), European Chemicals Agency (Article 79 of Regulation 1907/2006).

Finally, your rapporteur proposes to make it mandatory for the Director of the Foundation to appear before Parliament on the occasion of the publication of the Annual Report. For a number of years, the Director of the Foundation has made an annual statement to Parliament at the invitation of the Committee on Employment and Social Affairs, but this invitation has not yet been placed on a formal basis.

5. Appointment of the Director of the Foundation

In order to ensure that the Governing Board is able to make genuine use of its decision-making power, the Commission must propose at least three candidates.
