

STUDY

Requested by the CULT committee



Research for CULT Committee - Erasmus+: Towards a New Programme Generation



Culture and Education



Policy Department for Structural and Cohesion Policies
Directorate General for Internal Policies of the Union
PE 617.482 - June 2018

EN

Research for CULT Committee - Erasmus+: Towards a New Programme Generation

Abstract

This study was commissioned by the CULT committee of the European Parliament as a general reflection on the performance of the Erasmus+ programme so far. The study provides a complement to the European Commission mid-term evaluation of Erasmus+. This current project examines 1) the outcomes of Erasmus+ so far, notably focussing on the implementation experiences in using Erasmus+ in 10 Member States, 2) the decision-making procedures used in the programme, highlighting how delegated and implementing acts have been used to date, and 3) the Commission mid-term evaluation conclusions. These aspects are all drawn together to arrive at a series of key findings and recommendations which can be considered as adjustments for the Erasmus+ programme during its next programme cycle.

This document was requested by the European Parliament's Committee on Culture and Education.

AUTHORS

Panteia: Paul Vroonhof, Amber van der Graaf

Ockham IPS: Bert-Jan Buiskool

Research manager: Michaela Franke

Project and publication assistance: Lyna Pärt

Policy Department for Structural and Cohesion Policies, European Parliament

LINGUISTIC VERSIONS

Original: EN

ABOUT THE PUBLISHER

To contact the Policy Department or to subscribe to updates on our work for CULT Committee please write to: Poldep-cohesion@ep.europa.eu

Manuscript completed in June 2018

© European Union, 2018

Print ISBN 978-92-846-3116-2 doi:0.2861/343892 QA-04-18-566-EN-C

PDF ISBN 978-92-846-3115-5 doi:10.2861/69776 QA-04-18-566-EN-N

This document is available on the internet in summary with option to download the full text at: <http://bit.ly/2Jx3lkn>

For full text download only:

[http://www.europarl.europa.eu/RegData/etudes/STUD/2018/617482/IPOL_STU\(2018\)617482_EN.pdf](http://www.europarl.europa.eu/RegData/etudes/STUD/2018/617482/IPOL_STU(2018)617482_EN.pdf)

Further information on research for CULT by the Policy Department is available at:

<https://research4committees.blog/cult/>

Follow us on Twitter: @PolicyCULT

Please use the following reference to cite this in-depth analysis:

Vroonhof, P, van der Graaf, A & Buiskool, B-J 2018, Research for CULT Committee – Erasmus+: Towards a New Programme Generation, European Parliament, Policy Department for Structural and Cohesion Policies, Brussels

Please use the following reference for in-text citations:

Vroonhof, van der Graaf and Buiskool (2018)

DISCLAIMER

The opinions expressed in this document are the sole responsibility of the author and do not necessarily represent the official position of the European Parliament.

Reproduction and translation for non-commercial purposes are authorized, provided the source is acknowledged and the publisher is given prior notice and sent a copy.

CONTENTS

| | |
|--|-----------|
| LIST OF ABBREVIATIONS | 7 |
| LIST OF TABLES | 8 |
| LIST OF FIGURES | 8 |
| EXECUTIVE SUMMARY | 9 |
| 1. INTRODUCTION | 13 |
| 2. ERASMUS+ DEVELOPMENT AND OUTCOMES | 15 |
| 2.1. Predecessor programmes and Erasmus+ | 15 |
| 2.2. European policy context of Erasmus+ | 19 |
| 2.3. Erasmus+ programme outcomes 2014 - 2016 | 21 |
| 2.4. Reflections on Erasmus+ outcomes so far | 28 |
| 3. ERASMUS+ IMPLEMENTATION EXPERIENCES | 31 |
| 3.1. Introduction | 32 |
| 3.2. Synergies and cross-fertilisation | 33 |
| 3.3. Simplification of programming | 34 |
| 3.4. Inclusive programming | 38 |
| 3.5. Visibility of the programme | 41 |
| 3.6. Result orientation of the programme | 42 |
| 3.7. Alignment with policy needs and EU policy priorities | 43 |
| 3.8. Coherence with other funds contributing to human capacity development | 46 |
| 3.9. Mid-term recommendations and Commission follow up | 46 |
| 4. DELEGATED AND IMPLEMENTING ACTS IN ERASMUS+ | 49 |
| 4.1. Introducing delegated and implementing acts | 50 |
| 4.2. Applying delegated and implementing acts | 53 |
| 4.3. Delegated and implementing acts in Erasmus+ | 60 |
| 4.4. Case analysis Annual Work Programmes | 63 |
| 4.5. Discussion on delegated and implementing acts in Erasmus+ | 67 |
| 5. KEY FINDINGS AND RECOMMENDATIONS FOR ERASMUS+ | 73 |
| 5.1. Reflection on Erasmus+ mid-term evaluation report | 74 |
| 5.2. Decision-making and governance within Erasmus+ | 82 |

| | |
|---|------------|
| BIBLIOGRAPHY | 87 |
| ANNEX 1: EXTENDED CASE ANALYSIS ANNUAL WORK PROGRAMMES | 95 |
| ANNEX 2: RESEARCH ACTIVITIES | 111 |
| ANNEX 3: COMMITTEE SUMMARY | 113 |
| ANNEX 4: COUNTRY USER PROFILES | 117 |

LIST OF ABBREVIATIONS

| | |
|----------------|---|
| CAP | Common Agricultural Policy |
| CFP | Common Fisheries Policy |
| CMO | Common market organisation |
| CoR | Committee of the Regions |
| CULT | Culture and Education Committee |
| DG EAC | Directorate General for Education and Culture |
| E+ | Erasmus+ Programme |
| EACEA | Education, Audiovisual and Culture Executive Agency |
| EC | European Commission |
| ET 2020 | Education and Training 2020 Strategic Framework |
| EU | European Union |
| ICT | Information and Communication Technology |
| IT | Information Technology |
| KA | Key Action |
| LLP | Lifelong Learning Programme |
| MS | Member States |
| TFEU | Treaty on the Functioning of the European Union |
| VET | Vocational Education and Training |
| YiA | Youth in Action Programme |

LIST OF TABLES

| | |
|--|-----------|
| Table 1 | |
| Number of participants Key Action 1 (2014 - 2016) | 23 |
| Table 2 | |
| Number of participants Key Action 2 (2014 - 2016) | 25 |
| Table 3 | |
| Comparison of delegated and implementing acts | 58 |
| Table 4 | |
| Reflections on mid-term evaluation Recommendations | 75 |

LIST OF FIGURES

| | |
|--|-----------|
| Figure 1 | |
| Key Action 1 - Learning mobility of individuals | 22 |
| Figure 2 | |
| Key Action 2 - Cooperation for innovation and the exchange of good practices | 24 |
| Figure 3 | |
| Key Action 3 - Support for policy reform | 26 |
| Figure 4 | |
| Sports (number of initiatives) | 27 |
| Figure 5 | |
| Jean Monnet Activities (number of initiatives) | 28 |
| Figure 6 | |
| Delegated Act procedure | 51 |
| Figure 7 | |
| Implementing Act: Advisory procedure | 53 |
| Figure 8 | |
| Implementing Act: Examination procedure | 53 |

EXECUTIVE SUMMARY

Study aim and approach

The Erasmus+ programme aims, amongst others, to boost skills and employability contributing to modernise education, training and youth work and to foster transnational partnerships between a wide range of institutions from education, training, youth and sport sectors¹. The programme has been running since 2014, and as such, the European Commission has recently launched and completed the mid-term evaluation for the programme.

This study was commissioned by the European Parliament's CULT committee to gain objective, reflective insights on the Erasmus+ programme and to arrive at recommendations which can be applied for the remainder of the current programming period and to the next period. Specifically, this study has three main objectives and correspondingly, three main strands of study:

- The first strand is that the study offers a broad overview of Erasmus+ and its overall outcomes and performance, focussing especially on the implementation level.
- The second strand of this study is to examine the decision making procedures adopted for Erasmus+. Delegated and implementing acts are introduced, as well as their use in Erasmus+.
- The third strand of this research is, given the EU and national level data collected, to provide a reflection of the European Commission's mid-term evaluation of Erasmus+.

The approach taken to conduct this study consists of EU level desk research and EU level interviews with officials from the European Commission, and with non-governmental experts. This was complemented by national level research in 10 Member States.

Erasmus+ Implementation experiences

The general positive findings of the mid-term evaluation have been confirmed during this study. The programme is said to have a **strong added value** by stakeholders across fields and administrative levels. As the areas of education and training, youth, and sports are not typically sectors which aim to generate profit, support in these areas from the EU has a comparatively high impact.

According to EU stakeholders, there is also now more **room for different types of projects to be supported** by the EU given the design of Erasmus+. ² As the programme is organised along three Key Actions which organise activities across education and training, youth, and to a lesser extent, sports, projects which have a bearing on multiple fields and sub-fields can be supported. This contributes to the added value for EU stakeholders and national beneficiaries.

The positive perception of the programme and the demand for the support it is clear from the **budgetary absorption rate** of 100%. This has given rise to a trend where success rates for applications decline though the quality of the applications is increasing; even good quality applications must be rejected due to budgetary pressure.

¹ European Commission (2016), Erasmus+ website: http://ec.europa.eu/programmes/erasmus-plus/discover/index_en.htm

² From interviews with EU level stakeholders, and from national data collection conducted in the context of this study.

At the implementation level, the **design of the programme**, and the Erasmus+ architecture based on three main Key Actions, the programme in its current form appears to be reaching its stride. The implementation issues experienced at the outset of the programme during 2014 and 2015 have been mitigated to a large extent.

A further observation is that, now, halfway through the programming period, the **knowledge and expertise of implementing organisations** such as the EACEA, and of the National Agencies have been further consolidated. The quality of the support offered by National Agencies to applicants is said to have improved especially.

There is more potential for **cross-sectoral cooperation** than currently witnessed by both EU and Member State stakeholders. Simplification of the programme has led to greater **simplicity** of programme architecture, which is beneficial for both beneficiaries and those in charge of management. However, in some cases this has gone too far as it has obscured the identity of the different types of actions and the standard order to the application process means that similar requirements exist regardless of the size and scope of a project. Although actions have been put in place to strengthen the participation of disadvantaged groups, the inclusiveness of Erasmus+ could still be improved.

Though the new architecture makes it easier to promote, the results of Erasmus+ are still **not sufficiently communicated** to a wider public. In connection with this, there could be further mainstreaming of the outputs produced by projects but also of the broader impacts reached by supported projects. Furthermore, although funds are complementary with other funds contributing to human capacity development, **synergies** are not sufficiently explored in practice.

Delegated and implementing acts in Erasmus+

The Lisbon treaty introduced a new system for the conferral of powers to the European Commission by the legislature which entails a division between delegated and implementing acts. The Erasmus+ Regulation provides the Commission with secondary rulemaking powers both through delegated acts for amending a Regulation article providing additional actions to be managed by national agencies, and through implementing acts for the adoption of Annual Work Programmes.

The Commission has never made use of its power to adopt delegated acts under the Erasmus+ Regulation. Every year it has utilised its power to adopt the Annual Work Programmes with usually one amendment per year. The case studies of the Annual Work Programmes reveal that EU policy priorities played an increasingly important role through the years for the implementation of Erasmus+.

The Annual Work Programme 2017 and more importantly the Annual Work Programme 2018 introduced the European Solidarity Corps as an initiative that would be implemented through the European Voluntary Service. While this use of the implementing acts procedure was perceived as questionable by the European Parliament, the basic act allows for the possibility for the Commission to use the Annual Work Programme in such a way.

An alternative decision making procedure is practically difficult to suggest due to rules against making suggestions of hybrid decision-making procedures under the 2016 IIA and the Common Understanding on Delegated Acts.

To help avoid discussions regarding decision-making mandates, (such as those triggered by the European Solidarity Corps decision), providing more detail in the basic act on the exact nature of the powers conferred upon the Commission may help to prevent similar situations in the future. Moreover, using delegated acts for some elements of the Annual Work Programmes that are currently decided under implementing acts may provide for greater influence on secondary policy choices, such as the (multi-)annual orientation of the programme.

Recommendations

A general note to be made here is that given the breadth of the programme, and the large scope of the mid-term, many areas for improvement arise, despite the programme's success up until now. As such, it is important to bear in mind that in order to make concrete and pragmatic recommendations, the Parliament itself must decide on what it feels the key priorities for the programme should be.

A decision of this nature will also require reflecting on what the strategic focus and goal of the programme ought to be: to continue maximizing the programme in terms of numbers of users and projects, or to focus on groups who are most hard to reach such as vulnerable groups and individuals from disadvantaged backgrounds. The demand for youth and for KA2 projects far outstrips the European Commission's ability to supply funding within the current budget allocation. With the increased programme budget, attention should be paid as to how this could be allocated to the youth sector. Additionally, there should be more room for smaller projects to be supported, with more proportionate administrative, information and eligibility requirements when applying for support.

Potential recommendations for Erasmus+ programme

- For the overall direction of Erasmus+ the recommendation was made by national level research that the youth sector should receive more support, specifically funding.
- Key Action 2 on strategic partnerships should also receive more support by allocating a larger share of the budget.
- Adult learning as a sector could also receive more specific focus and visibility within the Erasmus+ programme.
- Allow for smaller projects to be conducted within Erasmus+, with proportionately lower administrative and eligibility requirements.
- Consider the possibility of introducing multiple calls for proposals for the other fields besides youth to promote accessibility of the programme.
- Revise the administrative and information requirements needed for application procedures, notably in Key Action 2 to make this less lengthy and burdensome, and harmonise the information requirements where possible.
- Investigate the functionality of the existing IT tools, and explore where these tools and the information they collect can be better harmonised, with a view to perhaps reducing the number of IT tools needed when using Erasmus+. A suggestion is to hold consultations with end-users specifically to achieve a balance in user-friendliness of the programme and the information needs of EU policy makers who govern the programme.
- For projects targeting individuals from disadvantaged or remote areas, investigate the possibility of setting up complementary projects using European Social Investment Funds to promote development of disadvantaged regions and the inclusion of individuals living in such regions.

1. INTRODUCTION

To turn Europe into a smart, sustainable and inclusive economy, providing high levels of employment, productivity and social cohesion, the EU launched the Europe 2020 strategy. The Europe 2020 strategy incorporates the idea that achieving economic growth, productivity, and employment requires better education and lifelong learning. The Europe 2020 goals for the field of education are captured in the specific framework for the education sector, namely the Education and Training 2020 or ET2020, framework.

Erasmus+ aims, amongst others, to boost skills and employability contributing to modernise education, training and youth work and to foster transnational partnerships between a wide range of institutions from education, training, youth and sport sectors³. The Erasmus+ programme in its current form was established by the Regulation No 1288/2013, "establishing 'Erasmus+: the Union programme for education, training, youth and sport and repealing Decisions No 1719/2006 EC, No 1720/2006/ EC and No 1298/2008/ EC'"⁴.

The Erasmus+ programme has been running since 2014, and as such, the European Commission has recently launched and completed the mid-term evaluation for the programme. The mid-term evaluation is a thorough and encompassing study which follows the traditional EU evaluation criteria and arrives at a series of evidence-based recommendations for the Erasmus+ programme to consider for the current and the next programming period.

Study objectives and approach

The European Parliament's CULT committee in turn have commissioned this study to gain objective, reflective insights on the Erasmus+ programme to arrive at recommendations which can be applied for the remainder of the current programming period and to the next period. Specifically, this study has three main objectives and correspondingly, three main strands of study:

- The first strand is that the study offers a broad overview of Erasmus+; the main concerns across the programme should be raised, as well as what is going well to provide a balanced account of the programme and its performance. This study takes a special focus on implementation level experiences and arrives at an overall impression of the experiences amongst Member States with Erasmus+.
- The second strand of this study is to examine the decision making procedures adopted for Erasmus+. As such delegated and implementing acts are explained, and their use in Erasmus in 2015, 2016 and 2017 are presented, ending in a comparison of the two procedures.
- The third strand of this research is, given the EU and national level data collected, to provide a reflection of the European Commission's mid-term evaluation of Erasmus+.

Study approach

The approach taken to conduct this study consists of EU level desk research and EU level interviews with officials from the European Commission, and with non-governmental experts.

³ European Commission (2016), Erasmus+ website: http://ec.europa.eu/programmes/erasmus-plus/discover/index_en.htm

⁴ Regulation (EU) No 1288/2013 of the European Parliament and of the Council of 11 December 2013 establishing 'Erasmus+: the Union programme for education, training, youth and sport and repealing Decisions No 1719/2006/EC, No 1720/2006/EC and No 1298/2008/EC.

Notably for the discussion on EU decision making and specifically, delegated and implementing acts, academic experts were consulted. National level research was also conducted in 10 selected Member States to gain insights into how Erasmus+ performed in countries and why this was the case, and to gain in-depth information on how Erasmus+ has been implemented in Member States, and to what extent Erasmus+ help to pursue national needs and priorities in the fields of education and training, youth, and sports.

Structure of the report

The structure of the report is as follows: [Chapter 2](#) examines the development and rationale of Erasmus+ and the outcomes of the programme so far. This means the predecessor programmes, their achievements, and the decision to merge them into the Erasmus+ programme are briefly explained, followed by a presentation of the main outcomes of the programme across Key Actions, as well as the Sports field and in Jean Monnet Activities. This chapter ends with a reflection on the overall outcomes of the programme to date.

[Chapter 3](#) then analyses the outcomes of Erasmus+ at the EU level and at the 10 selected Member States. This chapter provides an aggregate analysis of the programme performance, what goes well and what could be improved along seven key EU policy making dimensions: Relevant questions are for instance, whether the merger of successor programmes led to:

1. more synergies and cross fertilization,
2. simplification of programming,
3. reduced administrative burden for programme management (streamlining structures and achieve economies of scale) and for beneficiaries (simplifications),
4. improved access to funds for all (being inclusive),
5. improved visibility branding of the programme, and
6. improved result orientation of supported activities,
7. and better coherence with other EU funds and programmes.

[Chapter 4](#) provides an introduction to the decision making procedures used to implement Erasmus+, namely delegated and implementing acts. These non-legislative acts are first introduced, along with the rationale for their establishment under the Lisbon Treaty. Following this, their use in the Erasmus+ programme is analysed, with specific analysis of the Erasmus+ Annual Work Programmes, which implement the programme and are adopted via implementing acts. A discussion on the use of delegated and implementing acts procedures is then presented, with an assessment of what balance between delegated and implementing acts could be suggested for implementing Erasmus+. Indeed it is not always clear when delegated or implementing acts need to be applied in practice, and this study ventures some reflections on this point.

[Chapter 5](#) finally presents conclusions and recommendations, summarising the findings from the report. The national level country research has been synthesized into user profiles, and these can be found in the annex of this report.

2. ERASMUS+ DEVELOPMENT AND OUTCOMES

KEY FINDINGS

- The added value of the LLP and YiA Programmes and the need of scaling-up and simplification of both led to the decision to integrate the programmes in the current Erasmus+ structure.
- The three main policy developments which shaped the objectives of the Erasmus+ Programme are the ET 2020 Cooperation Framework, the EU Youth Cooperation Framework 2010-2018, and the EU Work Plan for Sport 2011-2014 and their updates. An EU political priority which became a cross-cutting policy priority in Erasmus+ was the 2015 Paris Declaration.
- The outcomes and statistics on budget and project selection between 2014 and 2016 prove that a level of stability and adaptation was reached through the years portraying successful outcomes of the programme.
- The Erasmus+ Programme has proven to have *added value* for all fields of implementation and that it is capable of supporting an array of projects with *high demand* for most actions.
- Both implementing bodies and beneficiaries constantly increase their *knowledge and expertise* in Erasmus+, leading to a better understanding of the design of the programme.

The following chapter outlines the predecessor programmes which ran before their harmonisation under Erasmus+. The main rationales and outcomes of these programmes are presented below, followed by an examination of how the Erasmus+ programme came to be.

2.1. Predecessor programmes and Erasmus+

The two main predecessor programmes of Erasmus+ were the Life Long Learning Programme and Youth in Action, encompassing most fields of action of the current Erasmus+ architecture. The Life Long Learning Programme (LLP) came into existence through the integration of previously existing programmes in education and training (Leonardo Da Vinci and Socrates Programme). The political context which influenced the orientation of the programme was the Lisbon Agenda and the strategic objectives enshrined in the Education and Training 2010 work programme adopted in 2002. This represented a critical moment for incorporating EU policy priorities into practice and shaping of the programme.

In the youth field the Youth in Action Programme resulted in a new generation of the previous YOUTH programme which was concluded in 2006. The success of the previous programme and the policy priorities at the time strengthened the need for a new programme with a focus on contributing to young people's active citizenship and European identity and not only mobility. One main policy development that led to the creation of a European framework of cooperation in the field of youth in 2002 (later updated in 2005) was the White Paper on Youth Policy adopted in 2001 which emphasised the need of making youth a relevant policy with a European dimension.

2.1.1. The Life Long Learning Programme

With an overall budget of EUR 6.9 billion, the LLP 2007-2013 aimed to ensure that the EU education and training policies would contribute to the objectives of the Lisbon strategy and of the Strategic Framework for European Cooperation in Education and Training (ET 2020)⁵, aiming more specifically, at making lifelong learning and mobility for all a reality; improving the quality and efficiency of education and training; promoting equity, social cohesion and active citizenship, and enhancing creativity and innovation, including entrepreneurship. LLP supported all levels of formal education and training as well as informal and non-formal education and training activities. It was composed of 4 sectoral sub programmes, namely Comenius for school education, Erasmus for higher education, Leonardo da Vinci for vocational training and Grundtvig for adult learning. Under a Transversal programme, the LLP further covered transversal activities supporting policy cooperation and innovation in lifelong learning, language learning, innovative use of ICT in education and training and activities promoting dissemination and exploitation of LLP results. Finally, within the LLP, the Jean Monnet Programme supports teaching, research and excellence in European integration.

The LLP supported eight different categories of actions, namely mobility (during 2007-2010, almost 1,3 million students and teachers from all sectors have received a grant for mobility), bilateral and multilateral partnerships (almost 60.000 institutions involved since 2007), multilateral projects, multilateral networks, unilateral or national projects, observation and analysis of policies and systems in the field of lifelong learning and related activities, operating grants and various accompanying measures. Nevertheless, not all action categories were applicable to each sub programme. In terms of management, more than three quarters of the LLP budget (around 1 billion euro per year, representing nearly 45.000 contracts) was managed by a network of 40 National Agencies in 33 countries. These National Agencies were in charge of the smaller scale mobility and partnerships, the "decentralised" actions at the national levels. Larger-scale international cooperation, or "centralised" projects and networks, and actions by the Jean Monnet Programme, were managed by the EACEA. The European Commission (DG EAC) was responsible for ensuring the effective and efficient implementation of the LLP as a whole. The Commission was assisted in this task by the LLP Committee, which consisted of representatives of the Participating Countries and is chaired by the Commission.

The impact assessment carried out in 2011, underpinning the proposals for establishing 'Erasmus for all', concluded that the LLP was highly popular (in particular the Erasmus brand) and that the programme was considered to be user friendly and addressing the needs of various targeted communities. It also concluded that with a relatively small budget, the LLP acted as a catalyst for structural change through support to policy development, cooperation, and mobility. The LLP showed clear European added value since many supported projects would not have been implemented without EU support. The efficiency of the tripartite-style management system between Member States, the EC, and the National Agencies, was positively assessed as well, allowing the LLP to efficiently spend the allocated budgets. Moreover, applicants were satisfied with the procedures in place, and low error rates were reported in the financial audits conducted at the National Agencies.

At the same time, the impact assessment stated that the full potential of the programme has not been realised, concluding that (1) there is a very significant demand for more available finance to support mobility; (2) there are still prevailing obstacles to learning mobility; (3)

⁵ Council Conclusions of 12 of May 2009 on a Strategic Framework for European Cooperation in Education and Training ("ET 2020"), OJ C 119, 28.5.2009, p. 2.

the direct influence of LLP action on the modernisation of education and training systems is still hard to observe and to estimate; (4) the variance in the performance and the quality of education and training, as well as their relevance to the labour market are pronounced in Europe; and finally (5) the fragmentation and complexity of the current programme architecture, including an excessive number of objectives and actions, made programming management and implementation complex.⁶ The impact assessment concluded that a single programme for education, training, youth and sport was the best option for continuing support for education and training at EU level. A single programme would be better for tackling the above mentioned problems (and their drivers), supporting activities with highest added value and impact on beneficiaries, scaling up of activities by increasing the allocated budgets, proposing a simplification of management (extending the use of lump sums, reducing of the number of objectives and actions), and reducing of administrative costs by merging existing programmes into a single programme.

2.1.2. The Youth in Action programme

The Youth in Action programme was set up in the context of the economic crisis and the EU Youth Strategy to promote employment, employability and social inclusion. The Youth in Action programme ran from January 2007 to December 2013 through Regulation No 1719/2006/EC on establishing the 'Youth in Action' programme for the period 2007 to 2013. It was set up in line with the overarching European strategy for youth, the EU Youth Strategy 2010 – 2018.

The main general objectives of the programme were:

1. to promote young people's active citizenship in general and their European citizenship in particular;
2. to develop solidarity and promote tolerance among young people, in particular in order to reinforce social cohesion in the EU;
3. to foster mutual understanding between young people in different countries;
4. to contribute to developing the quality of support systems for youth activities and the capabilities of civil society organisations in the youth field;
5. to promote European cooperation in the youth field.

These objectives were developed to help the Programme to be implemented alongside the EU's existing programmes in the areas of lifelong learning, vocational education and training, formal and informal learning, as well as culture, sports, and employment. The Youth in Action programme was to place special emphasis within its general objectives on the recognition of cultural, multi-cultural and linguistic diversity in Europe, to foster social cohesion and to combat discrimination along gender, race, religion, disability or sexual orientation.

The overarching aim of this programme was to ultimately lead to more active citizenship, solidarity and tolerance amongst young people, and to involve them in shaping the future of the EU. Besides young people (between the ages of 13 and 30) being supported, youth workers and civil society organisations working with youths were also targeted by the Youth in Action Programme.

The Youth in Action programme had a total budget of 885 million EUR for the period 2007 to 2013 and supported some 8000 projects, and 150 000 young people and youth workers

⁶ European Commission (2011), Impact assessment on education and training actions , Staff Working Document accompanying the *Proposal for a Regulation of the European Parliament and of the Council establishing a single Education, Training, Youth and Sport Programme for the period 2014-2020*, COM (2011)m788 final.

every year. The programme involved seven actions: youth exchanges, youth initiatives, youth democracy projects, European Voluntary Service, cooperation with neighbouring countries of the EU, training and networking of youth workers, and meeting of young people and those responsible for youth policy. The programme is implemented by the EACEA on behalf of DG EAC, and by National Agencies in Member States at the national level. In a 2011 European Commission survey on the impact of the Youth in Action programme yielded the following results:⁷

Amongst young participants:

- 91% said the experience increased their foreign language proficiency;
- 87% said it made them more at ease with multiculturalism;
- 84% learned better how to serve their community or society;
- 75% learned better how to identify opportunities for their personal or professional future;
- 67% said their job prospects increased thanks to their YiA experience.

Among the youth workers:

- 92% said they acquired skills and knowledge they would not have gained through projects organised at national level.
- 86% said would now pay more attention to an international dimension in their work.

Among the youth organisations:

- 90% said participating in YiA increased their project management skills;
- 89% said it increased their appreciation of cultural diversity.

Despite the positive outcomes of the Youth in Action Programme, young people remain high on the policy agenda⁸. A draft report commissioned by the Council and the Commission shows that youth work had positive impacts on young people in different aspects of their lives, but that young people continued to withdraw from traditional forms of civic participation, and that youth unemployment rates were still considered too high⁹. In 2014, when the EU launched the Erasmus+ programme, youth continued to be a key area of focus. The connection between education and training, youth, and sport in the effort to improve employability and skills competences, as well as active citizenship and European values, were all viewed as connected enough that a shared programme would produce useful synergies between the policy fields.

2.1.3. Development of Erasmus+

The Erasmus+ programme in its current form was established by the Regulation No 1288/2013, "establishing 'Erasmus+: the Union programme for education, training, youth and sport and repealing Decisions No 1719/2006 EC, No 1720/2006/ EC and No 1298/2008/ EC". The programme focuses on the policy fields of education and training, youth, and sports.

⁷ European Commission, DG EAC, (2011), *Report on the Monitoring Survey on the Youth in Action Programme*, available at: http://ec.europa.eu/assets/eac/youth/tools/documents/2011-monitoring-report_en.pdf.

⁸ European Commission, 2015, Draft 2015 Joint Report of the Council and the Commission on the implementation of the renewed framework for European cooperation in the youth field (2010-2018), COM(2015) 429 final, Brussels.

⁹ European Commission, 2015, Draft 2015 Joint Report of the Council and the Commission on the implementation of the renewed framework for European cooperation in the youth field (2010-2018), COM(2015) 429 final, Brussels.

These fields are supported by implementing five actions: three key actions pertaining to education and training on the one hand and youth on the other, namely (1) learning mobility of individuals, (2) cooperation for innovation and exchange of good practices, (3) support for policy reforms, Jean Monnet Activities, and Sport.

Erasmus+ addressed many of the challenges identified during and after the predecessor programme cycles, such as increasing the budget by 40% to better comply with the needs of Member States, and harmonising sub-programmes, combining seven programmes, namely the Life Long Learning programme, the Youth in action programme and five international cooperation programmes. The rationale behind combining several existing EU programmes was to promote greater efficiency and a stronger strategic focus on the areas of education and training, youth and sports as a new area. By bringing together programmes with a similar focus regarding thematic fields, synergies between different existing programmes could be achieved. Also, the number of types of actions were drastically reduced, to simplify delivery, and align activities by implementing five actions. Furthermore, the result orientation has been improved by more focus on producing intellectual outputs, and more emphasis on impact in projects.

Given this change in approach, combining the predecessor programmes into the larger Erasmus+ programme, several questions remain. The main question is whether the assumptions behind the changes made for the current programming period have performed as expected and led to the desired outcomes. Relevant questions are for instance, whether the merger of successor programmes led to:

1. more synergies and cross fertilization,
2. simplification of programming,
3. reduced administrative burden for programme management (streamlining structures and achieve economies of scale) and for beneficiaries (simplifications),
4. improved access to funds for all (being inclusive),
5. improved visibility branding of the programme, and
6. improved result orientation of supported activities,
7. and better coherence with other EU funds and programmes.

These seven issues will be examined and analysed in the course of the study and serve as input when examining the overall performance of the Erasmus+ programme so far. These questions will be addressed together with the other study objectives in the final chapter of this report.

2.2. European policy context of Erasmus+

At the time of its introduction, Europe was still facing the aftermath of the economic crisis, together with other policy challenges, including high unemployment rates, population aging and a consequently aging workforce, skills shortages, technological development, and global competition. Given this context, the Education and Training (ET2020) Cooperation Framework had been set up, to help achieve the EU's broad agenda for growth, namely to achieve a smart, sustainable and inclusive economy. The objective of the ET2020 centred on objectives for lifelong learning, mobility, social cohesion, active citizenship, creativity and innovation, to help Member States improve the quality and efficiency of their education and training systems. This is to be achieved by exchanging experiences and best practices, and by monitoring the progress made in these areas.

In connection with this broad agenda, the EU Youth Cooperation Framework was set up for 2010 – 2018 to provide more and equal opportunities for young people in education and the job market, and to encourage young people to participate actively in society. Erasmus+ has been instrumental in working towards the objectives laid down in the ET2020 and in the Youth Cooperation Framework. In 2011 and 2012 the European Commission, with support from the European Parliament, launched two pilot calls for Knowledge Alliances. There was strong, positive response to these calls, showing that the structured partnerships between higher education institutions and enterprises were considered very relevant to current EU needs, in particular for youth. As such, these Knowledge Alliances were included in the Lifelong Learning Programme, and after this, into the Erasmus+ programme under Key Action 2.

Another relevant policy development here is that sport became an EU competence through the Treaty of Lisbon. The priorities and actions to be taken in this area were translated in to the EU Work Plan for Sport in 2011 – 2014, and this was followed by a new plan for the period 2014 to 2017. In 2014 sport was introduced as a new field into the Erasmus+ Programme.

By 2013, in the Annual Growth Survey conducted by the European Commission, demonstrated that the EU's economic performance was falling behind its Europe 2020 objectives. This pointed to a need to work more to increase the growth and competitiveness of the EU economy, tackle unemployment, and social exclusion. In this context a recommendation was made by the European Commission that the synergies and opportunities between education, training, lifelong learning, and the economy could be further optimised. In 2014, the Council adopted the EU Work Plan for Youth 2014 – 2015 to address the high unemployment rates which still persisted after the economic crisis.

In the context of these socio-economic circumstances and policy developments, Erasmus+ has been used to promote this broader Europe 2020 agenda by providing support to activities in education, training, youth and sport. It also contributes to European values and active citizenship, and by strengthening a European identity within its borders, it strengthens the position of Europe, and of the EU as a global actor. In support of the Europe 2020 priorities, a budget increase of 40% was foreseen for the Erasmus+ programming period 2014 – 2020.

In 2015, in the wake of the terrorist attacks in Europe, and large numbers of migrants entering Europe, triggering further political radicalization and extreme right wing political movements, the policy context became dominated by themes surrounding citizenship, social and European values, and social inclusion. In 2015 EU education ministers together with the EU Commissioner for education, culture, youth and sport solidified their commitment to make European cooperation on education and training through the Declaration on Promoting citizenship and the common values of freedom, tolerance and non-discrimination through education, also known as the Paris Declaration.¹⁰ This Declaration was accepted in 2015 in response to the series of terrorist attacks in Europe and the refugee crisis. As a follow up to this Declaration, during 2016 a series of EU policy initiatives were launched in the areas of education and training to promote tolerance, social inclusion, the prevention of radicalization and violent extremism, work against discrimination and to integrate migrants. Other EU policy adjustments were also made and new initiatives added. With particular relevance to

¹⁰ Erasmus+ Annual Work Programme 2016, available at: http://ec.europa.eu/dgs/education_culture/more_info/awp/docs/c-2015-6151.pdf.

the Erasmus+ Programme, the ET 2020 Strategic Framework established new adjusted policy objectives based on its 2014 stock-taking report, which examined the progress made so far, and took the aforementioned contextual developments into account.¹¹ Against this policy context, the Erasmus+ Programme also came to focus on projects which contributed to upholding the common values in the Paris Declaration, and integrating the newly adjusted objectives of the ET 2020 Strategy Framework.

From 2015 onwards, the annual work programmes' orientation aimed at contributing to the objectives established in the Paris Declaration by both introducing new actions and modifying priorities for existing ones. . Social, civic and intercultural competences were made a key priority when allocating funds to projects on strategic partnerships across the fields of youth, sports and education and training (Key Action 2). Special attention was focused on projects involving refugees, asylum seekers and migrants. Additionally, in the field of youth there was extra attention on promoting learning mobility (Key Action 1), and extra attention was given to supporting and facilitating the scaling up successful grassroots sports actions to higher levels (Key Action 3), to help promote inclusion and fight violent radicalization. In this context, in 2016, to follow up the Paris Declaration, a further 13 million EUR call was launched within Key Action 3 to help disseminate and scale up existing good practices at the grass root level in pursuit of the Declaration's aims via the Erasmus+ project.

By 2016 the Erasmus+ programme demonstrated more stability and continuity according to the 2016 Annual Report. A few concrete actions were taken in line with implementation outcomes in the Member States and the adjusted policy priorities established at the EU level. For instance, for Key Action 2 on strategic partnerships, two different types of Strategic Partnerships were introduced, in particular to help improve the accessibility of the Erasmus+ Programme for smaller organisations such as schools. In the field of sport, a specific budget was defined for smaller Collaborative Partnerships to better be able to support grassroots sports organisations. The decision to incorporate this focus on core European values within the Erasmus+ programme took place through the Implementing Act procedure and was taken up in the Annual Work Programme for 2015.

2.3. Erasmus+ programme outcomes 2014 - 2016

During the first year of implementation more than 18,000 projects were selected and implemented across the fields of education and training, and youth. This translated to 1.15 million participants and 70,000 participating organisations. The overall budget for the first year of Erasmus+ was 2.071 billion EUR, with 1.2 billion EUR (66%) being allocated to Key Action 1 on Mobility, 375.89 million EUR (around 20%) to Key Action 2 on Strategic Partnerships, and a further 83.23 million on Key Action 3 on Support for Policy reform. The Sport fields (implemented centrally), had a budget of 22.43 million EUR in 2014. The overall budget for the National Agencies management fees in 2014 was 64.565 million EUR (slightly over 3%), besides a separate budget for administrative expenditure of 40.97 million EUR (2%).¹²

In 2015 the allocated budget was 2.080 billion EUR and this was allocated to operational (98%) and administrative expenditures (2%). Key Action 1 was attributed 1,199 million EUR,

¹¹¹¹ 2015 Joint Report of the Council and the Commission on the implementation of the strategic framework for European cooperation in education and training (ET 2020) New priorities for European cooperation in education and training. [http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52015XG1215\(02\)&from=EN](http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52015XG1215(02)&from=EN) .

¹² European Commission, (2015), Erasmus+ Programme Annual Report 2014.

403 million EUR to Key Action 2, and 100 million EUR to Key Action 3. Sports and the Jean Monnet actions received 23 million EUR and 41 million EUR, respectively. In 2015 management fees for the National Agencies amounted to 69 million EUR, and administration fees to 39 million EUR.¹³

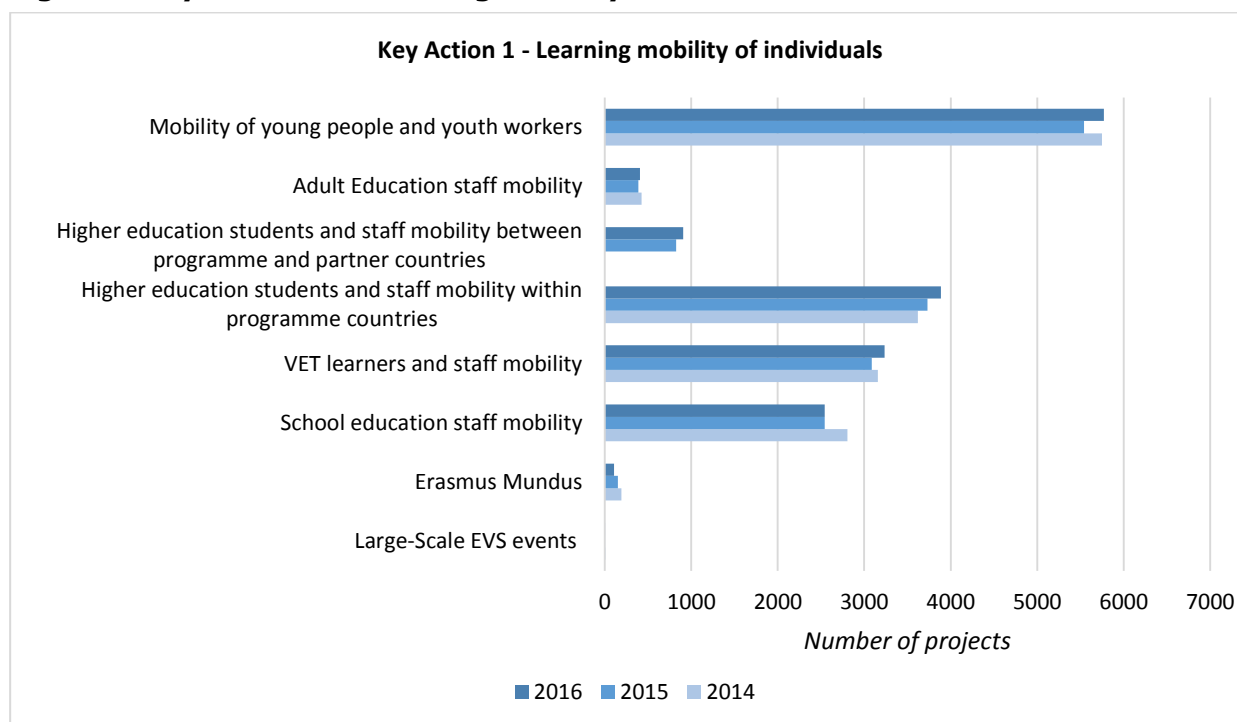
During 2016 the programme provided 2.27 billion EUR in support to the fields of education and training, youth, and sports. The specific areas of focus at the time were improving the levels of key competences and skills to ensure better connection between education and the needs on the labour market, fostering social inclusion, promoting citizenship and the common values of freedom, tolerance and non-discrimination through education. In 2016 Key Action 1 received 1.24 billion EUR, 451 million EUR was attributed to Key Action 2, and 110 million EUR to Key Action 3. Sports received 43.1 million EUR for 2016, and Jean Monnet activities awarded around 44.6 million EUR¹⁴.

Key Action 1 - Mobility

In terms of projects and participants supported, in 2014, under Key Action 1, which supports the mobility of learners and staff, and joint master degrees, some 500,000 young people were able to study, train, volunteer or participate in youth exchanges abroad. Furthermore, 150,000 staff members from educational institutions and youth organisations were able to improve the skills and competences by going abroad to teach or train. In 2014, 138 Erasmus Mundus Master Degrees and 42 Erasmus Mundus Joint degrees were supported. These degrees were initially supported under the Lifelong Learning Programme.

Figure 1 below presents the use made of Key Action 1 and its sub-actions for the period 2014 to 2016 to give insight into the distribution of the use of these programme areas across Europe.

Figure 1 Key Action 1 - Learning mobility of individuals



Source: Erasmus+ Annual reports 2014, 2015, 2016.

¹³ European Commission, (2017), Erasmus+ Programme Annual Report 2015.

¹⁴ European Commission, (2017), Erasmus+ Programme Annual Report 2016.

Table 1: Number of participants Key Action 1 (2014 - 2016)

| Key Action | Number of participants | | |
|--|------------------------|---------------|---------------|
| | 2014 | 2015 | 2016 |
| Key action 1 | 645422 | 678047 | 724931 |
| <i>Decentralised actions</i> | | | |
| School education staff mobility | 21017 | 21101 | 23463 |
| VET learners and staff mobility | 126004 | 130070 | 139574 |
| Higher education students and staff mobility within programme countries | 341393 | 339799 | 360046 |
| Higher education students and staff mobility between programme and partner countries | n/a | 28282 | 36197 |
| Adult Education staff mobility | 5593 | 5077 | 5017 |
| Mobility of young people and youth workers | 151395 | 150522 | 157609 |
| <i>Centralised actions</i> | | | |
| Large-Scale EVS events | 196 | 171 | 235 |
| Erasmus Mundus | 2073 | 3025 | 2790 |

Source: Annual Reports Erasmus+ 2014, 2015 and 2016

In 2015 the budget for Key Action 1 had decreased somewhat to 57% of the overall Erasmus+ budget, translating to 1.193 billion EUR. For Key Action 1 there were 678,000 participants reached, through 16,266 projects, and involving 54,625 organisations. The number of participants, organisations and projects in Key Action 1 in 2015 was somewhat lower than in 2014. Overall the annual report for 2015 indicates that though the budget was lower, the number of participants and organisations reached indicates that with a relatively lower average funding rate, strong impacts are achieved for both individual and organizational levels. Statistics regarding the participants of mobility projects also indicated that participants are satisfied about the programme, were able to improve their skills, and felt better prepared in finding a job.

According to the 2016 Annual Report, the Erasmus+ Programme found its stride in 2016. The new architecture and governance of the programme had settled, and the programme continued to make steps in achieving its core objectives. Implementation issues encountered in 2014 and 2015 were reportedly lessened, indeed leading to a “demonstrated high implementation performance” by 2016. In total 2016 the budget for Key action 1 was 1.24 billion EUR, some 725,000 individuals and 79 000 organisations were reached, funding almost 21 000 projects. Top users in this area in terms of projects were in the youth mobility sub-Key Action, and in the VET learned and staff mobility actions. Looking back, since 2014, the interest in Key Action 1 had increased by 10% each year. Top users in terms of participants tend to be in higher education.

Key Action 2 – Strategic Partnerships

Key Action 2 consists of strategic partnerships, capacity building projects, knowledge alliances, and sector skills alliances. For Key Action 2, over 1,700 projects were set up in 2014, involving some 10,000 organisations. Through these projects, 170,000 participants were able to enhance their education and training, making their skills more relevant to the labour market, thus tackling the skills gap which Europe is confronted with. 2014 was the first call for this Knowledge Alliances, and 48 applications were received. In total, 6 proposals were awarded grants. This low number of approved projects was related to the low budget which had initially been allocated to this action.

Figure 2 below presents the use made of Key Action 2 and its sub-actions for the period 2014 to 2016 to give insight into the distribution of the use of these programme areas across Europe.

Figure 2 Key Action 2 - Cooperation for innovation and the exchange of good practices

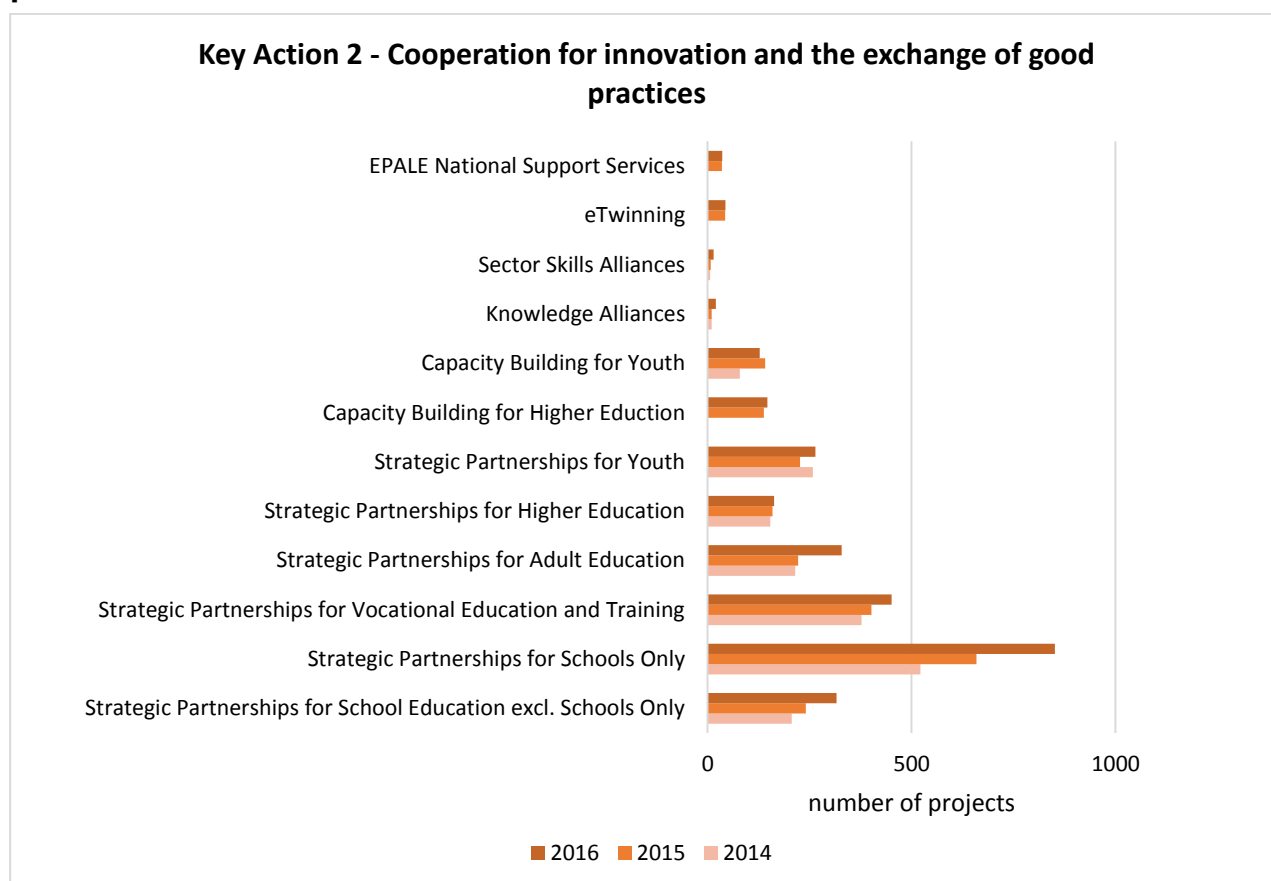


Table 2: Number of participants Key Action 2 (2014 - 2016)

| Key Action | Number of participants | | |
|--|------------------------|---------------|---------------|
| | 2014 | 2015 | 2016 |
| Key Action 2 | 172681 | 458812 | 453645 |
| <i>Decentralised actions</i> | | | |
| Strategic Partnerships for School Education excluding Schools Only | 13563 | 65890 | 88283 |
| Strategic Partnerships for Schools Only | 93351 | 122838 | 124653 |
| Strategic Partnerships for Vocational Education and Training | 9585 | 98473 | 95272 |
| Strategic Partnerships for Adult Education | 8238 | 51122 | 57611 |
| Strategic Partnerships for Higher Education | 17130 | 45434 | 50897 |
| Strategic Partnerships for Youth | 16949 | 33241 | 36929 |
| <i>Centralised actions</i> | | | |
| Capacity Building for Higher Education | 919 | n/a | n/a |
| Capacity Building for Youth | 12967 | n/a | n/a |
| Knowledge Alliances | n/a | n/a | n/a |
| Sector Skills Alliances | n/a | n/a | n/a |
| eTwinning | n/a | n/a | n/a |
| EPALE National Support Services | n/a | n/a | n/a |

Source: Annual Reports Erasmus+ 2014, 2015 and 2016

In 2015, 400 million EUR was committed to Key Action 2, representing 19% of the total Erasmus+ budget for the year (an increase of about 24 million EUR compared to 2014). In this year, 3,546 projects were supported, reaching 783,576 participants and 20,333 organisations. Top users in terms of participants and organisations in this case were within the sub-action strategic partnerships for schools, followed by strategic partnerships for VET.

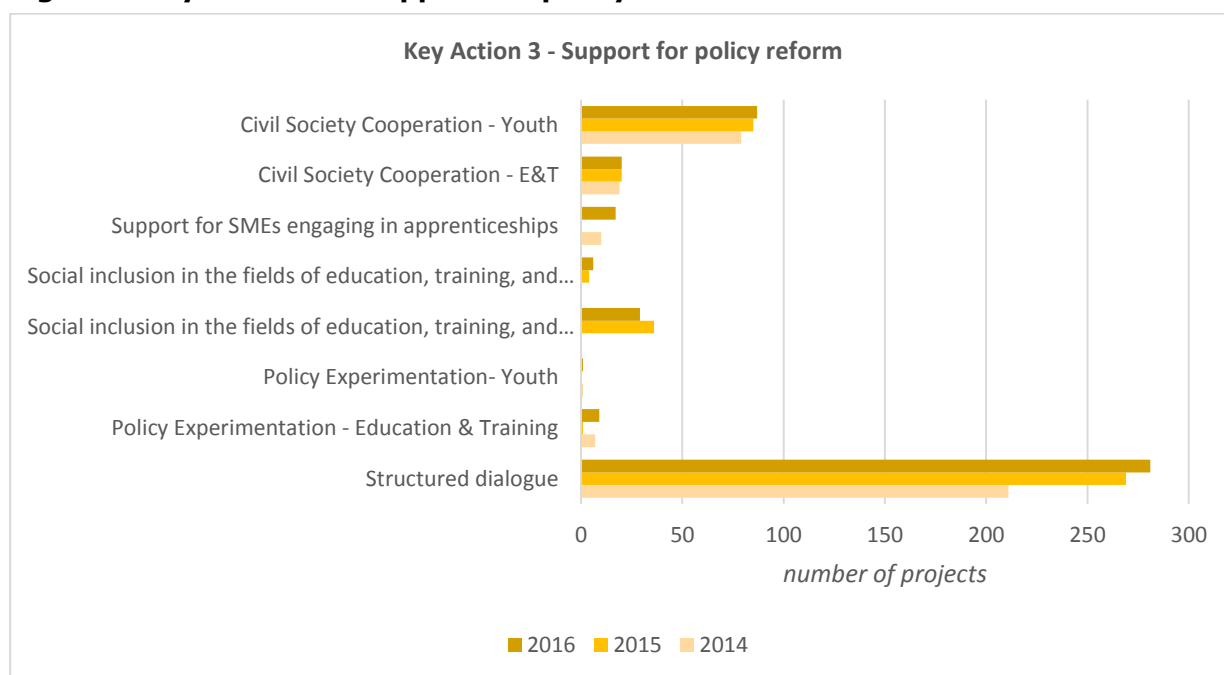
For 2016, Key Action 2 saw 453,645 participants involved in its various projects and sub-Key Actions, as well as 16,612 organisations involved in 2,764 projects. The most popular sub-Key Action in terms of participants and organisations in 2016 was again the Strategic Partnerships for Schools Only and the Strategic Partnerships for Vocational Education and Training.

Key Action 3 – Support for policy reform

Key Action 3, as an action for which much activity is carried out in a more centralised manner by EACEA and the European Commission, had an overall budget of 82.23 million. One action

(7% of the budget) was implemented by National Agencies (in this case structured dialogue between youths and policy makers) was initiated, and the other actions implemented directly.

Figure 3 Key Action 3 - Support for policy reform



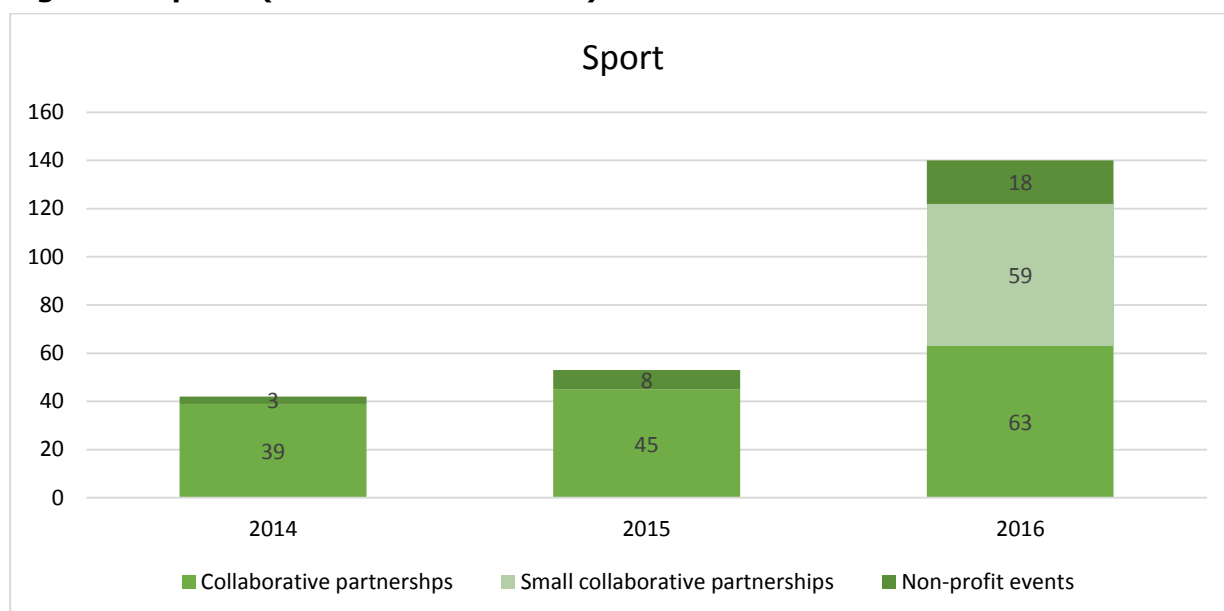
Source: Erasmus+ Annual reports 2014, 2015, 2016.

In 2015 in turn the budget was slightly higher for Key Action 3 than in 2014, namely 83 million EUR. With this budget, 2.5 million EUR of support was granted to 40 organisations. For 2016 the budget for this Key action was 110 million EUR. These funds were spread across the various actions by EACEA (65%), the European Commission (24%), given that Key Action 3 is centrally implemented, and the National Agencies (11%). It is difficult to define exactly where and how much funding the different initiatives under Key Action 3 receive as projects implemented are not reported on in a uniform manner across the years. Therefore the monitoring and indicators for this Key Action are less defined and distinct.

Sports

In the area of sports, Erasmus+ supports collaborative partnerships and not-for-profit European-wide sports events. The activity area also aims to promote more focus on structural dialogue between sports stakeholders and to further research and studies in the field in aid of policy making¹⁵. In 2015 the first small collaborative partnerships were introduced to involve smaller sports organisations. The sports field is organised centrally by EACA and has two annual calls for project proposals. In 2015, the total budget for sport was 22.9million EUR. When the first projects started running in this same year, Erasmus+ supported 45 projects in collaborative partnerships, and 8 not-for-profit Sports Events. The number of projects selected for the sports field was lower than expected in the 2015 Annual Work Programme. This was due to the higher number of applicants requesting the full grant amount of 500,000EUR.

¹⁵ European Union, REGULATION (EU) No 1288/2013 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 11 December 2013 establishing 'Erasmus+': the Union programme for education, training, youth and sport and repealing Decisions No 1719/2006/EC, No 1720/2006/EC and No 1298/2008/EC.

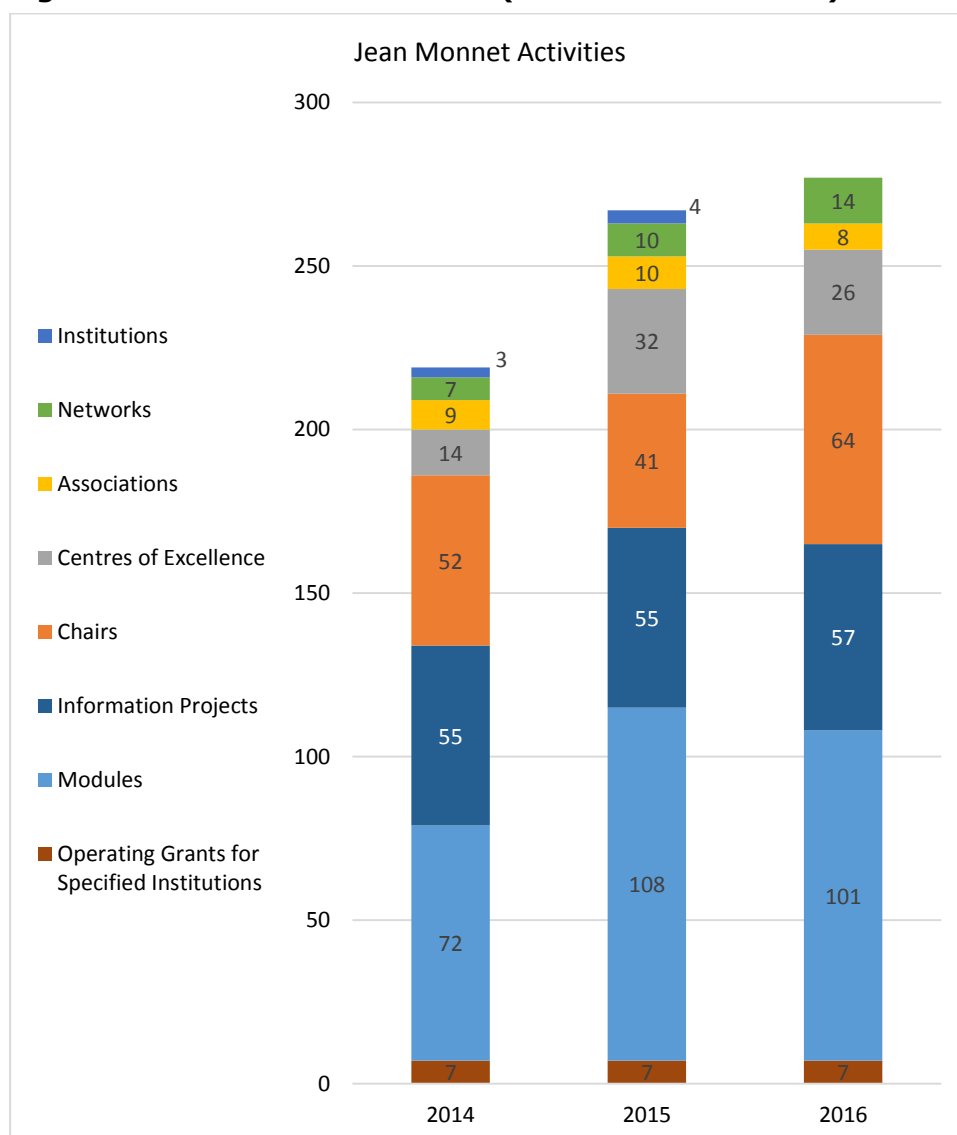
Figure 4: Sports (number of initiatives)

Source: Erasmus+ Annual reports 2014, 2015, 2016.

Jean Monnet activities

The Jean Monnet Activities promote excellence in teaching and research in the area of European Union studies all over the world. These activities are not organised along Key Actions. In 2014, 212 projects were supported and 7 operating grants provided to institutions. The overall outcomes for 2014 were that, despite the transition from the predecessor programmes to Erasmus+, the programme delivered as expected and reached most of its quantitative targets. The high absorption rate of the funds shows a distinct interest and need for the programme.

In 2015, 212 Jean Monnet activities were supported out of 491 applications. For 2016, 1,034 applications for Jean Monnet were received, of which 269 were contracted. The Jean Monnet activities supported 348 organisations with 15, 233 422 EUR of financial support from the Erasmus+ programme.

Figure 5: Jean Monnet Activities (number of initiatives)

Source: Erasmus+ Annual reports 2014, 2015, 2016.

Concluding, overall, the outcomes of the Erasmus+ programme so far have demonstrated impressive statistics in terms of numbers of participants and organisations reached.

2.4. Reflections on Erasmus+ outcomes so far

This section summarises the perspectives on Erasmus+ and the overall outcomes of Erasmus+ as deduced from EU level literature carried out for this study.

The programme is said to have a **strong added value** by stakeholders across fields and administrative levels.¹⁶ As the areas of education and training, youth, and sports are not

¹⁶ European Parliament, (2017), *Report on the implementation of Regulation (EU) No 1288/2013 of the European Parliament and of the Council of 11 December 2013 establishing 'Erasmus+': the Union programme for education, training, youth and sport and repealing Decisions No 1719/2006/EC, No 1720/2006/EC and No 1298/2008/EC (2015/2327(INI))*; European Parliament, (2016), *Research for Cult Committee – Erasmus+: Decentralised Implementation – First Experiences*, requested by the European Parliament's Committee on

typically sectors which aim to generate profit, there are usually few resources available to initiate extra projects to improve things like mobility of youth and staff, set up strategic partnerships and collaborations, or to provide inputs to policy making. With the help of the funding provided by Erasmus+, organisations are able to set up projects which otherwise would not have been feasible. This is especially the case in the fields of youth and sport. As such the Erasmus+ programme is said to have a high level of EU added value to national organisations.¹⁷

According to EU stakeholders, there is also now more **room for different types of projects to be supported** by the EU given the design of Erasmus+.¹⁸ As the two larger fields of education and training, and youth are incorporated in one programme, which are in turn organised by Key Actions which run across these fields, there is more room for different types of projects to be supported. Projects which have a bearing on multiple fields and sub-fields can be supported and this contributes to the added value perceived by EU stakeholders as well as National Agencies and national beneficiaries.

The positive perception of the programme and the demand for the support it offers is demonstrated in the fact that across the budgets for the three fields, as well as activities like Jean Monnet, the absorption and use of the budgets has been 100%. This indicates that across the years that it has been running, demand for the programme has been high enough to require use of the full financial resources available.

Concerning the **design of the programme**, after the overhaul of the predecessor programmes to the Erasmus+ architecture based on three main Key Actions, the programme in its current form appears to be reaching its stride. The implementation issues experienced at the outset of the programme during 2014 and 2015 have been mitigated to a large extent. For instance, while the architecture seemed confusing and complex, applicant organisations and National Agencies are now more accustomed to the set up, and what types of projects can be funded and supported. Both National Agencies¹⁹ and EU level stakeholders²⁰ regard that the utility and performance of the ICT tools, which were a concern in the first two years, have markedly improved. There is still much room for improvement, but these improvements should centre more on consolidating the changes which have been made instead of introducing more tools and changes to the programme design.

A further observation is that, now, halfway through the programming period, the **knowledge and expertise of implementing organisations** such as the EACEA, and of the National Agencies has been further consolidated. The European Commission, through DG EAC and EACEA, have made conscious efforts to train the National Agencies in providing more user-friendly support and to help applicant organisations as opposed to taking a predominantly evaluative role for proposals. Having become more accustomed to the programme structure, and through the experiences of the last few years and project efforts from the DG EAC to train National Agencies in this way, the quality of the support provided to applicant organisations has also increased.²¹

Culture and Education (CULT); European Parliament, (2016), *The Erasmus+ Programme (Regulation EU No. 1288/2013) – European Implementation Assessment*, Ex-Post Impact Assessment Unit of the Directorate for Impact Assessment and European Added Value, within the European Parliamentary Research Service (EPRS) of the European Parliament.

¹⁷ From interviews with EU level stakeholders, and from and from national data collection conducted in the context of this study.

¹⁸ From interviews with EU level stakeholders, and from national data collection conducted in the context of this study.

¹⁹ European Parliament, (2016), *Research for Cult Committee – Erasmus+: Decentralised Implementation – First Experiences*, requested by the European Parliament's Committee on Culture and Education (CULT).

²⁰ European Parliament, (2017), *Report on the implementation of Regulation (EU) No 1288/2013 of the European Parliament and of the Council of 11 December 2013 establishing 'Erasmus+' the Union programme for education, training, youth and sport and repealing Decisions No 1719/2006/EC, No 1720/2006/EC and No 1298/2008/EC (2015/2327(INI))*.

²¹ From interviews with EU level stakeholders.

3. ERASMUS+ IMPLEMENTATION EXPERIENCES

KEY FINDINGS

The current study confirms the generally positive findings observed in the Erasmus+ mid-term report. Across the sectors, and unanimously amongst the 10 Member States studied, the Erasmus+ programme is perceived as being very useful and effective in achieving its objectives.

Despite the positive feedback, some concerns have been identified at the implementation level in the following areas:

- Synergies and cross fertilization: there is more potential for cross-sectoral cooperation than currently witnessed by both EU and Member State stakeholders. One of the reasons for this is that the concept of “cross-sectoral” cooperation and projects, and what this entails is not always clear to (potential) applicants.
- Simplification of the programme: while the integration has not yet delivered the scale of efficiency gains that were initially anticipated, it has led to greater simplicity of programme architecture, which is beneficial for both beneficiaries and those in charge of management. In some cases the simplification, in particular for Key Action 2, has gone too far, as it has obscured the identity of the different types of actions. For example, it is not immediately clear what Strategic Partnership are for exactly (innovation; cooperation sharing experience etc.). The new programme has not (yet) reduced the administrative burden as expected for beneficiaries and National Agencies managing the programme.
- Inclusiveness of the programme: although actions have been put in place to strengthen the participation of disadvantaged groups, disadvantaged groups still comparatively underrepresented in Erasmus+. There is an organisational bias when applying for funding (favouring large organisations that have the capacity and resources to cope with the programme. Smaller organisations supporting disadvantaged groups have more trouble submitting winning applications for support). The budget allocation to each sector can be reconsidered given changing needs.
- Visibility of the programme: results of Erasmus+ are still not sufficiently communicated to a wider public.
- Result orientation of the programme: there is modest mainstreaming of the outputs produced beyond the direct beneficiaries of these actions.
- Alignment with policy needs and EU policy priorities: the alignment between the programme and EU level priorities has improved, although there is still room for improvement.
- Coherence with other EU funds: although funds are complementary with other funds contributing to human capital development, synergies are not sufficiently explored in practice.
- The most relevant conclusions and priorities of the mid-term and management response, from the perspective of national level experience, are those relating to the need to make Erasmus+ more accessible and to boost the inclusion dimension, the conclusion regarding more focus on adult learning, and the conclusion regarding the need to improve IT tools and to reduce the administrative burden involved in applying to the Erasmus+ programme. Other conclusions listed by the Commission were met with more mixed views regarding the urgency of those priorities amongst the national level research.

3.1. Introduction

The following chapter examines the main experience encountered so far during the implementation of the Erasmus+ programme. This chapter takes the merging of the predecessor programmes into the Erasmus+ programmes as one of its points of departure for structure the discussion on these implementation experiences.

The impact assessment of the LLP conducted in 2011, underpinning the proposals for establishing 'Erasmus for all' concluded that the LLP was highly popular (in particular the Erasmus brand) and that the programme is considered as user friendly and address the needs of various targeted communities. Together with the outcomes of the Youth in Action programme, all described in Chapter 2, the decision was made to combine the areas of education and training, youth, and sport into a single policy programme.

The mid-term evaluation of Erasmus+ generally provides a very positive assessment of the Erasmus+ programme. It concludes that Erasmus+ is generally relevant and effective in achieving its objectives (with the exception of the Student Loan Guarantee Facility, which reports a low take up). Erasmus+ shows a high degree of European added value (with the exception of Jean Monnet Grants in higher education), and is complementary to other national and EU level interventions (although synergies with other funds like ESIF and Horizon 2020 could be enhanced). The new programme architecture offers a simplified matrix structure (with key actions guiding activities across policy fields), and is considered to have well established programme management structures. These programme management structures had partially started developing already under the predecessor programmes, and found their stride during the first years of Erasmus+. These findings came forward in the mid-term evaluation of Erasmus+ and have been confirmed during this study as well. The Erasmus+ programme is perceived as being very useful across the sectors, and unanimously amongst the 10 Member States studied. In the countries studied, the impact of mobility projects across the fields and sectors covered by Erasmus+ were deemed very good, as were the strategic partnerships.

That being said, areas for improvement remain, and these are mainly concentrated at the implementation level. This chapter examines the outcomes of Erasmus+ so far and structures the analysis around seven important themes. These seven themes are important EU policy making principles, and were partially used as the basis for merging the predecessor programmes into Erasmus+. For these reasons, and the fact that these principles come forward in the European Commission mid-term evaluation for Erasmus+, these principles are used to structure the analysis of the programme outcomes so far. This chapter therefore examines to what extent the Erasmus+ programme outcomes contribute to:

1. synergies and cross fertilization;
2. simplification of programming;
3. inclusiveness of the programme;
4. visibility of the programme;
5. result orientation of the programme;
6. alignment with policy needs and EU policy priorities;
7. coherence with other EU funds investing in human capital development.

The following sections, discuss each of these areas in more detail reflecting on the evidence found in the mid-term evaluation and how these are reflected in the fieldwork implemented in the course of this study.

3.2. Synergies and cross-fertilisation

The 2011 LLP impact assessment, indicated that the fragmentation and complexity of the previous programme architecture, with its excessive number of objectives and actions, made programming management and implementation complex.²² The Erasmus+ programme (2014-2020) therefore combined several existing EU programmes to promote greater efficiency and a stronger strategic focus on the areas of education and training, youth, and sports as a new area. By bringing together programmes with a similar focus regarding thematic fields, synergies between different existing programmes could be achieved. Additionally, the number of different types of actions were substantially reduced, to simplify delivery and align the activities by implementing five types of actions. These five types of actions implemented under Erasmus+ include the learning mobility of individuals, cooperation for innovation and the exchange of good practices, support for policy reforms, Jean Monnet Activities, and Sports activities.

Coherence and overlap between sectors

The mid-term evaluation of Erasmus+ concludes that the initial resistance to the integration of programmes seems to have been overcome. The merger of the fields and their funds into one programme allowed for funding opportunities for the full range of possible learning experiences (formal, non-formal and informal), covering schools, VET, higher education, adult learning, sport, and within the youth sector. The mid-term evaluation clearly shows that the delineation between sectors is not always clear cut. For example, many VET providers are fall under the definition of 'schools' (in school-based VET), but can also be providers of adult education. Similarly, higher education organisations are in many cases, also providers of adult education. The cooperation between education and training (in particular but not limited to schools), and civil society (specifically in the youth sector), is in turn considered a common reality on the ground. Though this difficult delineation between sectors is not necessarily considered to be an issue, the mid-term evaluation nevertheless concludes that there is some tension in the internal coherence of the sport sector. On the one hand, certain projects focusing on social inclusion are comparable to the actions under the youth strand. On the other hand, some other aspects of the sports sector are highly specific and rather niche areas (such as projects focusing on measures to address threats to sport).

Cross-sectoral cooperation

Evidence collected in the mid-term shows that there is a strong degree of cross-sectoral cooperation within the Erasmus+ programme, and that this has increased sharply compared to predecessor programmes. In all the sectors covered by the programme, the majority of projects include at least one organisation which belongs to another sector. Despite this, during this current study some critical views were collected indicating that although the current programme facilitates further cross-sectoral cooperation compared to the predecessor programmes, that in reality this does not seem to happen as much as it could. This digresses somewhat from the European Commission evaluation which indicates that cross-sectoral cooperation is occurring in line with expectations. However, from more general EU literature on the subject, the impression arises that given the current Erasmus+ programme structure, there is more potential for cross-sectoral cooperation than is currently observed by both the EU and Member State stakeholders. One of the reasons for this is that the concept of "cross-sectoral" cooperation and projects, and what this entails precisely is

²² European Commission (2011), Impact assessment on education and training actions, Staff Working Document accompanying the *Proposal for a Regulation of the European Parliament and of the Council establishing a single Education, Training, Youth and Sport Programme for the period 2014-2020*, COM (2011)m788 final.

not always clear. As such a possible resolution for this could be to define clearly and in user-friendly terms what “cross-sectoral” involves in this context, possibly supplemented with some good practices in the area to give National Agencies and beneficiaries a more concrete idea of how such projects might look and work in practice. The 2017 survey of the Lifelong Learning Platform also shows that sfErasmus+ stakeholders have different understandings of the cross-sector cooperation component in the programme, with some stakeholders interpreting this as applying to a diverse range of organisations, while others view it as cooperation between formal, non-formal, and informal education providers. A small group considers it as both of the above, or to be a form of cooperation between organisations from different sectors (e.g. education, employment, innovation).²³ However, despite this confusion at times regarding what constitutes a cross-sectoral project, for the most part the current programme architecture facilitates more inter-disciplinary projects than predecessor programmes simply due to its design; having Key Actions working across several policy fields means that more diverse and broader projects can be supported.

Budget distribution amongst sectors

The mid-term evaluation also indicates that the current budget distribution across the sectors reflects the historical development of the programme (namely as a merger of the predecessor programmes). The budgets allocated to the different policy fields reflect the historical focus and funding received by the areas of education and training you policy, and sports under previous policy programmes. As a result, the higher education sector receives the highest share of the funding. Significant investment in this sector allows for positive results to be achieved in transnational cooperation and mobility, making the sector more global than others. The mid-term evaluation suggests that sectors and fields other than higher education are also making strong contributions to supporting young people, education and training practitioners, and organisations without having equivalent opportunities for transnational cooperation as higher education organisations. This limitation should be taken into account during future budget allocations, and this finding has been confirmed by the fieldwork undertaken in this current study. This study finds that the budget share for the youth field in particular, is considered insufficient. Given that youth policy and youth employability are national policy priorities for many countries, notably in the south and east of the EU, improving the resources available for this field is an area for further consideration regarding the governance of the programme.

3.3. Simplification of programming

One of the assumptions behind the merger of the programmes was that it would contribute to the simplification of its administration and architecture.

Simplification of programming

The mid-term states that while the integration has not yet delivered the scale of efficiency gains that were initially anticipated, it has led to a simpler programme architecture which benefits both beneficiaries and those managing the programme. The integration has also made programme monitoring clearer, thus enhancing the transparency of what has been funded, and consequently also increasing accountability. The simplification of the programme structure into three Key Actions across several policy fields in a matrix structure of sorts, is considered to be a particularly important step in this regard.

²³ <http://lllplatform.eu/what-we-do/erasmus-survey/>. This survey implemented in 2014, 2015, 2016 and 2017

This positive observation from the mid-term is echoed by other sources, including the 2017 beneficiary survey of the *Lifelong Learning Platform* in which a majority of beneficiaries appreciate the simplified architecture of the programme, mainly referring to the use of lump sums²⁴. This finding regarding the simplified programme architecture was also reflected during the fieldwork conducted for this study. Stakeholders indicate that the application procedure is relatively uniform across the three fields and Key Actions, and this is seen as beneficial by national applicants and EU stakeholders²⁵. Most of the countries studied report that it is now generally more straightforward for applicants to find a programme which can help support a project in the areas of youth, education and training, or sport.

Despite this positive observation regarding the simplified programme architecture, the mid-term evaluation also concludes that some programme stakeholders argue that the simplification, in particular for Key Action 2, has gone too far. The identity of certain types of actions are diminished and it becomes less clear what types of support those actions cover. For instance, a recurring observation from the mid-term is that it is no longer clear what Strategic Partnership are for exactly (innovation; cooperation sharing experience etc.). As a result, though Key Action 2 supports very different projects in terms of their scale and objectives, all projects need to meet the same requirements, which increases the administrative burden for smaller projects in particular. This finding has been confirmed during the fieldwork conducted in the course of this study, demonstrating that it is not always evident what Key Action 2 entails, what types of projects can be supported using this action. This is accompanied by a more complex application procedure (the application procedure will be examined in further detail in subsequent sections). Moreover, taking into account the low success rate of Key Action 2 applications, the application process results in high costs for applicant organisations.

Application process

The mid-term – reconfirmed by this study – finds that the new programme did not reduce the administrative burden for beneficiaries much, nor for the National Agencies managing the programmes. The application process is still perceived as burdensome by stakeholders, since the application form is considered overly specific, with similar information requested under different headings and sections of the application. Moreover, as already indicated, projects of a different scope and nature are assessed along the same criteria, increasing the burden especially for smaller scale projects. Some of the national data collected in the course of this study also indicates that the one-size-fits-all approach is detrimental to efficiency as the sector specificity is not taken into sufficient account for the application procedures. Added to this, the language used in the application procedure tends to be overly technical, using jargon which is often difficult to understand for the average applicant of an Erasmus+ project. Some stakeholders also indicate that some of the questions in the application form are difficult to answer at the application stage as it is too early to be able to provide such answers just yet. Examples include defining the exact level and types of impact which a project will achieve, or how long apprenticeships will be provided, at which enterprises, sometimes a year or so in advance. Moreover, stakeholders face difficulties in understanding what an intellectual output is in this context.

Regarding the application process there appears to be a disconnect between policy maker language and applicant language; defining different types of impact is quite common to policy makers in aid of policy monitoring and evaluation, but for the average education, VET or

²⁴ <http://lllplatform.eu/what-we-do/erasmus-survey/>

²⁵ From interviews with EU level stakeholders.

youth organisation, this is not something they engage with on an everyday basis. The translation of the application evaluation criteria to practical aspects of a project are also not usually immediately clear for applicants. Across all of the 10 Member States examined within the context of this study, the data shows that national organisations respect that the new application systems have become more harmonized across fields and across Key Actions, but that the application procedure still remains lengthy and burdensome in terms of administrative requirements. It costs time and human capacity to prepare an application, to understand the requirements, and to prepare a quality report. The most recent Erasmus+ implementation survey by the Lifelong Learning Platform (European civil society for Education) in 2017 confirms this finding, showing that a substantial proportion of respondents (36%) feel that it took them too much time and effort to prepare the application, while half of the respondents considered it fairly time consuming.²⁶

The fieldwork conducted in this study shows that especially smaller organisations struggle disproportionately with preparing and submitting applications, leading to a skew in the types of organisations which successfully apply for Erasmus+ (see also the section on inclusiveness of Erasmus+). This is explained in further detail in the next section 3.4 on the inclusiveness of Erasmus+. As it stands however, higher education institutions, VET institutions and, in some countries, schools, make comparatively greater use of Erasmus+, while youth organisations, civic organisations, and organisations focusing on social inclusion and disadvantaged groups tend to be smaller, and make comparatively less use of Erasmus+.

The fieldwork conducted in the course of this study also indicated that the percentage of schools participating in Key Action 1 and Key Action 2 is still limited, especially for primary and secondary schools. In several countries studied, the participation of schools in Erasmus+ is lower than with the predecessor programmes such as Comenius. One of the reasons for this is that the eligibility and administrative requirements for schools to participate in Erasmus+ (especially Key Action 2) are more demanding than under the Comenius programme.

Organisations new to Erasmus+ experience similar difficulties to smaller ones. The application procedure is often seen as an obstacle to new organisations. This is because the administration process was reportedly burdensome and was perceived as an obstacle to newer organisations using Erasmus+. Added to this, the requirements for participating in certain projects under Key Actions 1 and 2 require five partners from other countries and 20% of co-financing. Finding five suitable partners in other countries is a first, sometimes challenging step for project coordinators. Concerning the financial aspect, when the total budget for the project is high, the 20% share becomes quite a large chunk of the budget in absolute terms; 20% of 500,000 Euro is a substantial amount for a smaller organisation, compared to, for instance, 20% of 100,000 Euro. The budget sizes become problematic for smaller organisations (which are more common in the fields of youth and adult learning).

Changes have been made in response to this complaint. Within the sports field for example, there is now the option for smaller collaboration projects, which have an average budget of around 60,000 euro, and which only require three partner organisations from three different Member States. The financing from an applicant becomes much lower and therefore the requirements become easier to meet. This means that more, though smaller projects can be financed through Erasmus+. This also leads to more administration at the EU level as sports

²⁶ <http://lllplatform.eu/what-we-do/erasmus-survey/>

is a centralised action, but after some policy discussion²⁷, this change to the application requirements was made in the Annual Work Programme 2016, with the introduction of the smaller collaborative partnerships.

A common observation across the literature as well as from national level stakeholders is that support tools such as the Programme Guide are considered relevant and ultimately useful, but at the same time are also complex and not user-friendly. The Programme Guide is generally perceived as too long and confusing. As it stands it is a document of more than 300 pages, and it is not always clear to applicants what projects they can use Erasmus+ for, which criteria they must adhere to, and how to do so. As this is one of the prime aids for developing an application, a recommendation could be to shorten and tailor the language to be more accessible to the end users, namely applicant organisations.

Implementation and monitoring

Focusing on the implementation of Erasmus+ projects, the mid-term analysis concludes that the level of monitoring is not proportionate to the size of projects and their budgets, nor is it proportionate to the actual use made of that data by the National Agencies and Commission (specifically in their annual report and dissemination activities). Several National Agencies complain about the difficulty of using the data in its current format and the fact that the monitoring systems related to the data collection are complex. These findings are echoed during the field work undertaken in the course of this study amongst national organisations, stating that the Erasmus+ programme is still considered as a complex programme. Efforts have been made towards simplification of the reporting and monitoring procedures, but some of these changes still need to come to fruition. For example, the choice to move to a unit cost system for funding and support from the programme make the accounting and financial management easier for National Agencies and for EACEA, but this also translates to complexity and confusion for beneficiaries. The unit costs and the lump sum system often mean that national organisations who apply for the programme must make the translation of the reimbursement made by the EU institutions to their own national or organisation accounting methods, and this leads to extra administrative burden. Furthermore, the lump sums and unit costs system do not always cover the costs of certain activities, which is a challenge for national organisations who make use of Erasmus+. This also leads to higher administrative costs for the National Agencies and coordinating organisations within a project.

Online tools

A further simplification issue is the use of more ICT tools for application processes, as well as for monitoring and reporting requirements for beneficiary organisations. Stakeholders interviewed in the course of this study indicate that the online reporting system and templates are considered useful for beneficiary organisations to use and are considered relatively user-friendly. During the first years of the programme there were complaints from the applicants and beneficiary organisations that the ICT tools did not work, or worked slowly, or were not user-friendly. National Agencies, applicants, and beneficiaries kept their own 'shadow' application and monitoring data in Word and Excel. While these issues have been resolved to some extent, national organisations and National Agencies communicate that these ICT tools could use further refinement to improve their performance and functional use. This may lead to less confusion amongst applicants and beneficiary organisations. Providing more guidance on how to use the unit cost system and the lump sum approach, and on how to combine these reporting requirements with an organisation's own internal

²⁷ From EU level interview.

accounting requirements may be provided by National Agencies. The distance calculator in turn is deemed quite useful by some countries, and an obstacle in others. Some member States indicate that the distance calculator does not take enough consideration of individuals who live in remote regions and whose travel time (and costs) are higher than average. The distance calculator is a tool which, according to some of the national organisations, works mainly for individuals living in more connected areas or hubs.

Governance of the programme by National Agencies and EACEA

Turning to the governance of the Erasmus+ programme, the countries examined in this study all indicate they are satisfied with their respective National Agencies. National Agencies generally display good levels of expertise and support to applicant organisations. Countries studied show that since 2014 they have observed marked improvements amongst the National Agencies, who have also become more accustomed to the new way of working required by the introduction of the Erasmus+ programme. The National Agencies support applicant organisations, promote and provide information as to the opportunities available to potential beneficiaries, and in most cases also make a point of systematically informing potential target groups of the changes made at the EU level to the annual orientation of Erasmus+. Providing information on the changing annual priorities for Erasmus+ is important as this dictates what types of projects may be given more emphasis during the assessment stage. The annual orientation and priorities therefore need to be communicated in a clear and accessible manner to target groups. One point for improvement named by some of the countries is that the level of feedback provided by the National Agencies could be more detailed. Applicants whose projects were not honoured desire detailed feedback to improve their bids for next calls and this does not always happen to a satisfactory degree. There is of course some variation in how National Agencies approach and provide the dissemination of feedback, but in several countries, the lack of feedback was signalled as an area for improvement. Furthermore, national stakeholders also indicate that National Agencies could offer more support in helping to understand how the assessment criteria for a project can best be translated into practical terms in an application.

National stakeholders also indicate that National Agencies sometimes differ in their application of the programme rules. This was expressed in the 2016 and 2017 survey conducted by the Lifelong Learning Platform, where more than a fifth of respondents indicate that the rules are applied fully or mostly in the same way, pointing to unequal implementation approach across the different National Agencies. Differences in the quality of the evaluation provided by the different National Agencies was also flagged as a matter of concern in this survey. During this study, however, no concrete examples were found supporting this claim. The survey outcomes also report a positive assessment of EACEA's implementation and management of centralised actions (three quarter of respondents positively assess the EACEA), although critical remarks were made about the alignment between the design of calls and reality amongst beneficiaries and need for better project support.

3.4. Inclusive programming

Limited outreach to disadvantaged groups

The mid-term evaluation concludes that there is room for improvement regarding the participation of disadvantaged groups in Key Action 1, and regarding the participation of organisations in Key Action 2 which target hard to reach groups. These organisations seem to be less successful in applying for Erasmus+ funding than other organisations which serve

better-off target groups. Monitoring the participation of disadvantaged groups is hindered by the use of different definitions of vulnerable or disadvantaged groups across countries. Although actions were put in place to strengthen the participation for disadvantaged groups the mid-term concludes that these participants are still amongst the groups most excluded from Erasmus+.

This observation has been confirmed in this study as well. Information collected indicates that one of the main implementation level issues cited by National Agencies and national organisations is that very hard to reach individuals are still not sufficiently reached by the Erasmus+ programme. Especially given its current priorities of pursuing the Paris Declaration and the principles of inclusion it promotes, it is especially important for the Erasmus+ programme to be able to also support harder to reach individuals. These individuals can be harder to reach for various reasons, such as living in rural or less developed areas, experiencing poverty, language barriers, or because they have special needs. Moreover, these groups are not always targeted by organisations with sufficient resources to apply for Erasmus+ funds. The Erasmus+ programme therefore needs to examine how it can be made more accessible so that such groups can also be supported.

Organisational bias in the application procedure

The information collected during this study points to a recurring and strong critique that the Erasmus+ programme, through its eligibility requirements, application procedure, and rules for reporting and monitoring when conducting a project, introduces an organisational bias. The issue of administrative burden comes forward as an especially urgent challenge to resolve. The outcome is that smaller organisations and organisations applying for the first time face substantial obstacles in developing an application and in participating in the programme if their application is successful. The main issues here are that the application procedure takes a long time and requires expertise given the complexity and length of the application procedure. Smaller organisations often (such as youth organisations, or volunteering organisations, or schools) have trouble finding individuals to take on such a large task.

New applicants face similar issues in that the application procedure is daunting the first time and acts as a deterrent to new organisations. When coupled with the comparatively low success rate for applicants, especially in Key Action 2, the application process seems even less inviting. This finding is confirmed Life Long Learning Platform survey (conducted amongst 275 Erasmus+ beneficiaries) concluding that one of the most common concerns among respondents is that the eligibility criteria seem to favour large organisations and educational institutions.²⁸ Related to this observation is that the smaller organisations - and those focusing on disadvantaged groups - are more strongly represented in the youth sector, as well as the adult learning sector. These organisations tend to be smaller and have less capacities available for applying for Erasmus+ funding, and are more likely to depend on volunteers. The resources available tend to be fewer and as such, it is ultimately comparatively more difficult for a youth organisation to apply for an Erasmus+ project when compared with Higher Education Institutions and VET institutions, which tend to be larger.

Smaller organisations and disadvantaged target groups are also hampered, since some costs in Key Action1 and Key Action 2 must be payed up front. Although these can be reimbursed at a later stage, the time it takes for this reimbursement to take place is often considered long. Especially in the case of youths, who can come from different backgrounds,

²⁸ <http://lllplatform.eu/what-we-do/erasmus-survey/>

requirements to pay for items up front can be an obstacle to their participation. Youths who are apprentices either in VET or in education, parents, or the youths themselves cannot always afford to cover such costs up front. Paying for a passport for a mobility project for instance, or making a contribution to be able to go on a school trip are costs which young people or students from very disadvantaged backgrounds cannot always afford, excluding some of the groups who would, comparatively, benefit most from an Erasmus+ project. The organisations running the projects can often also only forward a certain amount of the costs before entering into liquidity problems themselves. This means that there is a participation hindrance for target groups from less privileged backgrounds, notably amongst the youth target group and for individuals generally from marginalised backgrounds. This undermines the more recent Erasmus+ priorities of wanting to promote further social inclusiveness.

Demand exceeds funding available

More generally, as indicated above, the demand for Erasmus+ funding largely exceeds the funding available, despite the 40% budget increase compared to the previous programme period²⁹. This is a major issue which has been acknowledged at the EU level by the European Commission, but one that persists nonetheless. An observable phenomenon now is that the quality of proposals is increasing but that many of them must still be rejected due to insufficient funding capacity; the success rates of the applications submitted tend to be relatively low as a result. This leads to the risk of disillusionment amongst the applicants and could ultimately damage the image of Erasmus+ as a programme. Whilst there are also stakeholders who question whether the programme should be promoted so widely if it cannot satisfy the current demand, the discrepancy between supply and demand for funding remains a key challenge. A 40% increase in the budget for Erasmus+ came into effect as of 2017, but budgets are still seem insufficient to satisfy all needs. Although the Erasmus+ annual report for 2017 still needs to be published and there are no insights into the actual number of activities and take-up of the budget given the current low success rates, there is reason to believe the budget increase will be absorbed.

An option to mitigate any disillusionment amongst applicants who failed to procure support for their projects would be to actively promote the increased budget at the national levels. Given the widespread phenomenon across the programme that demand for project support outstrips supply, the current evidence suggests that a budget increase in the next programming period would easily be absorbed.

Accessibility of programme documents

A final note which arose from the national level research in relation to conducting projects under Erasmus+ is that the necessary documents for conducting projects (and applications in some cases) are often only available in English. In some countries teaching English as a foreign language is not so widespread and indeed, constitutes a national priority for improvement. To only have documents available in this language is therefore an added challenge to conducting projects for some organisations. Delivery of the Guide's translation from English to other EU official languages was delayed at times since the programme implementation, which in some cases constituted a challenge for the applicants.

²⁹ The Programme has an overall indicative financial envelope of 14.774 billion EUR under Heading 1 and of 1.680 billion EUR under Heading 4 of the EU Budget for the seven years (2014-2020). The annual budget is adopted by the Budgetary Authority.

3.5. Visibility of the programme

One of the rationales behind merging the different funds into Erasmus+ was to increase the visibility of the programme by building further on the popular Erasmus brand.

Programme is well known and has a positive image

Overall the mid-term evaluation reports a growing consensus that an integrated programme is beneficial for the promotion of the programme and its visibility. The mid-term evaluation gathered evidence, (using the Eurobarometer survey, interviews, and responses to the open public consultation, social media analysis, and surveys), that Erasmus+ is a well-known programme with a strong, positive image. Though not all the aspects of the programme are known to the same degree, Erasmus+ remains a flagship programme for the EU. It is regularly identified by citizens as one of the key positive results of the EU (according to the standard Eurobarometer surveys).

The interviews conducted during this study indicate that the predecessor programmes were relatively well known and carried positive brand associations, leading to good visibility for the programmes. However, the good press and reputation associated with these brand names have been lost to some extent now that the predecessor programmes have been incorporated in the Erasmus+ programme. There is some discussion as to whether the brand names of the predecessor programmes ought to still be used so that applicants know that the EU still offers the type of support they were accustomed to, though now through the Erasmus+ programme. In some countries, Comenius and Grundtvig were especially popular, and had good reputations. This particular brand visibility is now lost to some extent.

However, on the other side of the discussion, some stakeholders argue that having one large programme covering the fields of education and training, youth, and sport is easier to promote; National Agencies and organisations can present and promote one cohesive programme, and this is also said to be a benefit of the current programme architecture. A possible middle ground here could be to invest more resources in publicity and guidance documents at the national level to show how the predecessor programmes have been taken up in Erasmus+ and that the users of the predecessor programmes can now direct their attention to Erasmus+. A positive note is that the number of projects being supported by Erasmus+ in countries has steadily been increasing, showing a good visibility and relevance of the programme, and the number of applications has been increasing over the years.

Limited public awareness of achieved results of Erasmus+

The mid-term evaluation points out that there is relatively little data available on programme performance in the public domain. The annual performance reports focus primarily on outputs and contain very little data from the Erasmus+ monitoring surveys. While there are regular publications of success stories, there is much less publicly available data on key performance indicators. The mid-term concludes that this lack of publicly available data on programme performance is negatively affecting the visibility of the programme's contribution to education and training policies. The interviews conducted within this study confirm this finding, indicating that at present the dissemination and promotion of the results achieved by Erasmus+ are seen as insufficient to do the programme justice. Besides promoting the programme and its outcomes better, disseminating projects and their results could also lead to better knowledge sharing amongst applicant organisations. The country studies indicate that the financial support available for the administrative and management activities carried out by the National Agencies is not high enough, and nor are there enough resources made available via National Agencies for the dissemination and promotion of project results. Further

attention for presenting and disseminating results at both the EU and the national levels could contribute to better quality projects, as well as better promotion of the Erasmus+ programme. National Agencies could play a stronger role in coordinating dissemination and mainstreaming of project outcomes towards national policy makers and decision makers in the fields of education and training, youth, and sports.

3.6. Result orientation of the programme

Programme shows good results on individual and organisation levels, but less impact on system level

According to the programme's legal basis, the main aims of the programme are to develop the skills and competences of learners (including foreign language skills), improving the quality of education and training, internationalisation, promoting excellence in teaching and research about the EU, and raising awareness of EU policies and priorities in the area of education, training youth and sport policies. The mid-term provides a positive assessment regarding the results of Erasmus+, especially the results achieved at individual levels, such as skills and competence development of learners and professionals participating in the mobility actions (Key Action 1 and Key Action 2). Participating in Erasmus+ often leads to a more international outlook, autonomy, independence, a positive attitude towards the EU, and more specifically, positive civic and political awareness. Moreover, soft effects on organisations are also reported, and to a lesser extent on policies. These effects are often realised through practitioners working at such organisations. Though these are positive effects, it should be noted that the mid-term evaluation finds that such changes at organisation level are progressive and small scale. Furthermore, system level effects remain of an ad hoc nature, according to the mid-term evaluation. Outcomes of strategic partnership are not always used at the national policy levels, and there is limited alignment between the funds, the Open Method of Coordination, and country specific guidance.

Limited mainstreaming of project outputs and results

The national level research carried out in the course of this study conclude the result orientation of Key Action 2 projects has improved. Nevertheless, more attention could be given to building on programme impacts, by for instance mainstreaming innovations or outputs. Additionally, the mid-term evaluation finds that there is modest mainstreaming of the outputs produced by projects (beyond the direct beneficiaries of these actions). Individual participants in these actions do benefit from the process and the activities funded by the programme. However, the programme also has the ambition to lead to effects beyond the direct beneficiaries. Examples of mainstreaming or learning beyond direct beneficiaries were identified, but remain ad hoc, according to the mid-term. Both the EU level and the national experiences, reflect a concern for project impacts and a lack of project sustainability.

At the national level, the organisations conducting Erasmus+ projects lament the fact that once the project is over, it cannot be easily extended in cases where a projects made particularly good impacts. The whole application procedure must be engaged in again, which as noted in preceding sections, is considered lengthy and complex (even amongst experienced applicants). In aid of more sustainable impacts, a possibility could be to introduce a lighter version of the application procedure for particularly successful projects. Moreover, some national organisations lament that for some fields, there is only one annual call. This means that the work which goes into an application can very easily go to waste; by the time the next call comes about a similar project can have been submitted by another

organisation, or the idea for the project has become less relevant, or the specific annual orientation for Erasmus+ has changed and the chances of the project being honoured are lower. By providing multiple calls throughout the year, a rejected project could receive and incorporate feedback, and submit an improved project application once more. To improve the accessibility and to counter demoralisation amongst applicants, such an approach was suggested by various national organisations studied in the context of this project.

Fostering innovation remains limited

The mid-term points out that the degree of innovation within the Erasmus+ programme remains limited. Many of the projects are about cooperation, and sharing and learning rather than innovation. The sharing and learning activities have a clear merit and they enable staff and organisations to improve their practices and methods but they have limitations when it comes to stimulating innovation. Most of the cooperation projects fund activities which are innovative in their context (i.e. they are not part of core activities of the participating organisations) but they are not innovative in more general terms when looking at best practices regarding, for instance, pedagogical methods or approaches. This hinders further mainstreaming of project outputs and achieving impact beyond project partners. The mid-term concludes that this is in part caused by the current programme architecture and Programme Guide which do not clearly call for proposals that would result in such innovation or at least the transposition of innovation into practice, (barring some centralised actions, like the Knowledge Alliances and Sector Skills Alliances). Although innovation is one of the elements mentioned in the Programme Guide, and experts take this criterion into account while assessing a project proposal, the concept of innovation is not clearly defined and communicated to applicants. Moreover, there is no clear process in place at the application stage to identify actions that have strong innovation potential and to further enhance their capacity. Finally, innovation implies some risk taking while the whole approach to the funding is based on the principle of risk minimisation, thus favouring actions that are relatively low in risk, inhibiting the possibilities for more innovation. Some stakeholders argue that previous programmes such as Leonardo were more research and innovation oriented, as they encouraged pilot projects. Others point out that the decentralisation to National Agencies makes it difficult to track if an innovative project has been submitted in other National Agencies during the same call.

3.7. Alignment with policy needs and EU policy priorities

The mid-term evaluation concludes that the management structure having decentralised actions, ensures proximity to the target audience, tailored support to applicants and beneficiaries, and country-relevant approaches to dissemination. Centralised Erasmus+ actions promote the alignment of EU-level priorities and the possibility to issue ad hoc actions which respond to urgent political priorities, efficient approaches for those actions and projects which are of a smaller scale, and fair competition for those actions that aim at excellence and are designed to be selective.

Alignment with EU policy framework

The Annual Work Programmes in Erasmus+ establish the main priorities to be pursued by the programme within its general and specific objectives. These Annual Work Programmes help to operationalise the objectives and establish which types of projects will gain emphasis and preference within the programme for that year. This annual orientation is

decided at the EU level using the implementing acts procedure, specifically using the examination procedure. This procedure is explained in further detail in Chapter 4, but for the purpose of this section, this means that the Commission and members of the Programme Committee (composed of member State representatives) discuss and draft the Annual Work Programme, with the input of an informal group of experts in the areas of Erasmus+. The idea behind this mechanism is that EU programmes can more rapidly respond to current and actual needs in Europe. In the case of Erasmus+ this means that the Annual Work Programmes for 2016 and 2017 for instance, reflect the more recent developments in Europe, such as the influx of refugees and migrants from recent years, and the political radicalization and terrorist attacks which took place across Europe.

This different emphasis within Erasmus+ is something which the national organisations under study notice and generally appear to appreciate. This is because in most of the countries examined the issues of integrating and supporting migrants, as well as trends of political radicalization are dominant national concerns. Each of the countries covered in this study appear to appreciate this responsive approach to implementing Erasmus+. Generally, though these decisions about the annual orientation of Erasmus+ take place in Brussels at the EU level, the changes in focus are communicated to potential applicants and target groups via the National Agencies. This is said to work quite well in most cases. In Germany for instance the changes in annual orientation are published and communicated to target groups on an annual basis, and according to national level research, this is experienced as quite clear and helpful. Research amongst Polish organisations in turn, indicates that the national organisations applying for Erasmus+ found the change in annual orientations confusing.

Although the mid-term evaluation concludes that the alignment between the programme and EU level priorities has improved, there remains room for further improvement. Projects focusing on key issues identified by EU2020 or ET2020 such as early school leaving, higher education attainment, basic skills, etc. remain relatively rare. In practice projects address a wide range of thematic topics. Especially the interventions supported in the adult learning sector are highly fragmented, given the nature of this sector, resulting in the dilution of the effects of the projects. Combined with the relatively small budgets these projects often receive, the mid-term concludes that the interventions in this sector are not targeted enough to make a clear contribution to national level priorities. As a result, the contribution of Erasmus+ toward achieving Europe2020 indicators, as well as the ET2020 indicators, is difficult to measure.

Alignment with national policy needs

At the same time the mid-term evaluation also shows limited potential for National Authorities to define national priorities alongside EU priorities. Nevertheless, the fieldwork implemented in the course of this study shows there is generally a good degree of alignment between the programme objectives and the national level needs. This was also reaffirmed in the 2016 survey of the Lifelong Learning Platform, where a clear majority of programme stakeholders indicate that the programme is quite adapted to their national realities. This is in no small part related to the fact that the Erasmus+ objectives are considered to be quite broad, and pertain to generally, socially desirable objectives. As such these objectives tend to align to a large extent with national objectives. Themes such as promoting school education, secondary education, adult learning, better VET, improved skills alignment between education and VET with the labour market, the professionalization of teachers and trainers, supporting national youths, and the general accessibility of education and work for all are generally positive aims for a country to strive towards. The promotion of internationalisation across these sectors is

also considered a useful added value of Erasmus+ in countries. These aims tend to have significant overlap with national level priorities and policy discussions. There are of course differences in policy attention for specific issues across Member States, but in general terms there is a good degree of alignment between national needs and the Erasmus+ objectives. Added to this, the breadth of the objectives allows for diverse types of projects to be run using Erasmus+.

Examples of country specific needs, addressed by Erasmus+

- **Spain:** the youth sector and youth unemployment and youth entrepreneurship specifically continue to constitute strong national themes, along with financial support for school education, of which the country made much use through the Comenius programme.
- **The Netherlands:** VET alignment with labour market requirements, professional development of trainers and teachers, and inclusion of LGTBQ community are important specific themes within the objectives of generally improving education and VET, supporting the youth, and promoting internationalisation in these sectors.
- **United Kingdom:** socially excluded and potentially marginalised youths are especially important policy issues, and there is a general tradition of pursuing policies around improving access of people with special needs into all aspects of life, including work and education. The theme of including individuals who live in more remote areas are also especially prevalent topics since the referendum surrounding Brexit exposed a severe regional skew in educational and employment opportunities.
- **France:** adult learning, professionalization of teachers and trainers, and the support of pre-schools and schools are special areas of policy focus, along with the education and integration of refugees and migrants.
- **Germany:** the school sector and youth sector are areas of particular focus, and there is regret that there is less attention for adult learning amidst the current Erasmus+ architecture, as well as a desire for more focus on sports.
- **Slovenia and Latvia:** rely heavily on Erasmus+ for youth sector support, and both countries express an emphasis on improving foreign language education, and general education and VET reform. In Latvia especially, the internationalisation of education and employment is an important theme, and one which the Erasmus+ programme is said to play an important role in promoting.
- **Poland:** being in the midst of educational and VET reform in recent years, as well as in promoting access to education, digital skills, language education, and generally trying to promote more active citizenship and internationalisation in education and VET.
- **Finland:** a dominant theme is the exclusion of youths especially from employment, along with the promotion of active citizenship in the country.

While the existence of these national differences is natural, there is generally space within the Erasmus+ programme to pursue these different policy priorities, although there is no possibility to define national priorities. The decentralised implementation of programmes supports this alignment by virtue of having National Agencies that are 'closer' to the beneficiaries.

However, there are differences in the funding allocated to different sub-themes, and this can on occasion mean that there is not enough funding for other more specific themes. One area which the Member States examined seem to agree on unanimously is that the youth sector requires better support and more funding within the Erasmus+ programme. Direct experiences with European projects help to foster a feeling of European citizenship, of social

inclusion, and activation amongst youths. Therefore, being able to provide more of such experiences to youths across Europe is considered an important step to further address the main national policy needs in Member States and the Erasmus+ objectives. In some countries, the Erasmus+ programme support to the youth sector is implemented in the absence of strong or defined national policies for that policy area. Furthermore, adult learning is an area for which some Member States would like to see more policy attention via Erasmus+. That being said, some country level research (such as in Poland) shows that some countries would in fact prefer to have more freedom in how they pursue their national policies within Erasmus+.

Student Loan Guarantee and Jean Monnet: limited alignment with local needs

Besides these more general trends observed in most, if not all of the countries examined in this study, trends in perceptions regarding some of the more specific Erasmus+ instruments were also observed. For instance, the Student Loan Guarantee was generally not seen as a particularly useful tool at the Member State level, echoing the outcomes of the mid-term evaluation. Additionally, the added value of the Jean Monnet activities was also not particularly strong as there were so many national funds and programmes to support students and researchers instead that Jean Monnet activities had comparatively low added value.

3.8. Coherence with other funds contributing to human capacity development

The mid-term concludes that Erasmus+ is coherent with other programmes which support the development of human capacities in the EU, (such as the ESF, Horizon 2020 etc.), as Erasmus+ does not overlap with, and is complementary to other funds. Nevertheless, the mid-term does not provide any evidence of clear synergies between Erasmus+ and public funds (such as the use of ESF for upscaling / mainstreaming products developed with the support of Erasmus+ to trigger structural reforms at national level).

It should also be added that some of the national research, such as from Poland, France and the United Kingdom, indicated that in the case of certain projects, such as those which aim to help individuals in more disadvantaged areas, parallel or complementary projects could be implemented using the European Social Investment Funds (ESIFs). To target and include individuals in Erasmus+ projects, complementary projects could be set up to simultaneously help the individuals through Erasmus+ projects, while also investing in and developing the region. In this way it may be possible to support regional development by supporting human capacity development through Erasmus+ and regional socio-economic development via ESIFs. These cases of synergies are scarce and could be further explored in the next programming period.

3.9. Mid-term recommendations and Commission follow up

Based on the mid-term evaluation one can generally conclude that the changes made for the current programming period effectively addressed the problems identified in the predecessor LLP programme, by increasing synergies and cross fertilization; simplification of programming; improved access to funds for all; improved visibility and branding of the programme; as well improved result orientation, as expressed in the Impact Assessment of the current programme. Nevertheless, a number of challenges are identified in the mid-term evaluation. These challenges are examined in Chapter 5.1, along with the recommendation

provided in the mid-term, and the reflection provided by this current study. This discussion and summarising table can be found in Chapter 5 with the rest of the summarised key findings and recommendations.

Furthermore, it should be noted that the European Commission in turn presented a series of priorities areas to focus on for the current and next programming period³⁰. These priorities are based on the mid-term evaluation report, and have also been reflected on in the context of this study in section 5.1.1. As it stands the Commission has identified 11 priorities for future action. However, the Erasmus+ Programme, though effective is still finite in its resources. As such the Commission must reflect on which aspects of the programme have most priority and should consequently be addressed in the next Erasmus+ programme generation.

³⁰ European Commission, (2018), *Report from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions, Mid-term evaluation of the Erasmus+ programme (2014-2020)*, Brussels, 31 January 2018, COM(2018) 50 final.

4. DELEGATED AND IMPLEMENTING ACTS IN ERASMUS+

KEY FINDINGS

- The Lisbon treaty introduced a new system for the conferral of powers to the European Commission by the legislature which entails a division between delegated and implementing acts. The two decision-making mechanisms serve different purposes and involve different sets of actors in the exercise of control towards the executive.
- The Erasmus+ Regulation provides the Commission with secondary rulemaking powers both through delegated acts for amending a Regulation article providing additional actions to be managed by national agencies, and through implementing acts for the adoption of Annual Work Programmes.
- The Commission has never made use of its power to adopt delegated acts under the Erasmus+ Regulation. Every year it has utilised its power to adopt the Annual Work Programmes with usually one amendment per year.
- The case studies of the Annual Work Programmes reveal that EU policy priorities played an increasingly important role through the years for the implementation of Erasmus+, giving rise to new specific actions and modifying the annual orientation for the selection of projects.
- The available documents in the Comitology Register and the voting results for the years 2014 to 2017 suggest a constant improvement in communication between the Commission and the Erasmus+ Committee with so far no negative opinion presented and the implementation of swift changes to the proposed implementing acts if so proposed by the Erasmus+ Committee.
- The Annual Work Programme 2017 and more importantly the Annual Work Programme 2018 introduced the European Solidarity Corps as an initiative that would be implemented through the budget of youth, specifically, the European Voluntary Service.
- While this use of the implementing acts procedure was perceived as questionable by the European Parliament, the empowerment conferred on the Commission in the basic act allows for the possibility of using the Annual Work Programme in such a way.
- To help avoid discussions regarding decision-making mandates, (such as those triggered by the European Solidarity Corps decision), providing more detail in the basic act on the exact nature of the powers conferred upon the Commission may help to prevent similar situations in the future. Moreover, using delegated acts for some elements of the Annual Work Programmes that are currently decided under implementing acts may provide for greater influence on secondary policy choices, such as the (multi-)annual orientation of the programme.
- Alternative decision making procedures are practically difficult to suggest due rules against making suggestions of hybrid decision-making procedures under the 2016 IIA and the Common Understanding on Delegated Acts.

This chapter introduces and discusses delegated and implementing acts. The first section defines these two decision-making procedures and introduces what each of these procedures entails, their legal bases, and the rationales for their introduction within EU law-making. Following this, a comparison is made between the two types of acts. Both delegated and

implementing acts are examined from the perspective of several common legal and policy making principles. Following such a comparison between the delegated and implementing acts procedure, the discussion moves to issues which have been encountered when applying implementing and delegated acts in practice, and ends with an examination of which sort of decision-making procedures could also be appropriate when implementing Erasmus+.

4.1. Introducing delegated and implementing acts

Articles 288-292 of the Treaty on the Functioning of the European Union establish the general framework for legal acts introduced by the Lisbon Treaty in 2009.³¹ More specifically, for the first time the Treaty provides for a distinction in secondary rulemaking powers between **delegated** and **implementing acts**, in **Articles 290 and 291 TFEU**, respectively. These powers are an important aspect of the constitutional framework of EU governance and in appropriate cases they contribute to simple, up-to-date legislation and the efficient, swift implementation thereof.³²

The division into two kinds of acts reflects a distinction regarding the nature of the tasks accorded to the Commission and requirements of accountability. Delegated acts concern 'rules coming within the regulatory framework as defined by the basic legislative act'³³ while an implementing act is designed 'to provide further detail in relation to the content of a legislative act'³⁴ with the aim of ensuring uniform conditions of implementation across Member States. In both cases it is up to the co-legislators to decide during the negotiations on the basic act whether or not to delegate powers and if so, to what extent.

Regarding delegated acts, the basic legislative act must explicitly define the objectives, content, scope, and duration of the delegated activities, as well as carefully describing and framing the extent of the delegation of power to the Commission. Delegated acts empower the Commission to amend or supplement non-essential parts of a basic legislative act³⁵. Implementing acts in turn are used when a harmonised, uniform implementation of a legal act is required. In the case of Erasmus+ the Commission is empowered to adopt implementing acts in the form of Annual Work Programmes. Both delegated and implementing acts and the procedures involved are introduced in more detail below, before moving to examine the role which these play in Erasmus+.

4.1.1. Delegated acts

Delegated acts were set up under Article 290 of Lisbon Treaty as a complementary rule-making system to the main EU legislative process. Delegated acts are a more simplified and efficient form of the Regulatory Procedure with scrutiny,³⁶ the purpose of which is to amend or supplement basic legislative acts. Provisions amended or supplemented by a delegated act become an integral part of the basic legislative act. The European Parliament or the Council can revoke the delegation of power to the Commission³⁷ at any time.

³¹ Consolidated Version of the Treaty on the Functioning of the European Union art. 288-292, 2008 O.J. C 115/47.

³² IIA on Better Law-Making L123/1 of 13 April 2016, Chapter V, 26.

³³ Case C-427/12, *Commission v. Parliament and Council (Biocides)*, ECLI:EU:C:2014:170, para 38.

³⁴ Ibid, para 39.

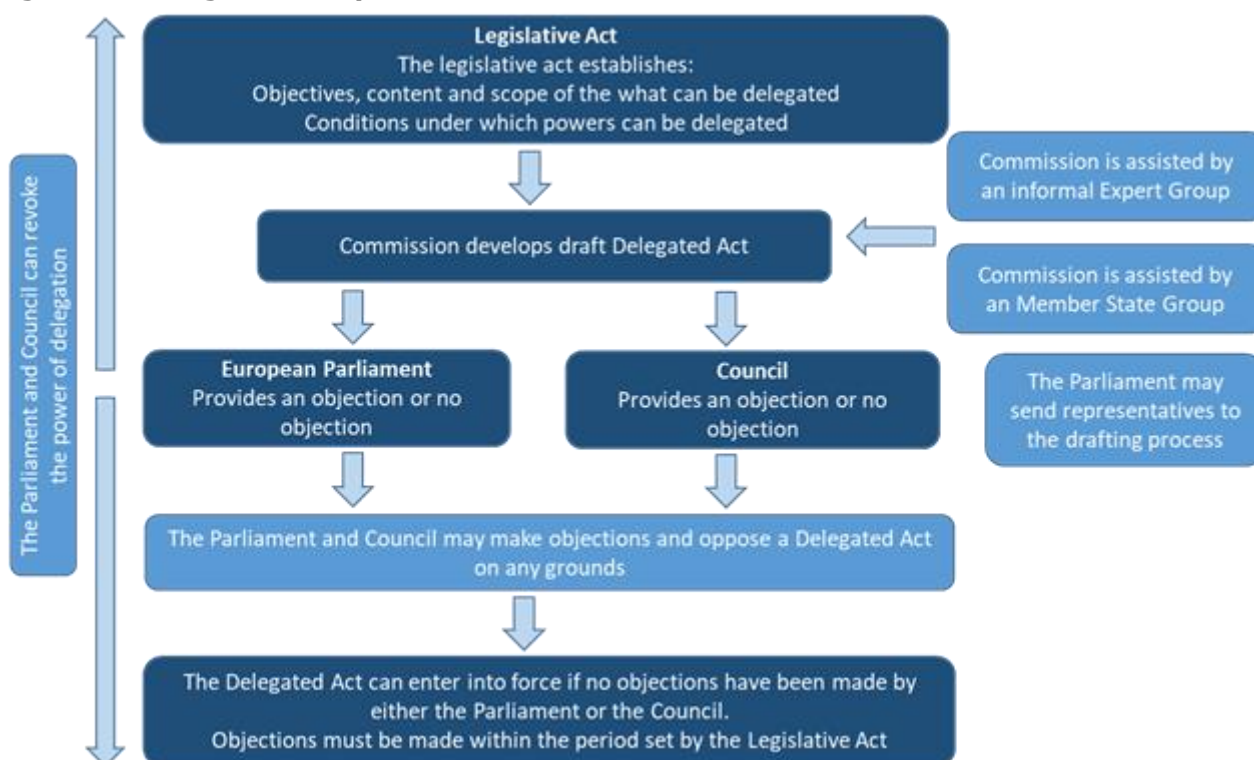
³⁵ European Institute of Public Administration (EIPA), 2011. *Delegated and Implementing Acts: the New Worlds of Comitology –Implications for European and National Public Administrations*. EIPA, Maastricht, the Netherlands.

³⁶ Established by Article 5a of Council Decision 1999/468/EC

³⁷ European Institute of Public Administration (EIPA), 2013. *Delegated & Implementing Acts: The New Comitology*. EIPA, Maastricht, the Netherlands.

The procedure for a delegated act starts when the European Commission drafts a delegated act. This mandate is based on the basic legislative act and on the conferral granted by the co-legislators. The Commission consults with Member State experts when preparing draft delegated acts and the European Parliament also has the right to attend these preparatory meetings³⁸. Stakeholders can also be involved in the preparation of delegated acts. The Commission then sends the act in question to the European Parliament and the Council, accompanied by an explanatory memorandum. The European Parliament and Council receive the draft simultaneously, and can object to the draft with an absolute majority and a qualified majority, respectively. The delegated act can then come into force provided that no objections are raised by either body within the period set by the basic act. The mechanism for objection is defined on a case-by-case basis but it should in principle be of two months, and is extendable by either the Parliament or the Council by another two months. If neither the Parliament nor the Council object during the two-month period, then the delegated act automatically enters into force after this period. The procedure is represented in the schematic in **Figure 6: Delegated Act procedure** below.

Figure 6: Delegated Act procedure



Source: Panteia.

4.1.2. Implementing acts

Implementing acts grant the European Commission the power to implement a given legislative act³⁹. The implementing acts system operates through two procedures: an **advisory** and an **examination** procedure. In both cases, the European Commission puts forward a draft implementing act, within the powers provided for it by the basic legislative act.

³⁸ Para 28 of the Interinstitutional Agreement on Better Law Making of 2016

³⁹ This procedure is described in Article 291 of the TFEU, and laid out in more explicit detail in the Implementing Acts Regulation, accepted in 2011 (Regulation 182/2011/EU).

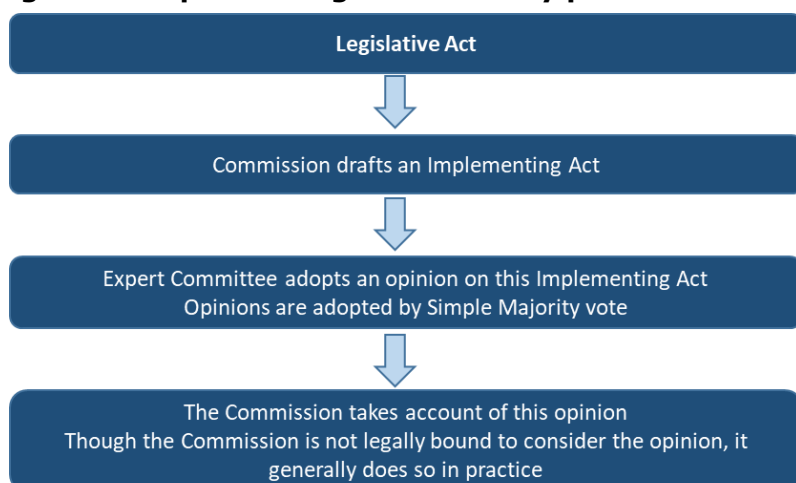
- In the advisory procedure, a committee composed of experts from the Member States adopts an opinion (which can take place by a simple majority vote), and the Commission takes this opinion into consideration. In legal terms, the Commission is not bound by this opinion, but in practice it usually follows it. This advisory procedure is laid down in Article 4 of the Implementing Acts Regulation. This is represented visually in Figure 7 below.
- The examination procedure, laid down in Article 5 of the Regulation applies to decisions concerning the general scope for implementing a basic act, for programmes with significant budgetary ramifications, and decisions regarding the Common Agriculture Policy, fisheries and the Common Commercial Policy. In the examination procedure, the Commission proposes a draft implementing act, which is reviewed by a committee, which adopts an opinion on the draft through a qualified majority.⁴⁰ This is represented visually in Figure 8 below.

Three types of opinions can be taken by the committee in the examination procedure:

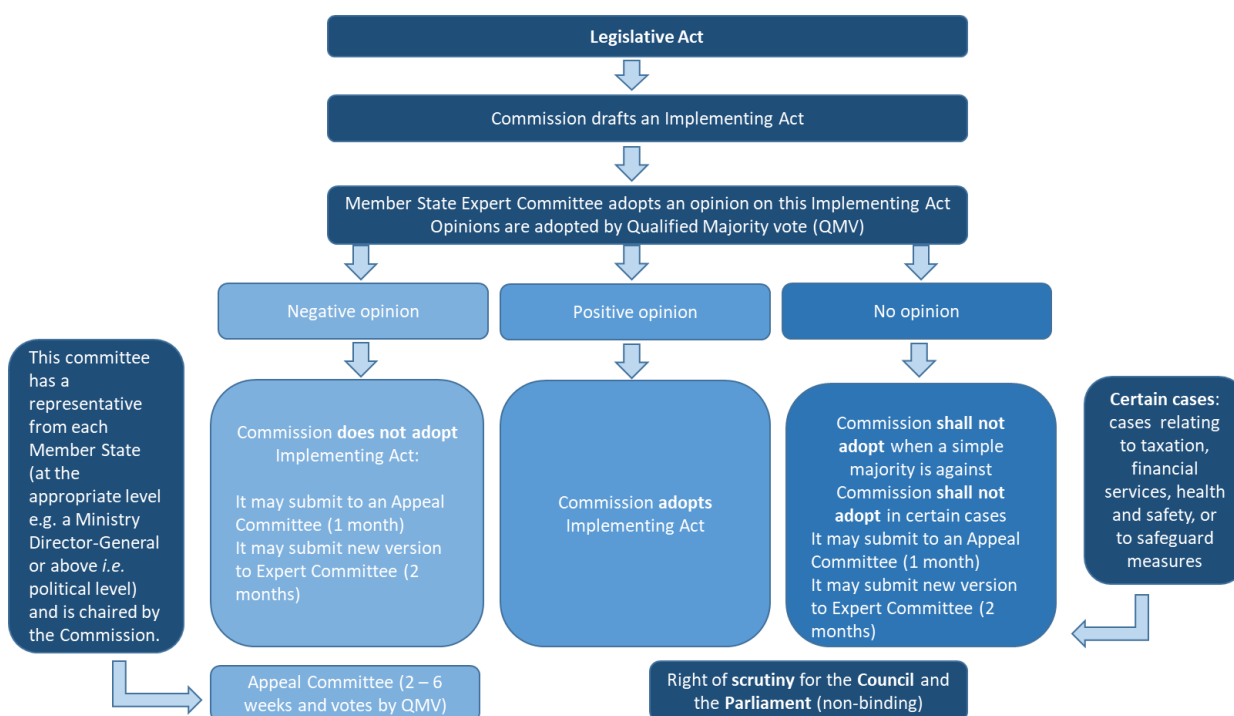
- Negative opinion: means that the Commission can decide to submit an amended version to the committee in 2 months or to submit the same draft implementing act to the Appeal Committee within 1 month.
- Positive opinion: leads to the adoption of the draft.
- No opinion: the Commission is not obliged to adopt the implementing act and can reconsider the act and send it back to the committee. If the no opinion is based on a simple majority of committee members *against* the draft the Commissions cannot adopt it.

The European Parliament and Council both have **equal right of scrutiny** in this process (Article 11 of Regulation 182/2011) and may at any time indicate that a draft implementing act exceeds the implementing powers provided for the Commission in the basic act, regardless of the opinion submitted by the committee. It should be noted however, that this scrutiny is not legally binding. However, unlike the procedure for delegated acts, neither the Parliament nor the Council have the right to attend the committee meetings which discuss and vote on the implementing acts. Although the Parliament and Council are not involved in the drafting of legislation, they have the right of receiving information when this is sent to the committee. The Parliament and Council receive the agendas of committee meetings, the draft implementing acts on which committees must deliver their opinion, and the final draft of implementing acts. The Parliament and Council receive these documents at the same time as they are sent to the committee members (Article 10 of Regulation 182/2011)

⁴⁰ European Institute of Public Administration (EIPA), 2011. Delegated and Implementing Acts: *the New Worlds of Comitology –Implications for European and National Public Administrations*. EIPA, Maastricht, the Netherlands.

Figure 7: Implementing Act: Advisory procedure

Source: Panteia

Figure 8: Implementing Act: Examination procedure

Source: Panteia

4.2. Applying delegated and implementing acts

The aim of this section is to compare delegated and implementing acts from a more theoretical perspective. Based on this discussion this chapter then moves to examine to what extent a different decision-making procedure may be more suitable for use within Erasmus+. In pursuit of this objective the following section therefore first compares delegated and implementing acts by examining which policy and law-making principles are upheld more by each procedure.

4.2.1. Delegated acts: essential and non-essential elements

As indicated in the beginning of this chapter, the co-legislators define which areas and types of decisions are to be made using delegated and implementing acts. This takes place during the negotiations between Parliament and Council on a basic legislative act, and this was no different in the case of the Erasmus+ Regulation.

This first decision on whether to apply delegated or implementing acts requires establishing what the essential and non-essential aspects are in a basic act. Though this seems fairly straightforward on paper, in practice distinguishing between essential and non-essential elements can be tricky. This distinction is important as only non-essential aspects may be amended or supplemented by a delegated act, while essential elements need to be included in the basic act.

The co-legislators alone can transfer powers to the European Commission through an enabling provision contained in the basic legislative act. Moreover, limits are placed on the delegation of both powers in order to preserve the legislators' exclusive domain. This doctrine was first established by the Court of Justice of the European Union in the *Köster*⁴¹ judgement. This judgement delineated that provisions which are essential to an area and, more specifically, to an act, shall only be dealt with in the legislative realm. Ascertaining which elements are essential is not at the discretion of the co-legislators but instead is based on objective criteria which are amenable to judicial review.⁴² Although the concept of non-essential elements in the Treaty is only enshrined in the article on delegated acts, the Court clarified that the same can be inferred for implementing powers: 'implementing measures cannot amend essential elements of basic legislation or supplement it by new essential elements'.⁴³ Therefore, before turning to the question of which type of secondary normative acts should be applied, the legislators have the duty to include all the essential elements in the legislative act and not delegate this power to the executive organ. The aim of this duty is to establish a balance between legitimate rulemaking and the need for efficiency in secondary rulemaking.

4.2.2. Criteria-based comparison of delegated and implementing acts

The treaty drafters of the Lisbon Treaty and the Member States which signed the founding treaties, provided for a legal dichotomy between delegated and implementing acts, giving this distinction a **constitutional importance**. Despite this distinction in the treaties, in practice, establishing which issues can be decided upon using delegated or implementing acts can be difficult. This is such a complex issue that the Court of Justice has even avoided providing guidance because of the very difficult and problematic nature of this divide. So far the delineation between the two categories depends above all on the interest shown by the co-legislators on the substance concerned. Besides many differences, the two types of acts share the following characteristics: both are legally binding and only adopted upon the transfer of powers by the co-legislators in a basic legislative act; they are usually adopted by the Commission, and the Commission is controlled (in quite different ways) in the exercise of this power.

⁴¹ Case 25/70 *Einfuhr- und Vorratsstelle für Getreide und Futtermittel v Köster, Berodt & Co*, EU:C:1970:115, paras 6 and 9.

⁴² Case C-355/10 *European Parliament v Council*, EU:C:2012:516, para 67.

⁴³ *Ibid*, 64 and 66.

To compare the delegated and implementing acts fully, it is important to bear in mind the rationale with which they were set up (which has been discussed above), as well as the extent to which different policy and law-making principles are upheld by each procedure. The procedures were designed with different functions and reasons in mind, and as a result, uphold different principles to varying degrees. This section compares the procedures of delegated and implementing acts across the following principles from the perspectives of both the European Commission, and the co-legislators:

- speed and efficiency of decision making;
- moment and power of scrutiny and control;
- political legitimacy.

This discussion serves to give an insight to the value and the limitations of each procedure. The section ends with a table summarising key aspects of the actual decision making process, as well as how delegated and implementing acts uphold the three principles mentioned above.

Speed and Efficiency of Decision-Making

Delegated Acts: In accordance with the renewed Understanding on Delegated Acts,⁴⁴ the Commission must consult national experts when developing a draft delegated act. If the draft delegated act is changed in any way by the Commission, the Commission shall transmit it to the Member States' experts and wait for their reaction. Following this ex-ante phase, the ex-post phase provides up to two months for a possible objection (although shorter or longer periods can be agreed upon in the basic act). In practice, this tends to be the timeline for the adoption of a delegated act given that the co-legislators have seldom used an objection, or an 'early non-objection'.⁴⁵

One could argue that the efficiency of the process can be reduced as both legislators have the unilateral right to revoke the delegated powers from the Commission, thereby creating the need for the adoption of an entirely new legislative act. This would be a time-consuming process which would imply the process coming to a standstill altogether.⁴⁶ However, in practice the delegation of power has never been revoked, although more than 600 delegated acts have been adopted thus far, so the co-legislators' unilateral right to revoke the delegated powers is not an impediment to the efficiency of the process.

Implementing Acts: In the adoption of implementing acts, the Commission is closely monitored by Member States in the relevant Committees. The Comitology Regulation also sets out specific rules depending on whether the advisory or examination procedure is used, which might lengthen the adoption of an implementing act. For example, in case of a negative opinion in an examination procedure, the Commission is required to either submit a new draft or needs an opinion from the Appeal Committee. However, in more than 99% of cases committees do approve the Commission's proposals.⁴⁷

⁴⁴ Common understanding between the European Parliament, the Council, and the Commission on Delegated Acts annexed to IIA on Better Law-Making L123/1 of 13 April 2016.

⁴⁵ Kieran Bradley, 'Delegation of Powers in the European Union: Political Problems, Legal Solutions', in *Rulemaking by the European Commission* (supra note 19), p. 66.

⁴⁶ Thomas Christiansen and Mathias Dobbels, *Interinstitutional Tensions in the New System*, 2016, 90.

⁴⁷ Paolo Ponzano, 'The Reform: An Executive's View' in *Rulemaking by the European Commission* (supra note 19), p. 53.

Power and Moment of Scrutiny and Control

Delegated Acts: According to the delegated act process, the moment of scrutiny for the Member States occurs during the drafting stage of a delegated act. The Commission is obliged to consult the Member States' experts for every new draft, although their opinion is in no way binding. The European Parliament and Council can exercise the same scrutinizing power ex-ante by sending experts to the meetings of consultation; however their possible opinion is also not binding.

The delegated act process provides binding ex-post control for both the European Parliament and Council (no power for Member States): each of the co-legislators can independently object to a draft delegated act, usually within two months of its receipt, often extendable for another two months (unless other time periods are agreed in the basic act). An objection by either will prevent the adoption of the draft. Moreover, both institutions can individually exercise the option of revoking the powers granted to the Commission altogether.

Formally, the timing and type of control does not allow the co-legislators to influence the content of the act. However, as Parliament and Council experts are allowed to be present in relevant meetings during the preparation of a delegated act, they can voice content-related concerns at this stage.

In order to object to a specific delegated act or to revoke a delegation, the European Parliament is required to obtain an absolutely majority and the Council a special qualified majority. Both therefore need to make a considerable effort to block the Commission under the delegated act.

Implementing acts: The control mechanism within the implementing acts process is carried out by Member States. However, it is for the EU legislator to determine whether an advisory procedure or an examination procedure is called for, in line with Regulation 182/2011. In the advisory procedure the voting occurs by simple majority and a veto does not carry consequences for the Commission. Under the examination procedure the voting rule is of qualified majority and in case of a negative opinion the Commission may either amend the measure and send it to the same committee within two months, or use the Appeal Committee. If the Appeal Committee is used, it can offer a negative opinion through a qualified majority against the draft. In that case the Commission may not adopt the implementing act. In the implementing act process, the timing of control allows for the committees to influence the content of the draft act.

The European Parliament and the Council only have the right of scrutiny in order to indicate that a draft implementing act exceeds the implementing powers provided for in the basic legislative act. Such expressions by the Parliament or Council are not binding on the Commission, and this approach is mostly used as a political tool. The Court of Justice is the only actor that can find that the Commission acted beyond its powers.

The control mechanism under the implemented acts procedure is more flexible, and obtaining a qualified majority in examination procedures is not as difficult as obtaining an absolute majority by the Parliament, or a special qualified majority by the Council as is necessary when objecting to a delegated act. Additionally, the Commission is granted greater flexibility on whether or not to adopt an implementing act, in particular when the committee has not issued an opinion. That being said, the Commission's flexibility is impaired by the duty to not

proceed if there is a prevailing opposition amongst the Member States against the implementing act.⁴⁸

While the Commission is able to be more responsive, and Member States are legally included in the process, the Commission is not obliged to involve the co-legislators in the process. Within the examination procedure, both have the right of scrutiny once the implementing act has been approved by the Committee. This scrutiny is not legally binding, nor is there any legal right of review of action for either legislator.

Political legitimacy

Delegated Acts: The enhanced role of the European Parliament in the ex-post control phase for the adoption of a delegated act furthers the principle of democratic legitimacy. This is an example of ensuring the required flexibility to a law-making process while at the same time not being detrimental to democratic legitimacy.

Implementing Acts: While Parliament has the right to receive all relevant documents (see Article 10 of Regulation 182/2011), it is not directly involved with the adoption of implementing acts. Depending on the nature of the issue, this lack of democratic legitimacy could undermine the decisions taken through the implementing act. There is a tension here between how much to involve the Parliament on technical and implementation issues which do not necessitate the same sense of democratic legitimacy as a more political, and socially salient issue. Democratic legitimacy can also be increased by making the process transparent and in fact, there is public access to the Comitology Register and all Committee proceedings.⁴⁹

Contextual factors: Nature of the issue: technical vs. political issues

Related to the issue of political legitimacy is also the pragmatic consideration of technical insight. To what extent issues are technical or political can change over time and across cultures. Not every issue is always a political one which would, for the sake of political legitimacy, ideally require the input from the EU legislators. Consider the idea of nutritional values and composition of food. This is a relatively technical issue that in recent years, with issues such as different qualities of food reaching Eastern Europe being covered in the news, has consequently become more political.

The table below provides a summary of the main procedural differences in delegated and implementing acts, as well as a summation of the way in which each procedure holds up the three policy and law making principles.

⁴⁸ Paolo Ponzano, 'The Reform: An Executive's View' in *Rulemaking by the European Commission* (supra note 19), p. 47.

⁴⁹ Article 34 Comitology Regulation - Regulation (EU) 2011/182 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers, OJ 2011 L 55/13.

Table 3: Comparison of delegated and implementing acts

| Delegated Acts | | Implementing Acts - Examination procedure |
|---|---|---|
| <i>Procedural aspects</i> | | |
| <i>Role of the Parliament and Council</i> | <p>The Parliament and Council are entitled to send representatives to the Commission's preparatory meetings on delegated acts where the Member States' experts are invited and attend. In accordance with the Common Understanding, the Member State experts do not vote.</p> <p>Parliament and Council examine the draft delegated act prepared by the Commission ex-post.</p> | <p>The Parliament and Council do not attend Programme Committee meetings unless specifically invited.</p> <p>The Parliament and Council however, do receive the agendas of committee meetings, the draft implementing acts on which committees must deliver their opinion, and the final draft of implementing acts. The EP and Council receive these documents as they are sent to the committee members.</p> <p>Right of scrutiny for Parliament and for Council.</p> |
| <i>Member State involvement</i> | <p>An informal Expert Group (including Member State experts) assists Commission in drafting Delegated Act. Member States attend but do not vote on the draft Delegated Acts.</p> | <p>Member State Expert Committee adopts opinions by Qualified Majority Vote on the draft Implementing Act. An Appeal Committee may also be involved if the draft is not accepted.</p> |
| <i>Strength of action of the legislature</i> | <p>Both Parliament and Council can provide an objection to the draft for any reason, on any grounds. Throughout the entire process: the Parliament and Council may revoke the power of delegation</p> | <p>The scrutiny of the draft implementing act by Parliament and Council (the Council as an institution) is non-binding. However, the Member States are heavily involved in the preparation of the implementing act, and in the case of Erasmus+, the Programme Committee votes on the draft Annual Work Programme.</p> |

| Policy and law making principles | | |
|--|---|---|
| Speed and Efficiency of Decision-Making | <p>The delegated acts procedure is the potentially more time-consuming procedure as the Parliament or Council may object for any reasons, or revoke the delegated power. Although this power is rarely used, this could then lead to the need to adopt a new basic legislative act. In practice, revocation of powers has never been used so far, and objections have only been raised in 1% of all cases.</p> | <p>This process could potentially be time-consuming if the Member State Committee offers a negative opinion, either due to a re-drafting of the draft implementing act or the involvement of the appeal committee.</p> <p>However in practice, in the vast majority of cases the Committee approves the Commission proposal.</p> |
| Moment of Scrutiny and Control | <p>The Parliament and Council receive the draft delegated act and usually have two months to express an objection (extendable by two months). They can also offer an "early non-objection" to speed up the decision making process.</p> <p>The power and strength of action is high in that 1) the Parliament and Council can object to a draft for any reason and 2) they maintain a continuous power to revoke the delegation of power to the Commission.</p> <p>The Parliament and Council have comparably less flexibility than the Commission.</p> <p>To object to a specific delegated act or to revoke a delegation, the European Parliament is required to obtain an absolute majority and the Council a special qualified majority. This entails substantial effort to block the Commission under the delegated act.</p> | <p>For the Parliament and Council, the moment of scrutiny is non-binding and occurs at the stage of the draft implementing act.</p> <p>The scrutiny is non-binding and the Parliament and Council do not have formal power to adjust or suggest changes.</p> <p>The Parliament and Council do however maintain the power to tell the Commission it has overstepped its implementing mandate if they feel this to be the case; in this situation the Commission must review the draft implementing act and inform the Parliament and Council whether it intends to maintain, amend or withdraw it, though is still free to adopt it (see Art. 11, Reg. 182/2011). The Parliament and Council only need a simple majority to table a motion that a draft implementing act surpasses its mandate as provided in a basic act.</p> |
| Political legitimacy | <p>Delegated acts have stronger levels of political legitimacy, given the involvement of the elected Parliament, and the nationally elected ministers who sit in the Council.</p> | <p>The near-exclusion of the Parliament and Council means that the political legitimacy of decisions may be less under implementing acts.</p> |

4.3. Delegated and implementing acts in Erasmus+

The following section summarises how delegated and implementing feature in Erasmus+ acts and how they are used.

4.3.1. Legal framework in the Erasmus+ regulation

Regulation 1288/2013 establishing Erasmus+⁵⁰ confers both delegated and implementing powers on the European Commission. The Regulation covers all the essential elements of the policy area which are the exclusive domain of the legislator.⁵¹ The legislators decided to confer powers to the Commission to adopt delegated acts regarding actions by national agencies, and implementing acts for the adoption of annual work programmes. These powers have been conferred to ensure flexibility and efficiency of implementation which could not be delivered by means of the ordinary legislative procedure.⁵²

The recitals in the Erasmus+ Regulation contain the standard clause for delegated power provided at the time in the Common Understanding on Delegated Acts,⁵³ and the clause for implementing power pursuant to the Comitology Regulation.⁵⁴

Regulation (EU) No 1288/2013 establishing Erasmus+ - Preamble:

Delegation Power

(45) In order to ensure a quick response to changing needs throughout the duration of the Programme, the power to adopt acts in accordance with Article 290 of the TFEU should be delegated to the Commission in respect of provisions relating to additional actions managed by the national agencies. It is of particular importance that during its preparatory work, including at expert level, the Commission, when preparing and drawing up delegated acts, should ensure the simultaneous, timely and appropriate transmission of relevant documents to the European Parliament and to the Council.

Implementing Power

(46) In order to ensure uniform conditions for the implementation of this Regulation, implementing powers should be conferred on the Commission. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council.

Delegation of power in Erasmus+

The basic legislative act, (the Erasmus+ Regulation in this case), only empowers the European Commission to amend Article 28(3) of the basic act in order to confer the management of additional actions to the National Agencies. In accordance with Article 290(1) TFEU the basic act explicitly defines the objectives, content, scope and duration of the delegation⁵⁵.

⁵⁰ Regulation (EU) No 1288/2013 of the European Parliament and of the Council of 11 December 2013 establishing 'Erasmus+: the Union programme for education, training, youth and sport (hereinafter 'Erasmus+')

⁵¹ Case 25/70 *Einfuhr- und Vorratsstelle für Getreide und Futtermittel v Köster, Berodt & Co*, EU:C:1970:115, paras 6 and 9.

⁵² European Parliament Resolution of 25 February 2014, P7_TA-PROV(2014)0127.

⁵³ Common Understanding on Delegated Acts, Council Doc 8753/1/11 of 14 April 2011, now repealed by IIA on Better Law-Making L123/1 of 13 April 2016.

⁵⁴ Regulation (EU) 2011/182 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers, OJ 2011 L 55/13.

⁵⁵ *Consolidated Version of the Treaty on the Functioning of the European Union art. 290(1), 2008 O.J. C 115/47.*

Article 33 – Delegation of powers to the Commission

In order to place the management of tasks at the most appropriate level, the Commission shall be empowered to adopt delegated acts in accordance with Article 34 concerning the amendment of Article 28(3), but only in respect of providing for additional actions to be managed by the national agencies.

It becomes clear from the provision that the EU legislator has the power to amend non-essential elements of the legislative act directly, and that this can only be achieved by means of a delegated act.⁵⁶ In accordance with Article 290 of the TFEU, the legislative act lays down the conditions for the delegation of power to the Commission.

Article 34 – Exercise of Delegation

1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.

2. The power to adopt delegated acts referred to in Article 33 shall be conferred on the Commission for the duration of the Programme.

3. The delegation of power referred to in Article 33 may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.

4. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.

5. A delegated act adopted pursuant to Article 33 shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.

Adoption of Delegated Acts under Erasmus+

Although the powers were conferred on the Commission to propose delegated acts for Erasmus+, it never exercised its power in this regard, and nor did it amend the legislative act concerning additional actions for National Agencies. Moreover, the newly instituted Register for Delegated Acts, provided for in the Inter-institutional Agreements for Better Law Making⁵⁷, shows no delegated acts under discussion, nor any planned Expert Group meetings. This suggests that at the time of writing the European Commission does not intend to amend the basic legislative act under Article 28(3) of the Regulation (where Article 28(3) allows the Commission to make amendments through the delegated acts procedure).

Implementing power in Erasmus+

The Erasmus+ Regulation confers implementing powers on the European Commission regarding the adoption of Annual Work Programmes which entail financial decisions, using implementing acts. With regard to financial programmes, the position of the European Parliament is clearly set out⁵⁸, namely that “*depending on the structure of the financial*

⁵⁶ Case 65/13, *Parliament v Commission (EURES)*, EU:C:2014:2289 (holding that an implementing act cannot amend a legislative act); ECJ 16 July 2015, Case 88/14 *Commission v Parliament and Council (Visa Reciprocity)*, EU:C:2015:499 para 31.

⁵⁷ For the purpose of enhancing transparency of the different stages in the lifecycle of a delegated act the institutions committed to set up a functional register of delegated acts which was officially launched on the 12th December 2017: IIA on Better Law-Making L123/1 of 13 April 2016, Chapter V, 29.

⁵⁸ EP resolution of 25 February 2014 on delegation of legislative powers (rapporteur Mr Szajer)

programme in question, non-essential elements amending or supplementing the basic act, such as those concerning specific technical matters, strategic interests, objectives, expected results, etc. could be adopted by delegated acts to the extent that they are not included in the basic act. Only for elements that do not reflect any further political or policy orientation the legislator may decide to allow for their adoption through implementing acts.” However, the outcome of the negotiations on the Erasmus+ Regulation was to put more detail in the basic acts regarding the annual work programmes and to confer on the Commission the duty to draft and adopt annual work programmes through implementing acts⁵⁹. The Erasmus+ Regulation sets out the specific content of the annual work programme and specifies the European Commission’s obligation to implement the objectives on the Programme as they are laid down in the basic legislative act:

Article 35 – Implementation of the Programme

In order to implement the Programme, the Commission shall adopt annual work programmes by way of implementing acts in accordance with the examination procedure referred to in Article 36(3). Each annual work programme shall ensure that the general and specific objectives set out in Articles 4, 5, 11 and 16 are implemented annually in a consistent manner and shall outline the expected results, the method of implementation and its total amount.

The annual work programmes shall also contain a description of the actions to be financed, an indication of the amount allocated to each action and of the distribution of funds between the Member States for the actions to be managed through the national agencies, and an indicative implementation timetable. They shall include, in the case of grants, the maximum rate of co-financing, which shall take into account the specificities of the target groups, in particular their co-financing capacity and the possibilities of attracting funding from third parties. In particular, for actions targeting organisations with limited financial capacities, the rate of co-financing shall be set at least at 50 %.

In accordance with primary law, more specifically Article 291(3) TFEU, and the *lex specialis* in place, the Comitology Regulation⁶⁰, the EU legislator established a committee and the specific procedure to be followed for the implementation of the programme:

Article 36 – Committee Procedure

1. The Commission shall be assisted by a committee. That committee shall be a committee within the meaning of Regulation (EU) No 182/2011.

2. The committee may meet in specific configurations to deal with sectoral issues. Where appropriate, in accordance with its rules of procedure and on an ad hoc basis, external experts, including representatives of the social partners, may be invited to participate in its meetings as observers.

3. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply

⁵⁹ Regulation (EU) No 282/2014 of the European Parliament and of the Council of 11 March 2014 on the establishment of a third Programme for the Union’s action in the field of health (2014-2020) and repealing Decision No 1350/2007/EC1; Regulation 1295/2013 of the European Parliament and of the Council of 11 December 2013 establishing the Creative Europe Programme (2014 to 2020); Regulation (EU) No 1316/2013 of the European Parliament and of the Council of 11 December 2013 establishing the Connecting Europe Facility; Regulation (EU) No 1293/2013 of the European Parliament and of the Council of 11 December 2013 on the establishment of a Programme for the Environment and Climate Action (LIFE) and repealing Regulation (EC) No 614/2007.

⁶⁰ Ibid.

Adoption of Implementing Acts under Erasmus+

Since 2014 according to the procedure laid down in Articles 35 and 36 of the Erasmus+ Regulation, the Commission adopted Implementing Decisions to establish the Annual Work Programme for the Implementation of 'Erasmus+'. In the adoption, the Commission was assisted by the Erasmus+ Committee under Directorate General Education and Culture. These Annual Work Programmes (AWPs) outline the general policy framework and specific policy priorities adopted in conformity with the essential policy objectives laid down in the Erasmus+ Regulation. They outline what the implementation of the Programme entails in terms of Key Actions, Jean Monnet activities, Sport and the dissemination and exploitation of programme results. The budget is distributed across key actions and policy fields, and is allocated to National Agencies on the basis of standard criteria. The preliminary conclusion that can be derived by the Examination Procedure is that all Annual Work Programmes have received a positive opinion (although not all of them by consensus) and that Annual Work Programmes for Erasmus+ are always revised and updated at least once a year.

4.4. Case analysis Annual Work Programmes

As indicated in the preceding section of this chapter, within Erasmus+, implementing acts are used to develop Annual Work Programmes (AWPs) which implement the programme activities in Member States. These AWP sketch how the general and specific objectives of the programme are to be implemented and also consider policy developments and broader contextual developments in Europe. These developments are then incorporated into AWP, and based on these developments and given the breadth of the Erasmus+ objectives, priority areas for focus are assigned each year. Therefore, in a manner of speaking, strategic choice on annual programme priorities are made through the AWP.

In practice this means that certain accents and themes gain more emphasis within the programme implementation. At the national level, projects which connect more closely to annual priorities have higher chances of receiving funding. In recent years, for instance, the theme of social inclusion has been a key theme across the Key Actions and in the field of sport. As such, project applicants who submit project proposals with a strong social inclusion theme are more likely to see their project awarded. The rationale behind this approach of including annual priorities and the implementing acts decision making procedure is precisely so that the Commission and the Erasmus+ programme can more quickly and efficiently respond to the actual needs in Member States and in Europe in areas relating to education and training, youth policy, and sports.

Amendments to AWP are also an indicator of how responsively the implementation of the Erasmus+ Programme can take place. If circumstances in Europe change, and other parts of the programme need more funding or a different implementation approach, amendments can be made with the same efficiency through the implementing acts procedure. This indeed has happened for 2016 and 2017 within Erasmus+. The amendments to the AWP also serve to incorporate additional funding if additional revenues or third-country funding became available in the framework of the annual budgetary procedure.

Besides these annual priorities, which are set by the Commission in discussion with the Erasmus+ Programme Committee (made up of Member State experts), actions and instruments to implement are also decided upon within AWP. With the decisions regarding which actions to introduce or implement further, budgetary considerations naturally follow. As such a key function of the AWP is to conduct systematic budgetary allocation, across a

set of defined criteria, for Member States, for policy fields, and for specific instruments. This is in line with the Erasmus+ Regulation.

These aspects are important to bear in mind when reflecting on how implementing acts have been used in Erasmus+ until now. The following section describes the development and context of the AWP so far and analyses two interesting cases in which considerable changes were made through the AWP. An extended, more detailed analysis of the Annual Work Programmes, their policy contexts and the actions they included can be found in the Annex 1 at the end of this report.

2015 Annual Work Programme

The larger policy context for the 2015 AWP was that the first positive signals were surfacing regarding the European economy in the aftermath of the economic crisis, and Europe could be said to be on the path to recovery. The challenge the European Union faced was to develop a framework for the review of relevant policies bearing in mind that investment in education and training could serve *as the fuel for a strengthened economy post-crisis*.⁶¹ In this context, 2015 marked an important year for the development of new policy priorities and strategies, as in 2014 consultations were carried out on the Strategic Framework for European Cooperation in Education and Training, ET 2020 and on the Cooperation Framework on Youth Strategy. These stocktaking exercises resulted in Joint Reports by the Council and Commission which influenced and shaped all subsequent work programmes across different EU programmes relating to education and training, including the AWP within Erasmus+.

The 2015 AWP was designed in the middle of 2014 and as such did not include all of these larger EU strategic developments. That said, the 2015 AWP still reflected the need to create a stronger link between policy and the programme, and it in fact addressed these four key challenges: *equipment of young people with relevant skills and experience to boost changes to find a job in a post-crisis environment, the need to include low-skilled in lifelong learning through re-skilling, boost innovation and attract talents from abroad, and compensate the impact of a shrinking and ageing workforce by equipping people with solid and relevant skills*.⁶² Despite policy priorities not being included as explicitly as in subsequent AWP, 2015 marked the year in which priorities started to gain special and increased relevance in directing the accents of Erasmus+.

The AWP generally also help guide how the general and specific objective of the Erasmus+ programme are implemented. Specifically, priority areas for the Erasmus+ programme are decided upon and incorporated in the AWP. In 2015, during the second year of Erasmus+, these annual priorities were first starting to be included in the AWP, albeit not highly explicitly at this stage of the programme cycle.

2016 Annual Work Programme

In the drafting of each AWP the Commission takes due account of recent European policy developments that will have an impact on the implementation and structuring of the programme within the financing decision. For the first version of the 2016 AWP the Commission specifically took into consideration the Paris Declaration 2015, as well as the new priorities for the Education and Training 2020 and EU Youth Strategy work cycles. In

⁶¹ Annex 1, Commission Implementing Decision adopting the 2015 annual work programme for the implementation of "Erasmus+": the Union Programme for Education, Training, Youth and Sport, 2015(6856) of 30th September 2014, p. 7.

⁶² Ibid, p. 8.

February 2016 the Commission adopted an amendment to the AWP for Erasmus+ to reflect the allocation of additional funds as well as changes in policy priorities. The amendment focused on including activities preventing the violent radicalisation of young people to foster the implementation of the Paris Declaration, strengthened support for Strategic partnerships, and modified the implementing mode for certain actions. The Paris Declaration's priorities were taken up with particular priority in the 2016 and 2017 AWP. As such it is briefly introduced here first.

Paris Declaration

The Paris Declaration was adopted at an Informal Education Ministerial Meeting on 17th March 2015 in Paris.⁶³ The general policy priorities put forward in the declaration include citizenship and common values of freedom, tolerance and non-discrimination through education in the aftermath of violent extremism in both France and Denmark in 2015. The four main objectives introduced are:

- ensuring that children and young people acquire social, civic and intercultural competences, by promoting democratic values and fundamental rights, social inclusion and non-discrimination, as well as active citizenship;
- enhancing critical thinking and media literacy, particularly in the use of the Internet and social media, so as to develop resistance to all forms of discrimination and indoctrination;
- fostering the education of disadvantaged children and young people, by ensuring that our education and training systems address their needs;
- promoting intercultural dialogue through all forms of learning in cooperation with other relevant policies and stakeholders.

The latter was later also reflected in national policies⁶⁴ as is evidenced by other EU studies.⁶⁵

The main development and trigger for new actions in the 2016 AWP has certainly been the Paris Declaration⁶⁶ on Promoting citizenship and the common values of freedom, tolerance and non-discrimination through education. The Commission, with the approval of the Erasmus+ Committee, decided to make this a cross-cutting priority throughout the Erasmus+ AWP⁶⁷ (please see the Annex for a full account of the activities decided upon for AWP 2016).

The Paris Declaration gained relevance in the context of KA1 for Youth Learning mobility and projects linked to its implementation were given priority.⁶⁸ Strategic Partnerships in KA2, focused on the development of social, civic and intercultural competences became also a priority.⁶⁹ With regard to KA3 grants awarded by means of specific calls aimed at tackling the policy priorities and objectives set out in the Paris Declaration: namely European Policy Experimentation and Cooperation Projects, later amended into the Social inclusion through

⁶³ Informal Meeting of EU Education Ministers, 'Declaration on Promoting citizenship and the common values of freedom, tolerance and non-discrimination through education', Paris, 17 March 2015.

⁶⁴ European Commission/EACEA/Eurydice, 2016. Promoting citizenship and the common values of freedom, tolerance and non-discrimination through education: Overview of education policy developments in Europe following the Paris Declaration of 17 March 2015.

⁶⁵ For example, European Parliament (2017), *Teaching Common Values in Europe*, available at: <https://research4committees.blog/2017/10/16/teaching-common-values-in-europe-2/>.

⁶⁶ Informal Meeting of EU Education Ministers, 'Declaration on Promoting citizenship and the common values of freedom, tolerance and non-discrimination through education', Paris, 17 March 2015.

⁶⁷ European Commission, (2017), Erasmus+, Annual Report 2016, p. 10.

⁶⁸ European Commission, (2017), Erasmus+, Annual Report 2016, p. 10.

⁶⁹ Ibid.

education, training, and youth action.⁷⁰ Within the scope of KA3 under grants awarded by exception, the current cooperation projects with the Council of Europe were supposed to aim at promoting freedom, tolerance and non-discrimination through education as well. With regard to the grants for sport when evaluating calls for proposals, emphasis was to be put on collaborative partnerships which promote tolerance and non-discrimination and support synergies with the objectives of the Paris Declaration.⁷¹

2017 Annual Work Programme

In the 2017 AWP, the Paris Declaration still had a cross-cutting relevance throughout all the sectors of implementation of the Erasmus+ Programme, as all Member States continued to regard it as a priority to combat and prevent radicalisation and foster the common values of freedom, tolerance and non-discrimination.

In 2017, the fourth year of the programme implementation, the **budget** for the Programme increased significantly. This budget increase was partly due to the financial profile of the programme: it envisaged a strong increase of the budget from the fourth year onwards. These increased means allowed to reinforce the flagship actions and to introduce new initiatives.⁷² However the Commission pointed out in a Committee Meeting that this was still not enough to absorb the demand by beneficiaries.⁷³ Given an updated programming of credits coming from external and internal assigned revenues and additional allocation of funds by the budgetary Authority, the amendment to the 2017 AWP awarded circa €58 million to existing and new actions.

The first version of the AWP for 2017 was published on 5 September 2016. On 14 September, President Juncker announced in his 2016 State of the Union speech that the Commission was going to launch a new initiative, the European Solidarity Corps, to provide more (long-term) volunteering opportunities to young people. On 7 December, the Commission issued a Communication on the European Solidarity Corps (ESC)⁷⁴, formally kicking the initiative off.

In the Communication, the Commission clarified that the ESC was to be implemented through the existing structures of the European Voluntary Service under Erasmus+ that were in part to be revamped and rebranded. The ESC's volunteering strand was to "enhance and expand the existing European Voluntary Service scheme"⁷⁵ based on the existing legal basis of Erasmus+ and other programmes. Part of the funding of these programmes should be dedicated to volunteering activities. The Commission intended to implement the initiative through the network of Erasmus+ National Agencies.

⁷⁰ Ibid; Annex I, Commission Implementing Decision amending Commission Implementing Decision on the adoption of the 2016 annual work programme for the implementation of "Erasmus+": the Union Programme for Education, Training, Youth and Sport, 2016(1122) of 26 February 2016, p. 53, 54, 55.

⁷¹ Ibid; Annex I, Commission Implementing Decision amending Commission Implementing Decision on the adoption of the 2016 annual work programme for the implementation of "Erasmus+": the Union Programme for Education, Training, Youth and Sport, 2016(1122) of 26 February 2016, p. 23.

⁷² Annex 1, Commission Implementing Decision on the adoption of the 2017 annual work programme for the implementation of "Erasmus+": the Union Programme for Education, Training, Youth and Sport, 2016(5771) of 5 September 2016, 4.

⁷³ Note for the Attention of the Members of the Erasmus+ Committee, Meeting 28 and 29 June 2016, 2017 Erasmus+ Annual Work Programme, E+/017/2016.

⁷⁴ European Commission, (2016), Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions: „A European Solidarity Corps“, COM (2016)942, 7.12.2016.

⁷⁵ Ibid, p. 4.

In terms of funding, EUR 58 million set aside under Erasmus+ for the European Voluntary Service were intended “for activities within the scope of the European Solidarity Corps”. The Commission also stated that the Erasmus+ 2017 AWP would “enable the current scheme [i.e., the European Voluntary Service] to support the voluntary strand of the European Solidarity Corps, by providing important parts of its current structure and opportunities”⁷⁶.

Already at this stage, the Commission stated its intention to provide the ESC with its own budget line and legal basis for the period between 2018 and 2020. A corresponding legislative proposal would make “budgetary adjustments within the existing financial framework”⁷⁷, i.e. change the legal bases of other instruments, importantly among them Erasmus+, in order to partly reallocate funding from these to the ESC. The relevant legislative proposal was published in May 2017, and at the time of writing, the co-legislators were still conducting their negotiations on this text. To allow the new initiative to start already in 2017, relevant provisions were introduced to the amendment for the 2017 Erasmus+ AWP.

On the basis of the Commission’s Communication from December 2016 and the amendment to the 2017 AWP, Parliament questioned what were perceived to be far-reaching changes both in substantive and financial terms. Concerns were raised regarding the relation between the European Voluntary Service and the European Solidarity Corps and the allocation of substantive funding to the new initiative. The Parliament especially took issue with this change being effected using an implementing acts procedure as this was deemed a questionable method to use for such an alteration.

In practical terms, the amendment stated that the Commission would launch new “formats of the European Voluntary Service” and contribute to the implementation of the European Solidarity Corps Initiative.⁷⁸ Within the field of youth mobility, projects saw an increase of 20,5€ million, the EVS insurance also saw an important increase in budget, together with the linguistic assessment and support action.⁷⁹ For the field of Youth, the budget for Key Action 2 Strategic Partnerships was increased by €1,3 million.⁸⁰ Last, the European Youth Portal was also allocated additional funds to host the European Solidarity Corps portal and the database of participants.⁸¹ These constituted some of the most notable developments in the 2017 AWP.

4.5. Discussion on delegated and implementing acts in Erasmus+

As indicated above, delegated acts are designed to amend or supplement non-essential provisions of a basic act. This requires defining, during the basic act legislative process, which elements are considered to be essential and which are non-essential parts of a basic act. Once this is established, this is laid down in the text of the basic act⁸². According to academic and policy making sources, the rationale behind this procedure is to allow for a more efficient response to contextual developments in the EU; this quicker procedure allows additions to be made to the basic act without having to enter the full length legislative procedure.

⁷⁶ Ibid, p. 7.

⁷⁷ Ibid, p. 8.

⁷⁸ Ibid.

⁷⁹ Ibid, p. 119.

⁸⁰ Annex 1, Commission Implementing Decision amending the 2016 annual work programme for the implementation of “Erasmus+”: the Union Programme for Education, Training, Youth and Sport, 2017(705) of 10 February 2017, p. 116, 119.

⁸¹ Ibid, 61, 119.

⁸² Ponzano, P. (2016) ‘The Reform of Comitology and Delegated Acts: An Executive’s View’ in Bergström C.F. and Ritleng D, *Rulemaking by the European Commission: The New System for Delegation of Powers*. Oxford University Press, pages 38 – 54.

Implementing acts, in turn, are designed to be used when harmonised, uniform implementation of a basic act is required in Member States⁸³. The co-legislators define which elements are subject to implementing acts during the development of a basic act. The type of procedure to use (examination or advisory) must also be decided upon. The rationale behind this procedure is to allow the EU, the co-legislators and Member States to quickly adapt to new developments and situations in their decision-making, without having to enter the lengthy process of developing a basic act.

On paper the distinction between amending and supplementing an act, on the one hand, and those actions which require harmonised implementation on the other is fairly logical and clear. In practice, however, the definition and scope of what may be decided by an implementing act is often not clear at all. The issue is so complex that the European Court of Justice has ruled that what is to be decided using delegated and implementing acts needs to be defined by the co-legislators on a case-by-case basis, specifically for each basic act. Policy makers and academics alike have tackled the issue of when and why to use which procedure, but no universally accepted agreement has been reached on how and when to apply the procedures. The Lisbon Treaty aimed at simplifying the decision-making procedures but in reality, the question of distinction between delegated and implementing acts and their application in practice is still highly debated issues. The two cases below illustrate this complexity and that the European Court of Justice advocates a case-by-case approach to be decided by the legislators.

Case: Commission v Parliament and Council (Biocides)⁸⁴

In this case the European Commission initiated proceedings against the co-legislators as it contested the use of implementing acts instead of delegated acts for setting levels of fees to be paid to the European Chemical Agency. The Court dismissed the action as unfounded. The main conclusion reached by the Court in this case is that the co-legislators enjoy a margin of discretion when they decide to confer either a delegated or an implementing power to the Commission and that judicial review should be limited to manifest errors of assessment.⁸⁵ Despite the criticism, the Court acted in line with its case law on judicial review of policy decisions⁸⁶ considering that **the assessment of which type of act is appropriate is a policy choice.**⁸⁷

Moreover, although not defining it as an objective criterion, it can be inferred from the reasoning that 'the more specific the "criteria and conditions" established by the co-legislators, the more reasonable a delegation of implementing powers.'⁸⁸

Case: Commission v Parliament and Council (Visa Reciprocity)⁸⁹

In this case the Commission opposed the use of delegated acts for the suspension of visa obligations as it regarded that inserting a footnote behind an Annex only implied the implementation of a basic act. The idea that Article 290 and 291 TFEU establish a hierarchy of norms seems to be shared by the Court, as in this judgement it upheld the validity of a 'cascade' system of Commission actions where (1) an implementing act is adopted, if

⁸³ Idem.

⁸⁴ Case C-427/12, *Commission v. Parliament and Council (Biocides)*, EU:C:2014:170.

⁸⁵ Ibid, para 40.

⁸⁶ Case 58/08 *Ex parte Vodafone and others*, EU:C:2010:321, para 52.

⁸⁷ Kieran Bradley, 'Delegation of Powers in the European Union: Political Problems, Legal Solutions', in *Rulemaking by the European Commission (supra note 22)*, p. 80.

⁸⁸ Carl Frederik Bergström, 'Shaping the New System for Delegation of Powers to EU Agencies: United Kingdom v European Parliament and Council (Short Selling)' *Common Market Law Review* 52, 2015, 239.

⁸⁹ Case C-88/14, *Commission v parliament and Council (Visa Reciprocity)*, EU:C:2015:499.

unsuccessful effect (2) a delegated act is adopted and lastly and if necessary a legislative proposal is presented.⁹⁰ Another relevant aspect of this case is that the Court emphasized that neither the existence nor the extent of the Commission's discretion can be used as a criterion for an act being adopted as a delegated or implementing one.⁹¹ However, **one criterion** has been emphasized by the Court which is that an **implementing act may never amend** the non-essential elements of a basic **legislative act**.

Discussing decision making within Erasmus+

Within Erasmus+, implementing acts are used to develop and implement Annual Work Programmes for the programme. This is intuitively logical in that the implementing acts procedure helps to implement a programme in a uniform manner. According to research conducted for this study, European Commission representatives are pleased with the working methods and relationship with the Council and Parliament. Member States in turn also indicated that Erasmus+ captures the main national priorities and needs in its Annual Working Programmes.

As long as the co-legislators agree with the way the Commission sets annual priorities, the system seems to work well. However, when the legislators and Commission do not agree within the implementing acts procedure there is not much which can be done by the Parliament and Council. While the Parliament and Council may, through their scrutiny of draft implementing acts, indicate that the Commission has overstepped its mandate where this is the case and make a motion to table the draft, the Commission should, but is not legally obliged to, adjust the draft implementing act. Hence, the influence of the co-legislators on implementing acts is very limited. In the case of delegated acts, the legislators can object to a Commission draft delegated act and might even revoke the delegation of power from the Commission at any moment.

Whether the Commission has in any particular case overstepped its mandate for drawing up implementing acts can only be assessed by closely analysing the relevant act, in this case, the Annual Work Programme, together with the underlying provisions in the relevant basic act. In the case of Erasmus+ and the European Solidarity Corps in particular, the relevant provisions of the legal base are Article 35 and Article 13(1) of the Erasmus+ regulation.⁹² Article 35 empowers the Commission to adopt Annual Work Programmes by way of implementing acts. Each AWP needs to ensure "that the general and specific objectives set out in Articles 4, 5, 11 and 16 are implemented annually in a consistent manner". As long as this is ensured, the Commission can outline the expected results, the method of implementation and its total amounts, describe the actions to be financed and indicate the amount allocated to each action.

Article 13(1) in turn sets out that Key Action 1 in the Youth Chapter "Learning mobility of individuals" shall support "mobility of young people in non-formal and informal learning activities between the Programme countries; such mobility may take the form of youth exchanges and volunteering through the European Voluntary Service, as well as innovative activities building on existing provisions for mobility". Given that the 2017 amendment to the Annual Work Programme does not dismantle the EVS or re-allocate money away from the

⁹⁰ Ibid; Kieran Bradley, 'Delegation of Powers in the European Union: Political Problems, Legal Solutions', in *Rulemaking by the European Commission* (supra note 22), p. 81.

⁹¹ Case C-88/14, *Commission v parliament and Council (Visa Reciprocity)*, EU:C:2015:499, para 32.

⁹² Regulation (EU) No 1288/2013 of the European Parliament and of the Council of 11 December 2013 establishing 'Erasmus+: the Union programme for education, training, youth and sport.

objectives and instruments set out in Erasmus+, the Commission did not overstep the mandate circumscribed by the Erasmus+ regulation: it just stated that the European Voluntary Service would be a major instrument to implement the European Solidarity Corps initiative⁹³.

However, the other main argument against the Commission's use of implementing acts in this regard is that this is not a question of specifying criteria and conditions of implementation further which is what implementing acts are designed for. Some decisions are clearly related to promoting a uniform implementation in EU countries. This therefore justifies the use of implementing acts to implement Erasmus+. However, although the annual priorities reflected in AWP are accepted by Member States, it can be argued that the setting of annual priorities within the Erasmus+ objectives is not strictly a matter of concrete implementation, and more a question of making strategic, or secondary policy choices and further (political) orientation of the Programme. This could be seen as an area of decision making which would be appropriate to conduct using delegated acts.

In addition, decisions of a more strategic nature may carry more democratic legitimacy if the politically bodies and especially the democratically elected body (the Parliament) weigh in on the decision. Although the issue of the annual priorities, and the degree to which this is a concrete implementation issue or not remains a point for further discussion, as it stands this study does not find evidence that the AWP within Erasmus+ do not work well as a decision making mechanism for implementing the study. That being said, the final paragraphs below reflect on alternative decision making approaches for in Erasmus+ in keeping with the objectives of this study.

Other options are limited: our legal hands are tied

That said, the issue of the Parliament and Council position within implementing acts remains a point of discussion to be explored, and the question is raised of how to potentially adjust the decision making procedures used in the Erasmus+ Programme. However, this is not straightforward. To alter the decision making procedures as defined in the Treaty for the Functioning of the European Union, to include more of a role for the legislators in the implementing acts procedure, is practically not very feasible as it would require a revision of the TFEU or a possible revision of Regulation 182/2011 on the Commission's exercise of implementing powers.

The 2016 Interinstitutional Agreement and the Common Understanding between the Commission, Parliament and Council also indicate that no hybrid legal procedures will be suggested. This means that no new legal decision making procedures can be introduced to remedy this particular gap in the legislators' law making influence.

Potential alternative decision making procedures in Erasmus+

This paper therefore suggests better definition of which elements are to be decided using delegated and implementing acts during the basic act preparation phase. Ideally guidelines would be developed to indicate in further detail which provisions and elements of a basic act are to be decided upon using delegated and which by implementing acts procedures. Currently the provisions describing this in the Erasmus+ Regulation are, for instance, quite limited. In the future programming period, the basic act should contain much clearer provisions on what should be decided via each procedure.

⁹³ Amendment of the 2017 annual work programme for the implementation of 'Erasmus+': the Union Programme for Education, Training, Youth and Sport, C(2017)705 of 10 February 2017: 10.

Further develop guidelines for applying delegated and implementing acts

This study supports the decision by the three institutions to enter into negotiations to establish non-binding criteria for the application of respectively Articles 290 and 291 TFEU. This would facilitate the preparation phase of basic acts and reinforce legal certainty on the application of each procedure.

The European Parliament has in fact, since 2014, been working on how to develop better criteria for deciding when to apply delegated or implementing acts:

European Parliament proposal on non-binding criteria for applying Articles 290 and 291⁹⁴:

- The binding or non-binding character of a measure must be decided on the basis of its nature and content; only the power to adopt legally binding measures may be delegated under Article 290 TFEU.
- The Commission may only amend legislative acts by means of delegated acts. This includes amendment of annexes, as annexes are an integral part of the legislative act. Annexes are not to be added to or deleted with the aim of triggering or avoiding the use of delegated acts.
- Measures leading to a choice of priorities, objectives or expected results should be adopted by means of delegated acts (provided it is not included in the legislative act itself).
- Measures designed to lay down (further) conditions, criteria or requirements to be met by those concerned by a legal act should be adopted only by means of a delegated act. By contrast, the implementation of the rules or criteria already established in the basic act (or in a future delegated act), without modifying the substance of the rights or obligations stemming from them and without making further policy choices, can take place through implementing acts.
- A measure that determines the type of information to be provided under the basic act (i.e. the exact content of the information) generally supplements the obligation to provide information and should be carried out by means of a delegated act; a measure determining arrangements for the provision of information (i.e. the format) does not generally add to the obligation to provide information and should therefore be adopted by means of an implementing act.
- Measures establishing a procedure (i.e. a way of performing or giving effect to something) can be laid down either in a delegated or in an implementing act, depending on their content, context and the nature of the provisions set out in the basic act. Measures establishing elements of procedures involving further non-essential policy choices in order to supplement the legislative framework laid down in the basic act should in general be laid down in delegated Measures establishing details of procedures in order to ensure uniform conditions for the implementation of an obligation laid down in the basic act should in general be implementing measures.

The Commission also put forward a set of possible criteria for the application of one instead of the other provision, in Annex I of the proposal for the IIA on Better Regulation, which was later adopted in 2016. This proves institutional interest in shedding some light on a conundrum that renders this area quite problematic.

⁹⁴ European Parliament, March 2018, LEGISLATIVE TRAIN SCHEDULE: CRITERIA FOR THE USE OF DELEGATED AND IMPLEMENTING ACTS, [online], available at: <http://www.europarl.europa.eu/legislative-train/theme-union-of-democratic-change/file-criteria-for-the-use-of-delegated-and-implementing-acts> .

5. KEY FINDINGS AND RECOMMENDATIONS FOR ERASMUS+

KEY FINDINGS

Concerning outcomes of Erasmus+

- **The general positive findings of the mid-term evaluation** have been confirmed during this study. Across the sectors, and unanimously amongst the 10 Member States studied, the Erasmus+ programme is perceived as being very useful and effective in achieving its objectives.

On some points, there remains room for improvement:

- Synergies and cross-fertilisation: there is more potential for cross-sectoral cooperation than currently witnessed by both EU and Member State stakeholders. One of the reasons for this is that the concept of “cross-sectoral” cooperation and projects, and what this entails is not always clear.
- Simplification of the programme: while the integration has not yet delivered the scale of efficiency gains that were initially anticipated, it has led to greater simplicity of programme architecture that is beneficial for both beneficiaries and those in charge of management. The simplification, in particular for Key Action 2, has gone too far, since it diminished the identity of types of actions as it is no longer clear what Strategic Partnerships are for exactly (innovation; cooperation sharing experience etc.). The new programme did not reduce the administrative burden for beneficiaries and national agencies managing the programme, especially at a decentralised level
- Inclusiveness of the programme: although actions were put in place to strengthen the participation for disadvantaged groups, are still comparatively excluded from using Erasmus+. There is a bias in organisations applying for funding (favouring large organisations that have the capacity and resources to cope with the programme). Budget allocation to each sector can be reconsidered given changing needs.
- The budget for the programme is a recurring issue cited across national stakeholders and literature. If possible, a budgetary increase for Erasmus+ would help address some of these main areas for improvement.

Concerning decision-making in Erasmus+

- The Lisbon treaty introduced a new system for the delegation of powers to the European Commission by the legislature which entails a division between delegated and implementing acts. The two decision-making mechanisms serve different purposes and involve different sets of actors in the exercise of control towards the executive.
- Although the degree to which annual priorities is concrete implementation issue remains a point for further discussion. As it stands this study does not find evidence that the AWP within Erasmus+ do not work well as a decision-making mechanism for implementing the study. Nonetheless, the degree to which annual priorities have been introduced in the Annual Work Programme guides the orientation of the programme itself. Therefore, alternative decision-making procedures are examined in keeping with the study objectives.
- Alternative decision making procedures are practically difficult to suggest due to rules against making suggestions of hybrid decision making procedures under the 2016 IIA and its Common Understanding.

- Therefore, providing more detail in the basic act on the exact nature of the powers conferred upon the Commission and using delegated acts for some elements of the annual work programmes that are currently decided under implementing acts may provide for greater influence on secondary policy choices, such as the (multi-)annual orientation of the programme.

This chapter has the aim of offering a reflection on the Erasmus+ mid-term evaluation conducted by ICF, the Commission priorities as described in its communication to the Parliament and Council, and to reflect on the decision making procedure used for Erasmus+, considering the role of the Parliament in this process in particular. The section ends by presenting a series of recommendations based on the EU and national level research carried out in the context of this study.

5.1. Reflection on Erasmus+ mid-term evaluation report

The Erasmus+ mid-term evaluation is an important source of information as to the performance of the programme so far, as well as for reflections and recommendations for the remaining programming period up until 2020, and for the next programme period. The overall outcomes of this mid-term evaluation, which covers EU level and national level data collection, indicate that the Erasmus+ programme is making good progress towards reaching its performance indicators. These performance indicators are set down legally in the Erasmus+ Regulation and serve to guide the progression of the programme. To date, between 2014 and 2017, the Erasmus+ programme supported 1.8 million individuals in mobility activities, and more than 240,000 organisations in cooperation projects. The evaluation considered a baseline from 2007, in order to also gauge the effects of the predecessor programmes on education and training and on youth. Between 2007 and 2016, 4.3 million young people and more than 880,000 practitioners were funded. Furthermore, cooperation projects were set up involving around 940,000 organisations, and these projects in turn impacted even more people.

The overall evaluation therefore of the Erasmus+ programme is a positive one. The programme has a strong added value for its stakeholders and the public, and the programme is said to be very effective. The European added value is an established fact, and the current Erasmus+ design is said to be more coherent and relevant, though only partly more efficient than its predecessor programmes. Based on the data collected and the insights of an external evaluator, the evaluation report arrives at a series of recommendations for the current programme to improve the performance until 2020, and its successor programme for the next programming period.

These mid-term evaluation recommendations are presented below, and are accompanied by reflections from this current study. The reflections made by this research team are based on the EU level and national level data collected.

Table 4: Reflections on mid-term evaluation Recommendations

| Reflections on mid-term evaluation Recommendations | | |
|--|--|---|
| Problems identified | Recommendation | Reflection from current study |
| The evaluation found relatively low levels of innovation in the cooperation actions funded by the programme in particular under Strategic Partnerships and comparable predecessor actions. | Differentiate between those types of strategic partnerships that are about mutual learning and sharing and those that aim at innovation. For actions focusing on innovation design a different approach to selection and ongoing monitoring. | From the current study, the differentiation between types of strategic partnerships would be helpful. The EU and MS level research suggests it is not always clear to potential applicants what types of projects can be funded under KA2. However, MSs studied also indicate that innovation and shared learning can happen through many different types of projects and through cooperation generally. As such, defining a separate approach may not be necessary; rather the current distinction should be made clearer with suitable, accompanying monitoring indicators. |
| System level effects in particular those stemming from grants remain ad-hoc | To strengthen impact at policy level, encourage national authorities to use the results of projects funded to identify 'what works' and to identify lessons learnt relevant to the national context by providing specific funding for national level thematic monitoring and sharing and learning. | This recommendation was echoed in the national level research, though from an implementation perspective; project results' dissemination, and the exchange of good practices to explain what sort of projects can be supported with what, as well as how best to apply for and manage such projects were issues mentioned in the current research. Especially concerning (international) partnership selection and coordination, thematic sharing, and learning could be useful. |
| Participation of hard to reach groups remains a challenge. | To increase participation of disadvantaged groups, specifically target organisations which work with these audiences. Consider for example additional award points to such organisations. To do so, the programme would also benefit from a clearer definition of its ambition in the area of social inclusion and unified approach to defining this target group. | This was one of the most often made statements in the current research, reflecting a strong need for further policy-making attention. By making the eligibility criteria and the application procedures more accessible to smaller organisations, significant strides could be made in including organisations who support youth and individuals from disadvantaged areas, or those at higher risk of social exclusion. |
| In practice, the alignment of projects funded with key EU priorities lags behind. | The programme guide should clearly emphasise a smaller number of priorities. These should be prioritised in the selection process. | This conclusion is difficult to reflect on based on the findings of this current study. The alignment of projects with EU priorities seems to be based on more factors than the Programme Guide alone (such as the annual orientations which decide on key themes for projects to pursue each year). The Programme Guide, however, is seen as too complex, too long, and written in an overly technical language. A revision of the Programme Guide would be a good first step to making it more helpful to the end-users it serves to support. |
| The current budget distribution across the sectors reflects the | Depending on the overall budget allocation for the new programme, | The current study arrives at similar conclusions regarding the budget allocation. The findings indicate that the |

| | | |
|--|---|---|
| historical development of the programme whereby the budget increase allocated to Erasmus + compared to predecessors was spread proportionally across all sectors. As a result, the higher education sector receives the largest share of the funding. Significant investment in this sector has allowed to achieve positive results in transnational cooperation and mobility, making the sector more international than others and reaching a critical scale. | potential increases could be directed to those sectors which show good performance but receive substantially less funding. Furthermore, stronger cooperation between the sectors should be encouraged and other sectors would benefit in particular from the innovation potential of cooperating with higher education. | youth sector as a whole ought to receive more funding as this sector contains diverse target groups, including vulnerable groups, individuals with a higher distance to education and the labour market. The youth sector tends to contain the harder to reach target groups. A choice must therefore be made here between focussing on those projects which focus on groups which are in most need of support, or those target groups where the projects implemented run well and show good quantitative and qualitative impacts. This is a matter of priority choice for the current and next programming period. |
| The application process creates an important burden and does not clearly focus on those criteria that matter most for effectiveness. | Simplify the application form, review the award criteria to better reflect key success factors for effectiveness and strengthen the review at mid-term in particular for bigger projects. | This was one of the other single most often cited challenges with Erasmus+ in the current study. The application procedure, eligibility criteria, and evaluation criteria are all deemed complex and administratively burdensome, especially for smaller organisations. Besides reviewing which administration is needed for policy makers during the application process, another recommendation would be to review the eligibility criteria and administrative requirements in the application process for smaller organisations to counter the organisational bias observed in users of the Erasmus+ programme. |
| Student Loan Guarantee Facility is not currently living up to initial expectations. | Review the ambition for Student Loan Guarantee Facility by recalibrating the budget, adapting the roll-out strategy for both incoming and outgoing students, exploiting synergies with national schemes that are not portable and correct the flaws in the design regarding the 'no-payment during studies' condition. | The issue of the Student Loan Guarantee and its comparatively low use was also encountered in the current study. The recommendation made here is in line with that of the mid-term evaluation, namely that the Student Loan Guarantee (SLG) should be re-examined, and its budget re-allocated to areas of the Erasmus+ programme where the demand is highest. Another approach could be to review which countries have national support schemes for students, and to allocate higher funding to Member States for the SLG with less national funding instruments. |
| The place of sport in the programme is ambiguous as too many priorities exist for a small budget. Some of the projects funded are highly comparable to those funded in other strands (youth in particular). As a result, scarce resources are | Review the positioning of sport actions. Clarify the purpose of sport projects. Consider merging the social inclusion part of sport with youth. Focus the funding that is strongly specific to sport to very targeted actions. | The element of sport was not covered in detail in national level research within the current study, mainly because this area is organised centrally. However, national level research shows that sport organisations do also apply for funding under the youth field as they see the objectives of the two aligning, demonstrating an important element of cross-fertilisation within these two fields. EU level research demonstrates that the number of objectives and their scope are |

| | | |
|---|--|---|
| spread too thinly to have meaningful results. | | indeed high and broad. The sports field does well in providing more numerous smaller partnerships so that its smaller budget has a good impact. However, to focus its activities the objectives for the field could indeed be reviewed. |
| Strong share of Jean Monnet grants focusses on teaching and research about the EU in the context of higher education. However, the greatest need to strengthen understanding of the EU is outside higher education. | Refocus Jean Monnet grants on those target groups which show weaker prior knowledge and understanding of the EU (for example pupils in schools or VET). | This recommendation found agreement in the national level research conducted for the current study. Jean Monnet activities are considered a good instrument, but must be rolled out further, particularly in schools. |
| The contribution of the programme in the adult learning sector is highly fragmented resulting in a dilution of the effect. The group of beneficiaries is very broad covering very different segments of the highly fragmented and very diverse adult education sector. The topics covered are numerous. As a result, the intervention in this sector is not targeted enough to make a clear contribution. | Target the actions in the adult learning sector to a more specifically defined target group and focus on a much smaller number of priorities. Strengthen the social inclusion potential of this strand | This conclusion and recommendation are both echoed in the current study findings. Though the Erasmus+ programme design is considered a good development, some sectors lose their specificity under the current design, notably the adult learning sector. Smaller organisations usually engage in adult learning, or adult learning is conducted within schools, VET institutes and HEIs, so that the adult learning sector itself gets somewhat buried in the Erasmus+ programme. This target group is also relatively diverse, and in pursuit of social inclusion, this target group requires more considered attention in the current and next programme period. |
| The use of monitoring data is not proportionate to the data collection efforts. The monitoring process puts too much emphasis on KA1 types of actions. | Improve the monitoring process by expanding it to KA2 (and KA3). Better utilise and analyse the data collected to inform decision making. | The current study cannot comment in detail on this conclusion and its recommendation. This is because the study focused mainly on national level data collection and more general EU level data collection. However, Member State insights indicate that the monitoring requirements are already fairly substantial, and that KA2 actions and what projects can be funded by them are typically less clear. Therefore, to improve the monitoring of KA2 and KA3 at the EU level, a clearer distinction could be made as to what these KAs entail in practice, followed by a more consultative review with end-users on what sort of information on impacts can feasibly be reported on. |

In conclusion, the mid-term evaluation recommendations align to a large extent to the findings and the national level recommendations observed in this current study. The mid-term evaluation recommendations provide specific courses of possible action for the current and future programming periods. The focus on making Key Actions 2 and 3 more accessible and more visible by revising the application procedures and the monitoring approaches for instance, and the improvement of positioning and targeting of the various actions are all relatively concrete suggestions, echoed to a large extent in the findings from this study. The

interesting question at this stage is what the Commission itself considers key priorities for the next programming period, and how in practice it will pursue those priorities. This is not evident at this point in time in the Commission report on the Erasmus+ evaluation; the Commission conclusions and priorities are discussed and reflected on in more detail with reference to the data collected in this study, particularly at the national level.

5.1.1. European Commission conclusions and priorities

The European Commission in turn presents a series of conclusions based on the mid-term evaluation. The main conclusions are that the Erasmus+ programme has been effective, has had an important impact and has a distinct European added value⁹⁵. Besides this positive evaluation, the Commission itself defines priority areas for improvement. These priorities are based on the mid-term evaluation report as well. These priority areas are reflected upon in the following paragraphs.

A first overarching impression is that compared to the detail presented in the mid-term evaluation prepared by ICF, the Commission conclusions are relatively broad. In general, they centre on improving and increasing the instruments, actions and impacts of the programme and are framed in such a broad manner at this stage that it is difficult to gauge how exactly these priorities will be pursued in the rest of the current and in the next programming period. It must also be noted that this more detailed account of which priorities to focus on will be made public in the end of May 2018 or June 2018, when the final budgetary proposals for the MFF must be made in Brussels. Currently the priorities all appear to imply directing further resources to different areas of the programme (with the exception of the Student loan Guarantee scheme).

This raises the interesting question of towards which of the priorities the budget will be allocated for the current and next programming period of Erasmus+. The budget for the programme is of course finite. Currently, there is not much evident preference expressed in the Commission's communication as to which priority areas it intends to pursue. Trade-offs will have to be made for the next programming period; whether to focus on projects which are most effective, and which display the best monitoring data, or those projects which statistically appear less successful in terms of their effectiveness, or international impact, but which better target harder to reach groups. Such questions and more will need to be considered carefully and the Commission will have to reflect where and how to prioritise the budget for the current and next programming period.

The conclusions presented in the European Commission mid-term evaluation of Erasmus+ were put to national experts and to relevant national interview partners in the current study. The main national level reactions to these conclusions have been summarised below. It should be noted here that some of the conclusions are more relevant to the European level, and national level organisations were not informed enough to offer insights on such statements. Out of the 11 concluding statements, conclusions 1, 8 and 10 were found to be the most urgent to resolve and address in the country level research.

⁹⁵ European Commission, (2018), Report from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions, Mid-term evaluation of the Erasmus+ programme (2014-2020), Brussels, 31.1.2018 COM(2018) 50 final.

Conclusion 1: Contribution to a cohesive European Union

- *Within the current programme architecture to 2020, the Commission will step up its efforts to **make Erasmus+ more accessible** to individuals from disadvantaged backgrounds or with special needs. It will take steps to **facilitate the participation of schools and other small-scale actors** in the programme.*
- *After 2020, the Commission will consider how to further **boost the inclusion dimension** of any future programme, through increased integration of disadvantaged and vulnerable groups in education and training, youth and sport activities.*

Across the countries studied this is deemed a particularly important priority for Erasmus+ and one which national level organisations seem to unanimously agree on. By helping to make the programme more accessible to small organisations in particular, the inclusiveness and targeting of disadvantaged and vulnerable groups will also become much easier. Schools are an excellent avenue for promoting inclusion and to achieve this goal, support of schools through Erasmus+ is agreed to be good step. National level research, therefore, suggests targeting through specific actions newcomers, smaller, and grassroots organisations, with less administrative burden and simpler eligibility criteria.

Conclusion 2: Result dissemination to boost policy impact

- ***To boost the impact on policy**, the Commission will consider additional ways of fostering system-level effects and to mainstream successful project results at national level more effectively.*
- *In preparing future programmes, it will explore options for developing and financing **at larger scale** (notably with the support of the European Structural and Investment Funds) those successful Erasmus+ projects that have the potential to trigger structural reforms at national level.*

Opinions on this particular conclusion were more mixed. In some of the countries studied this was considered to be an important main point of focus, but this was not a uniform perspective. France and German level research indicated that though innovation is important to pursue, there are many ways to do so, such as by promoting further cooperation between projects and organisations, and by further facilitating internationalisation in the education, VET and youth sectors. From this perspective, pursuing better synergies and complementary projects supported by the ESIF funds would be a beneficial step. Indeed, developing complementary projects could involve higher levels of project impact, which in turn might make it easier to apply for Erasmus+, given the anticipated higher impact. This last point was also emphasised in the Polish level national research.

Conclusion 3: Higher potential sectors

- *As of 2018, new actions and activities will be launched under Erasmus+ with a view to **increasing the number of mobility opportunities** for school pupils, VET learners and apprentices.*
- *In its communication **Strengthening European identity through education and culture**, the Commission sets out a vision for boosting the future Erasmus+ in all categories of learners (including pupils, students, trainees and apprentices) and teachers, with the aim of **doubling the number of participants** and reaching out to learners from disadvantaged backgrounds by 2020.*

This is considered an important point as well, but not as much of a priority as for instance, conclusions 1 and 10. Some national research indicates that the aim of doubling the number

of participants seems ambitious, whilst others indicate that mobility should be pursued for all target groups given the general positive impact which mobility has on an individual. However, some countries in turn feel that there should be more emphasis on strategic partnerships instead of mobility. As such, perceptions regarding this conclusion are fairly mixed amongst the countries studied.

Conclusion 4: Master Loan Guarantee Facility

- *Until 2020, the Commission intends to **reduce the yearly budget allocations to the Master Loan Guarantee Facility**, without altering the overall allocation set for other higher education activities.*

Generally, the countries studied had no strong opinions regarding the Master Loan Guarantee Facility. In countries where more financing instruments are available for higher education, the instrument was not seen as being very useful, and the national level views echoed the conclusion that the funding for this instrument should be reduced and reallocated to other sectors. This was the case in the Netherlands for instance, and the Latvian and Polish country research indicated that this instrument had not been used much in their respective countries.

Conclusion 5: Reduce the programme objectives and focus the programme priorities

- *In the current programme, greater emphasis was placed on action that contributes to **social inclusion** following the **Paris Declaration**, the new priority areas under **ET 2020** and the **Youth Strategy** or the **New Skills Agenda for Europe**.*
- *The future programme should continue to **help implement the EU's political priorities**, while keeping the flexibility to adjust as needed and being highly relevant to participating countries. Some actions, notably those supporting partnerships, could be **focused on fewer priorities**.*

Countries were also somewhat mixed in their perspectives on reducing the programme objectives. Some countries feel that the breadth of the objectives allow for different countries to pursue projects which more closely reflect their own specific, national realities. Other countries indicated that instead of reducing the objectives, it could be made clearer and more concrete what types of projects the current programme objectives translate to; currently, the connection between objectives and how to pursue and operationalise these is not always clear to applicants.

Conclusion 6: Boosting innovation

- *Up to 2020, the Commission will further consolidate the **different ways of handling projects** mainly aimed at promoting cooperation and exchanges, as distinct from projects aimed at fostering innovation.*
- *In the new programme, ways of **boosting innovation** will be considered.*

Innovation is generally acknowledged to be a positive goal, but for this conclusion the national level research also showed ambivalent perspectives. While innovation is considered important in the context of Erasmus+, this is not considered such a strong priority when compared to, for instance, improving the accessibility to the programme or reducing its administrative burden. Furthermore, some country research also indicated that national organisations feel that innovation can be pursued in very different ways, such as through cooperation and internationalisation, and more cross-sectoral partnerships. Innovation is therefore considered to happen as a positive side effect of other Erasmus+ activities, but not as a top priority for the programme amongst the countries covered in this study.

Conclusion 7: Jean Monnet

- ***Jean Monnet** could in the future programme be redesigned to **cater for a wider target group** (including schools) in order to raise awareness on what its common European values are.*

The support for this conclusion was not uniformly strong across countries studied, but this may well be because countries use Jean Monnet to a more varied extent; in some countries Jean Monnet was more popular than in others. A relatively common reflection was that indeed, the Jean Monnet activities should be opened up more and made accessible to more diverse target groups such as schools.

Conclusion 8: Adult Learning

- *The Commission will consider how to increase the focus of EU support for transnational activities in the adult learning sector.*

This is a conclusion which several countries felt to be quite important, especially given that Adult Learning is a sector which seems to have particularly lost its specific emphasis since the migration from predecessor programmes to the Erasmus+ programme design.

Conclusion 9: Coherence

- *The Commission will seek to increase the focus of some sport actions, notably on social inclusion aspects, and reduce overlap with youth activities.*

Sport is indeed considered to be a good vehicle for promoting coherence and social inclusion, but this conclusion was not considered to be amongst the most urgent priorities amongst the countries studied here.

Conclusion 10: ICT and reducing administrative burden

- *From 2018, the Commission will make it easier to apply for grants by introducing online web forms. These incremental **improvements will continue** throughout the programme's life.*
- *The future programme should further consolidate current efficiency gains, especially **reducing the administrative burden** by simplifying application and reporting procedures, making IT tools more interoperable and user-friendly, and increasing budget flexibility, while preserving accountability.*

This came forward as one of the most pressing and unanimously agreed with conclusions out of the EC conclusions, together with the first conclusion regarding social inclusion, as will be apparent from the previous sections of this chapter. The administrative burden and the need to improve and streamline ICT tools were aspects which consistently came forward as critiques amongst the countries in almost all aspects of the Erasmus+ programme. The administrative requirements and burden for smaller organisations and smaller projects especially is something which requires urgent attention, particularly as resolving this aspect could in doing so, also help pursue the first EC conclusion on social inclusion. Furthermore, when adapting and refining the ICT tools, national research indicated the need to consult the actual end users of the tools, and to better consider their needs, and to harmonise the numerous existing tools.

Conclusion 11: Governance and monitoring of projects

- *The communication between the Education, Culture and Audiovisual Executive Agency and national agencies has been improved in order to increase **synergies between centralised and decentralised actions**.*
- *The Commission will consider how to perfect Erasmus+ monitoring by extending it to cooperation projects and centralised actions with a view **to mining the data collected, in a proportionate way, so that decision making is informed by evidence**.*

In the national research, this conclusion received mixed responses as well. In some cases improving governance and the monitoring of projects was considered important as it ties in with the administrative requirements for conducting a project. Especially the statistics required could be better harmonised, and there could be more cooperation between beneficiaries and between National Agencies. As regards the synergy between EACEA and National Agencies, most of the national organisations consulted had no opinion on this.

Concluding, the most relevant conclusions and priorities from the perspective of national level experience are those relating to the need to make Erasmus+ more accessible and to boost the inclusion dimension, the conclusion regarding more focus on adult learning, and the conclusion regarding the need to improve IT tools and to reduce the administrative burden involved in applying to the Erasmus+ programme. Other conclusions listed by the Commission were met with more mixed views regarding the urgency of those priorities amongst the national level research.

5.2. Decision-making and governance within Erasmus+

This study requested a review of the outcomes and implementation experiences with Erasmus+ so far, as well as a review of how the decision making regarding this programme works at the EU level. As such Chapter 4 presented a review of delegated and implementing acts, and the way that these have been used to far within Erasmus+. The aim here is to examine decision making in Erasmus+ so far and to determine to what extent a different approach to decision making might be suitable for the programme. Within this discussion, the role of the Parliament, Council and Commission are special points of focus.

5.2.1. Implementing acts and Annual Work Programmes in Erasmus+

As it stands, the Erasmus+ programme is implemented using Annual Work Programmes. These Annual Work Programmes establish the budgetary distribution for different Member States and defined key priority areas and points of action for that year of the programme. The Annual Work Programmes are decided upon using the examination procedure and involve Member States via the Erasmus+ committee that consists of member state experts, and non-binding legal scrutiny for the Parliament and Council once a draft implementing act has been adopted by the Commission.

Most of the countries studied here find that the Erasmus+ programme objectives are suitably broad that the national priorities can be pursued within the context of the programme. Some countries indicated that they would like to see further flexibility and national discretion in how to use the budget allocated to their country each year. Having said that, in general it appears that the overall objectives and specific objectives of Erasmus+ are encompassing enough.

The evidence collected in this study indicates that Erasmus+ is working well in its current form, and that the changes in annual orientation made in these Annual Work Programmes via the implementing act procedure, seem to align with the main needs and challenges experienced by Member States. Indeed the research conducted amongst Member States for this study indicate that the annual orientations seem to fit with the national needs and challenges facing EU Member States. The degree to which those general challenges affect countries will of course vary, but in general, the consideration for general threats such as terrorism, political radicalization, social exclusion, etc. are thought to be considered well within the Annual Work Programmes and reflect relevant annual orientations. As such it appears that the general strategy of Erasmus+ and its general and specific objectives are still pursued, and that the Annual Work Programmes reflect the needs and challenges felt to be most acute by countries studied.

5.2.2. Discussing decision-making procedures in Erasmus+

Drawing together the various discussion held in this study, when considering how delegated and implementing acts have been used so far in Erasmus+, it becomes clear that only implementing acts have been used. Implementing acts are currently used to develop Annual Work Programmes which set annual priorities to be pursued within the Erasmus+ programme objectives, but which also reflect needs in Member States and in Europe as a whole. To date, based on information collected in this study, the implementing acts procedure seems to work well. Member States reported that their actual needs are reflected and considered within Erasmus+. However, should the co-legislators not agree with the Commission on a particular implementing act, there is not much they can do to stop the Commission: they can express the opinion that the Commission has overstepped its mandate, but the Commission, in turn, is not obliged to withdraw the proposed act.

This study therefore suggests better definition of which elements are to be decided using delegated and implementing acts during the basic act preparation phase. Ideally, guidelines would be developed to indicate in further detail which provisions and elements of a basic act are to be decided upon using delegated and which by implementing acts procedures. Currently the provisions describing this in the Erasmus+ Regulation are, for instance, quite limited. In the future programming period, the basic act should contain much clearer provisions on what should be decided via each procedure.

5.3. Recommendations to the European Parliament

Based on the research conducted for this study and the reflections on the mid-term evaluation and the Commission priorities, this last section presents several possible recommendations to the CULT Committee of the European Parliament regarding Erasmus+. The recommendations below concern Erasmus+ overall, and have been developed based on the national level and European level research, for the current and the next programming period of Erasmus+. A general note to be made here is that given the breadth of the programme, and the large scope of the mid-term, many areas for improvement arise, despite the programme's success up until now. As such, it is important to bear in mind that in order to make concrete and pragmatic recommendations, the Parliament itself must decide on what it feels the key priorities for the programme should be.

This last point forms the foundation for one of the main recommendations towards the Parliament, namely to reflect and decide on what it considers to be the main priority areas for the Erasmus+ programme. A decision of this nature will also require reflecting on what the strategic focus and goal of the programme ought to be: to continue maximizing the

programme in terms of numbers of users and projects, or to focus on groups who are most hard to reach such as vulnerable groups and individuals from disadvantaged backgrounds. Some areas and sectors tend to perform well, such as the higher education institutions and the VET institutions. However, some of these groups are easier to target and involve in Erasmus+ projects, leading to successful projects and insightful project data at the EU level. Targeting other, more vulnerable groups, may not lead to projects which are as efficient, but which do target groups particularly in need of support, where the added value and impact of a programme like Erasmus+ is particularly high. The decision of where to focus is one for the European Parliament to consider further. Having done so, there are various more pragmatic recommendations which have been deduced from the national and EU level research which could be pursued.

As indicated in previous chapters, the demand for youth and for KA2 projects far outstrips the European Commission's ability to supply funding within the current budget allocation. With the increased programme budget, attention should be paid as to how this could be allocated to the youth sector. Additionally, there should be more room for smaller projects to be supported, with more proportionate administrative, information and eligibility requirements when applying for support. Such smaller projects may require more administration for the European Commission, EACEA and the National Agencies, but they would also make Erasmus+ more accessible and allow it to better target and include those groups which most need the support. It could also make a strong contribution in helping the Erasmus+ programme to pursue the EU policy priorities captured in the Paris Declaration.

Additionally, in the cases of some projects, such as those which aim to help individuals in more disadvantaged areas, parallel or complementary projects could be implemented using the European Social Investment Funds (ESIFs). In this way there could be a possibility of supporting regional development by supporting human capital development through Erasmus+ and regional socio-economic development via ESIFs.

The IT tools which are used in both reporting and in application procedures are considered to be too numerous, of fluctuating functionality, and are not harmonised with each other, leading to the aforementioned duplicate information requirements. Added to this, the IT tools are also not considered user-friendly, despite improvement which have been made since 2014. It is therefore important to continue improving the existing IT tools, reviewing their usability for end-users, and to consider how to harmonise the information collected and stored via these various IT tools.

Potential recommendations for Erasmus+ programme

- For the overall direction of Erasmus+ the recommendation was made by national level research that the youth sector should receive more support, specifically funding.
- Key Action 2 on strategic partnerships should also receive more support by allocating a larger share of the budget.
- Adult learning as a sector could also receive more specific focus and visibility within the Erasmus+ programme.
- Introduce actions targeting smaller organisations and new comers. Allow for smaller projects to be conducted within Erasmus+, with proportionately lower administrative and eligibility requirements.

- Consider the possibility of introducing multiple calls for proposals for the other fields, besides youth, to promote further accessibility of the programme.
- Revise the administrative and information requirements needed for application procedures, notably in Key Action 2 to make this less lengthy and burdensome, and harmonise the information requirements where possible.
- Investigate the functionality of the existing IT tools, and explore where these tools and the information they collect can be better harmonised, with a view to perhaps reducing the number of IT tools needed when using Erasmus+. A suggestion is to hold consultations with end-users specifically to achieve a balance in user-friendliness of the programme and the information needs of EU policy makers who govern the programme.
- For projects targeting individuals from disadvantaged or remote areas, investigate the possibility of setting up complementary projects using European Social Investment Funds to promote development of disadvantaged regions and the inclusion of individuals living in such regions.

However, to reiterate, establishing the Parliament priorities in this regard is an important first step before being able to make further statements regarding recommendations to the programme itself.

BIBLIOGRAPHY

General literature

EU level sources

- Council of the European Union and European Commission, (2015), Joint Report of the Council and the Commission on the implementation of the strategic framework for European cooperation in education and training (ET 2020) New priorities for European cooperation in education and training. Available at: [http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52015XG1215\(02\)&from=EN](http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52015XG1215(02)&from=EN).
- EACEA, (2015), *The European Higher Education Area in 2015: Bologna Process Implementation Report*. Brussels.
- European Commission, (2018), *Report from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions, Mid-term evaluation of the Erasmus+ programme (2014-2020)*, Brussels, 31 January 2018, COM(2018) 50 final.
- European Commission, (2017), *Erasmus+ Annual Report 2015*, Brussels.
- European Commission, (2017), *Erasmus+ Annual Report 2016*, Brussels.
- European Commission, (2017), *Erasmus+ Programme Guide*. Available at: https://ec.europa.eu/programmes/erasmus-plus/sites/erasmusplus2/files/2017-erasmus-plus-programme-guide-v2_en.pdf.
- European Commission, (2017), *Factsheet: ERASMUS+ the EU programme for education, training, youth and sport (2014-2020)*, Brussels.
- European Commission (2016), *Erasmus+ Programme Guide*. Available at: http://ec.europa.eu/programmes/erasmus-plus/discover/guide/2016/erasmus-plus-programme-guide-v-i_en.pdf
- European Commission (2016), *Evaluation of the youth strategy and the Council Recommendation on the mobility of young volunteers across the EU*. Available at: http://ec.europa.eu/dgs/education_culture/more_info/evaluations/docs/youth/youth-strategy-2016_en.pdf
- European Commission (2016), *Education and Training Monitor 2016*, Brussels.
- European Commission, (2016), *Communication to the European Parliament, the Council, the European Economic Committee and Social Committee and the Committee of the Regions, Supporting the prevention of radicalization leading to violent extremism*. Brussels.
- European Commission/EACEA/Eurydice, (2016), *Promoting citizenship and the common values of freedom, tolerance and non-discrimination through education: Overview of education policy developments in Europe following the Paris Declaration of 17 March 2015*. Brussels.
- European Commission, (2016), *Communication to the European Parliament, the Council, the European Economic Committee and Social Committee and the Committee of the Regions, A New Skills Agenda for Europe, Working together to strengthen human capital, employability and competitiveness*, SWD(2016), 195.
- European Commission (2016), *National Reports On The Implementation And Impact Of Erasmus+ Guidance Note*, Brussels.

- European Commission (2016), *The Erasmus Impact Study Regional Analysis: A Comparative Analysis of the Effects of Erasmus on the Personality, Skills and Career of students of European Regions and Selected Countries*, Prepared by CHE Consult GmbH and CHE Consult Prague, commissioned by the European Commission. Brussels.
- European Commission (2016), *The Erasmus Impact Study Regional Analysis: Main findings in a nutshell*, Brussels.
- European Commission, (2015), *Erasmus+ Annual Report 2014*, Brussels.
- European Commission, (2015), *Draft 2015 Joint Report of the Council and the Commission on the implementation of the renewed framework for European cooperation in the youth field (2010-2018)*, COM(2015) 429 final, Brussels.
- European Commission (2015), *Erasmus Facts, Figures & Trends: The European Union support for student and staff exchanges and university cooperation in 2013-2014*, Brussels.
- European Commission (2015), *Erasmus 2013-14 Top 500 higher education institutions receiving Erasmus students*, Brussels.
- European Commission (2015), *Erasmus 2013-14 Top 500 higher education institutions sending Erasmus students*, Brussels.
- European Commission (2015), *Education and Training Monitor 2015*, Brussels.
- European Commission (2015), *Erasmus+ programme Annual report 2014*. Available at: http://ec.europa.eu/education/library/statistics/erasmus-plus-annual-report_en.pdf
- European Commission (2014), *Erasmus Facts, Figures & Trends: The European Union support for student and staff exchanges and university cooperation in 2012-2013*. Brussels.
- European Commission (2014), *The Erasmus Impact Study Effects of mobility on the skills and employability of students and the internationalisation of higher education institutions*. Brussels.
- European Commission (2014), *The Erasmus Impact Study: effects of mobility on skills and employability of students and the internationalisation of higher education institutions*.
- Available at: http://ec.europa.eu/education/library/study/2014/erasmus-impact_en.pdf
- European Commission (2012), *Leonardo da Vinci Facts & Figures EU support for vocational education and training 2007-2011*. Brussels.
- European Commission (2011), *Impact assessment on education and training actions*, Staff Working Document accompanying the Proposal for a Regulation of the European Parliament and of the Council establishing a single Education, Training, Youth and Sport Programme for the period 2014-2020, COM (2011)m788 final.
- European Commission, DG EAC, (2011), *Report on the Monitoring Survey on the Youth in Action Programme*. Available at: http://ec.europa.eu/assets/eac/youth/tools/documents/2011-monitoring-report_en.pdf
- European Commission (2011), *Youth in Action: Interim Evaluation Final Report*. Prepared by Ecorys, commissioned by European Commission. Brussels.

- European Commission (2011), *Interim Evaluation of the Lifelong Learning Programme (2007-2013)*. Prepared by Public Policy and Management Institute, commissioned by the European Commission. Brussels.
- European Commission (2004), *Interim Evaluation of the Comenius Networks: Final report – Annexes*. Brussels.
- European Commission (2002), *European Report on Quality Indicators of Lifelong Learning: fifteen quality indicators*. Brussels.
- European Investment Fund, *Erasmus+ Master Student Loan Guarantee Facility*, updated on 31 march 2018. Available at: http://www.eif.org/what_we_do/guarantees/erasmus+master-loan-guarantee-facility/erasmus+signatures.pdf.
- European Parliament, (2017), *Report on the implementation of Regulation (EU) No 1288/2013 of the European Parliament and of the Council of 11 December 2013 establishing 'Erasmus+': the Union programme for education, training, youth and sport and repealing Decisions No 1719/2006/EC, No 1720/2006/EC and No 1298/2008/EC (2015/2327(INI))*.
- European Parliament (2017), *Teaching Common Values in Europe*. Available at: <https://research4committees.blog/2017/10/16/teaching-common-values-in-europe-2/>.
- European Parliament, (2016), *Research for Cult Committee – Erasmus+: Decentralised Implementation – First Experiences*, requested by the European Parliament's Committee on Culture and Education (CULT).
- European Parliament, (2016), *The Erasmus+ Programme (Regulation EU No. 1288/2013) – European Implementation Assessment*, Ex-Post Impact Assessment Unit of the Directorate for Impact Assessment and European Added Value, within the European Parliamentary Research Service (EPRS) of the European Parliament.
- European Union (2013), Regulation (EU) No 1288/2013 Of The European Parliament And Of The Council Of 11 December 2013 Establishing 'Erasmus+': The Union Programme For Education, Training, Youth And Sport And Repealing Decisions No 1719/2006/EC, No 1720/2006/EC and No 1298/2008/EC. Available at: <http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32013R1288&qid=1395671967554>
- European Union (2010), *Mid-Term Evaluation Life Long Learning Programme (2007-2013)*. Brussels.
- European Union, (2006), DECISION No 1720/2006/EC OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 15 November 2006 establishing an action programme in the field of lifelong learning.

Sources

- ICF, (2018), *Final Report – Evaluation of the Student Loan Guarantee Facility, Volume 2 Combined evaluation of Erasmus+ and predecessor programmes*.
- Informal Meeting of EU Education Ministers, (2015), 'Declaration on Promoting citizenship and the common values of freedom, tolerance and non-discrimination through education', Paris, 17 March 2015.

Web pages

- European Commission, Education and Training Monitor. Available at: http://ec.europa.eu/education/policy/strategic-framework/et-monitor_en [accessed 04.09.2017].
- This webpages contains access to EU reports, country reports, as well as data in the form of key indicators, interactive maps, and a policy measures library.
- European Commission, Supporting youth actions in Europe: Evaluations. Available at: https://ec.europa.eu/youth/evaluations_en [accessed 04.09.2017].
- European Commission, EACEA, Programmes 2007-2013. Available at: http://eacea.ec.europa.eu/2007-2013_en.php [accessed 04.09.2017].
- Programmes and actions delegated to the EACEA (2014). Available at: http://eacea.ec.europa.eu/about/programmes_delegated_to_eacea_en.php [accessed 04.09.2017].
- Lifelong learning Platform, Erasmus+ Survey. Available at: <http://llplatform.eu/what-we-do/erasmus-survey/>.

Bibliography Delegated and implementing acts, and EU decision making processes in Erasmus+

EU Level Sources

- Consolidated Version of the Treaty on the Functioning of the European Union, 2008 O.J. C 115/47.
- Common understanding between the European Parliament, the Council, and the Commission on Delegated Acts annexed to IIA on Better Law-Making L123/1 of 13 April 2016.
- Council Decision 87/373/EEC of 13 July 1987 laying down the procedures for the exercise of implementing powers conferred on the Commission, OJEC 18.07.1987, and n ° L 197.
- Council Decision 2006/512/EC of 17 July 2006 amending Decision 1999/468/EC laying down the procedures for the exercise of implementing powers conferred on the Commission, OJ 2006 L 200/11.
- Council of the European Union, (2011), Opinion of the Legal Service [on] Application of Articles 290(delegated acts) and 291(implementing acts) TFEU, 8970/11 JUR 172 INST 203.
- European Commission, (2015), Staff Working Document [on] Better Regulation Guidelines, COM (2015) SWD 111 final.
- European Commission, (2014) DG for Education and Culture 'Rules of Procedure for the Erasmus+ Committee'.
- European Commission, (2012), Note for the Attention of Directors General and Heads of Services [on] Delegated and implementing acts – further guidance, SEC(2012)537.
- European Parliament Committee of Petitions, (2016), for the Committee on Legal Affairs and the Committee on Constitutional Affairs on the interpretation and implementation of the interinstitutional agreement on Better Law-Making (2016/2018(INI)).

- European Parliament, (2014), Resolution of 25 February 2014 on follow-up on the delegation of legislative powers and control by Member States of the Commission's exercise of implementing powers (2012/2323(INI)), P7_TA-PROV (2014)0127.
- European Parliament, (2013), Committee on legal Affairs, Report on follow-up on the delegation of legislative powers and control by Member States of the Commission's exercise of implementing powers (2012/2323(INI)), A7-0435/2013.
- Interinstitutional Agreement between the European Parliament, the Council of the European Union and the European Commission on Better Law-Making L123/1 of 13 April 2016.
- Regulation (EU) 2011/182 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers, OJ 2011 L 55.
- Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EU) 2011/182 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers COM 2017/0035
- Regulation (EU) No 1288/2013 of the European Parliament and of the Council of 11 December 2013 establishing 'Erasmus+: the Union programme for education, training, youth and sport, OJ 2013 L 347.
- Proposal for a Regulation of the European Parliament and of the Council laying down the legal framework of the European Solidarity Corps and amending Regulations (EU) No 1288/2013, No 1293/2013, (EU) No 1303/2013, (EU) No 1305/2013, (EU) No 1306/2013 and Decision No 1313/2013/EU, 2017/0102(COD).

Case Law

- Case C-25/70 *Einfuhr- und Vorratsstelle für Getreide und Futtermittel v Köster, Berodt & Co*, EU:C:1970:115.
- Case C-240/90 *Germany v Commission*, EU:C:1992:408.
- Case C-58/08 *Ex parte Vodafone and others*, EU:C:2010:321.
- Case C-355/10 *European Parliament v Council*, EU:C:2012:516.
- Case C-427/12 *Commission v Parliament and Council (Biocides)*, EU:C:2014:170.
- Case C-65/13, *Parliament v Commission (EURES)*, EU:C:2014:2289.
- Case C-88/14 *Commission v parliament and Council (Visa Reciprocity)*, EU:C:2015:499.
- Case C-286/14 *Parliament v Commission (Connecting Europe Facility)*, EU:C:2016:183.

Annual Work Programmes 2015

- Commission Implementing Decision adopting the 2015 annual work programme for the implementation of "Erasmus+": the Union Programme for Education, Training, Youth and Sport, 2015(6856) of 30th September 2014, Annex.
- Commission Implementing Decision amending Commission Implementing Decision adopting the 2015 annual work programme for the implementation of "Erasmus+": the

Union Programme for Education, Training, Youth and Sport, 2015(4197) of 25th June 2015, Annex.

2016

- Commission Implementing Decision on the adoption of the 2016 annual work programme for the implementation of "Erasmus+": the Union Programme for Education, Training, Youth and Sport, 2015(6151) of 14 September 2015.
- Commission Implementing Decision amending Commission Implementing Decision on the adoption of the 2016 annual work programme for the implementation of "Erasmus+": the Union Programme for Education, Training, Youth and Sport, 2016(1122) of 26 February 2016, Annex.

2017

- Commission Implementing Decision on the adoption of the 2017 annual work programme for the implementation of "Erasmus+": the Union Programme for Education, Training, Youth and Sport, 2016(5771) of 5 September 2016, Annex.
- Commission Implementing Decision amending the 2017 annual work programme for the implementation of "Erasmus+": the Union Programme for Education, Training, Youth and Sport, 2017(705) of 10 February 2017, Annex.

Policy Institutes Literature

- Centre for European Policy, 2017 Comitology Reform 2017: Why we need to include the European Parliament as well as the Council, CepInput, 3.
- European Institute of Public Administration (EIPA), (2013), Delegated & Implementing Acts: The New Comitology. EIPA, Maastricht, the Netherlands.
- European Institute of Public Administration (EIPA), (2011), Delegated and Implementing Acts: the New Worlds of Comitology –Implications for European and National Public Administrations. EIPA, Maastricht, the Netherlands.
- PACT European Affairs, (2017), Secondary legislation and the 2017 reform proposal: A hard nut to crack.
- PACT European Affairs, (2015), The New Practical Guide to the EU Labyrinth: Understand everything about EU institutions structures, powers, procedures through examples, diagrams, synthesis.

Academic literature

- Alemanno A. and Meuwese A., (2013), Impact Assessment of EU Non-Legislative Rulemaking: The Missing Link in 'New Comitology'. European Law Journal, Volume 19 (1), pages 76–92.
- Alfé, M., Christiansen, T. and Piedrafita, S. (2008), Implementing Committees in the Enlarged European Union: Business as Usual for Comitology? (Published in E.Best , T.Christiansen , P.Settembri (eds) The Institutions Of The Enlarged European Union - Continuity and Change (Cheltenham: Edward Elgar, 2008).
- Bast, J. (2012), New Categories of Acts after the Lisbon Reform: Dynamics of Parliamentarization in EU Law. . Common Market Law Review, Volume 49, pages 885-928.
- Bergström, C.F. (2005), Comitology: Delegation of Powers in the European Union and the Committee System, Oxford Studies in European Law (Oxford University Press).

- Bradley, K. (2016), 'Delegation of Powers in the European Union: Political Problems, Legal Solutions' in Bergström C.F. and Ritleng D, Rulemaking by the European Commission: The New System for Delegation of Powers. Oxford University Press, pages 55 – 84.
- Brandsma, G.J. and Blom-Hansen J. (2017), Controlling the EU Executive?: The Politics of Delegation in the European Union. Oxford University Press.
- Chamon, M. (2015), Clarifying the Divide between Delegated and Implementing Acts? Legal Issues of Economic Integration, Volume 42(2), pages 175–190.
- Chamon, M. (2011), EU Agencies: Between Meroni and Romano or the devil and the deep blue sea. Common Market Law Review, Volume 48, pages 1055–1075.
- Chamon, M. (2016), Institutional Balance and Community Method in the Implementation of EU Legislation following the Lisbon Treaty. Common Market Law Review, Volume 53, pages 1501-1544.
- Chamon, M. (2015), The dividing line between delegated and implementing acts, part two: The Court of Justice settles the issue in Commission v Parliament and Council (Visa Reciprocity). Common Market Law Review, Volume 52, pages 1617-1634.
- Christiansen, T. and Dobbels, M. (2016), 'Interinstitutional Tensions in the New System' in
- Christiansen, T. and Dobbels, M. (2013), Non-Legislative Rule Making after the Lisbon Treaty: Implementing the New System of Comitology and Delegated Acts. European Law Journal, Volume 19 (1), pages 42 - 56.
- Christiansen, T. and Dobbels, M. (2012), Comitology and delegated acts after Lisbon: How the European Parliament lost the implementation game. European Integration online Papers (EIoP), Volume 16, [online] available at: <http://eiop.or.at/eiop/texte/2012-013a.htm>.
- Christiansen, T. and Dobbels, M. (2011), Implementing and Delegated Acts after Lisbon - Towards the Parliamentarisation of Policy-Implementation? Paper for Presentation at the Workshop "Decision-Making in the European Union before and after Lisbon", Leiden, 8-9 November 2011.
- Craig, P. (2011). Delegated Acts, Implementing Acts and the New Comitology Regulation. European Law Review, Volume 36, pages 671 – 690.
- Craig, P. and de Búrca G. (2015), Instruments and the hierarchy of norms and Legislation and decision-making in EU Law: Text, Cases, and Materials, Oxford University Press, pages 105-161.
- Craig, P. (2016), 'The Lisbon Settlement: Tensions and Strains' in Bergström C.F. and Ritleng D, Rulemaking by the European Commission: The New System for Delegation of Powers. Oxford University Press, pages 173-202.
- Hardacre, A. and Kaeding, M. (2010), The Execution of Delegated Powers After Lisbon: A Timely Analysis of the Regulatory Procedure with Scrutiny and its Lessons for Delegated Acts. European University Institute: Robert Schuman Centre for Advanced Studies.
- Hofmann, H. and Türk, A. (2007), The Development of Integrated Administration in the EU and its Consequences. European Law Journal, Volume 13 (2), pages 253 - 271.
- Mendes, J., (2016), 'The Making of Delegated and Implementing Acts: Legitimacy beyond Institutional Balance' in Bergström C.F. and Ritleng D, Rulemaking by the European

- Commission: The New System for Delegation of Powers. Oxford University Press, pages 233-254.
- Neuhold, C. (2001), The "Legislative Backbone" keeping the Institution upright? The Role of European Parliament Committees in the EU Policy-Making Process. European Integration online Papers (EIoP), Volume 5 (10).
 - Peers, S. and Costa, M. (2012), Accountability for Delegated and Implementing Acts after the Treaty of Lisbon. European Law Journal, Volume 18(3), pages 427-460.
 - Ponzano, P. (2016), 'The Reform of Comitology and Delegated Acts: An Executive's View' in Bergström C.F. and Ritleng D, Rulemaking by the European Commission: The New System for Delegation of Powers. Oxford University Press, pages 38 – 54.
 - Ritleng, D. (2016), 'The Reserved Domain of the Legislature: The notion of 'Essential Elements of an Area'' in Bergström C.F. and Ritleng D, Rulemaking by the European Commission: The New System for Delegation of Powers. Oxford University Press, pages 133 – 171.
 - Ritleng, D. (2016), Does the European Court of Justice take Democracy Seriously? Some Thoughts about the Macro-Financial Assistance Case. Common Market Law Review, Volume 53, pages 11-34.
 - Ritleng, D. (2015), The dividing line between delegated and implementing acts: The Court of Justice sidesteps the difficulty in Commission v. Parliament and Council (Biocides). Common Market Law Review, Volume 52(1), pages 243–257.
 - Robinsons, W. (2014), Making EU Legislation Clearer. European Journal of Law Reform, Volume 16(3), pages 610-632.
 - Schütze R. (2015), Executive Powers: Competence and Procedures in European Union Law, Cambridge University Press, pages 308- 340.
 - Schwarze, J. (2012), European Administrative Law in the Light of the Treaty of Lisbon. European Public Law, Volume 19 (2), pages 285-304.
 - Steunenberg, B. (2006), Turning Swift Policy-making into Deadlock and Delay. European Union Politics, Volume 7 (3), pages 293-319.
 - Van der Mei, A.P. (2016), Delegation of Rulemaking Powers to the European Commission post-Lisbon: Court of Justice of the European Union (Grand Chamber) Judgment of 16 July 2015, Case C-88/14, European Commission v European Parliament (Visa Reciprocity) Judgment of 17 March 2016, Case C-286/14, Parliament v Commission (Connecting Europe Facility). European Constitutional Law Review, Volume 12, pages 538–548.
 - Voermans, W. et al (2015), Combining Efficiency and Transparency in legislative processes, The Theory and Practice of Legislation, Volume 3(3), pages 279-294.
 - Voermans, W. (2011), Delegation Is a Matter of Confidence. European Public Law, Volume 17(2), pages 313–330.
 - Vos, E. (1997). The Rise of Committees. European Law Journal, Volume 3 (3), pages 210 - 297.

ANNEX 1: EXTENDED CASE ANALYSIS ANNUAL WORK PROGRAMMES

This Annex provides a more elaborate and detailed analysis of the Annual Work Programmes (AWPs) drafted and adopted within Erasmus+. The Regulation details all the different aspects which the Commission shall include in each implementing decision: from the implementation of the objectives, to the allocation of funds per action and Member State.⁹⁶ This section will describe and analyse the Commission's process for adopting the annual work programmes 2015, 2016 and 2017 together with the Erasmus+ Committee.⁹⁷ The AWP are examined in turn for the policy context in which they were designed, the main changes which were made to the Erasmus+ programme, the budgetary framework, and the adoption of the AWP.

2015 Annual Work Programme

Policy context

The 2015 AWP focused on consolidation of the Programme and clarification of ambiguous principles of it. The process of streamlining rules across sectors also continued through 2015 and emphasis in the 2015 AWP has been given to Strategic Partnerships both for fostering innovation as well as the exchange of practices with further focus on simplification.⁹⁸ New activities included the international credit mobility action, capacity building projects in higher education, the Western Balkans Youth Window, forward-looking cooperation projects, and the School Education Gateway tool, all of which presented positive outcomes.

In June 2015 the Commission adopted an amendment to the annual work programme for Erasmus+ to reflect the allocation of additional funds as well as changes to some essential elements of some actions and activities. The changes include the sub-delegation of certain actions to DG Employment, Social Affairs and Inclusion given a different distribution in Commission's portfolios as well as the launch of some new actions.⁹⁹

With regard to priorities, 2015 marked the second year of implementation of the Programme, and priorities on EU policy agenda just started to be incorporated and were still not truly reflected in the actions of the AWP itself. However, the Commission explained in the annual report how priorities stemming from the Paris Declaration were included in the Erasmus+ calls and through cooperation with the national agencies in decentralised calls as well.¹⁰⁰

In the background for the implementation of the 2015 Annual Work Programme were the first positive signals after the economic crisis, which proved that Europe started to emerge again. The challenge faced by the European Union was to develop a framework for the review of relevant policies bearing in mind that investment in education and training could serve as *the fuel for a strengthened economy post-crisis*.¹⁰¹ In this context, 2015 marked an important year for the development of new policy priorities and strategies. In fact, in 2014 consultations

⁹⁶ Regulation (EU) No 1288/2013 of the European Parliament and of the Council of 11 December 2013 establishing 'Erasmus+: the Union programme for education, training, youth and sport (hereinafter 'Erasmus+'), Article 35.

⁹⁷ Ibid, Article 36.

⁹⁸ Erasmus+ Programme Annual Report 2015, European Commission, 2017.

⁹⁹ Commission Implementing Decision amending Commission Implementing Decision adopting the 2015 annual work programme for the implementation of "Erasmus+": the Union Programme for Education, Training, Youth and Sport, 2015(4197) of 25th June 2015, Preamble (1).

¹⁰⁰ Erasmus+ Programme Annual Report 2015, European Commission, 2017, p.6.

¹⁰¹ Annex 1, Commission Implementing Decision adopting the 2015 annual work programme for the implementation of "Erasmus+": the Union Programme for Education, Training, Youth and Sport, 2015(6856) of 30th September 2014, p. 7.

were carried out on the Strategic Framework for European Cooperation in Education and Training, ET 2020 and on the Cooperation Framework on Youth Strategy. These stocktaking exercises resulted in Joint Reports by the Council and Commission which influenced and shaped all subsequent work programmes. However, the 2015 AWP was drafted in the middle of 2014, and the amendment in the first months of 2015, therefore, it did not yet reflect the policy developments adopted in 2015. That said, the 2015 AWP still reflected the need to create a stronger link between policy and the programme and it in fact addressed these four key challenges: *equipment of young people with relevant skills and experience to boost changes to find a job in a post-crisis environment, the need to include low-skilled in lifelong learning through re-skilling, boost innovation and attract talents from abroad, and compensate the impact of a shirking and ageing workforce by equipping people with solid and relevant skills.*¹⁰²

Despite policy priorities not being yet as explicitly included as in subsequent AWP, 2015 was the year in which priorities started to gain relevance on directing the accents of Erasmus+. In fact, the 2015 annual report states that the Paris Declaration, aimed at tackling youth radicalisation, and foster the common values of tolerance and non-discrimination, shaped the Erasmus+ calls and dialogue with stakeholders was held to implement the latter priorities.¹⁰³

Main developments in the Annual Work Programme

Key Action 1: Learning Mobility of Individuals¹⁰⁴

The first novelty for this AWP was the introduction of the **international credit mobility**, i.e. credit mobility between programme and partner countries in higher education both for students and staff (KA107). Within the year it received positive responses with a total of 1,100 application submitted for projects with partner countries.¹⁰⁵ A second novelty of the 2015 AWP was the implementation of the **Master Loan Scheme** which allowed for access to loans on favourable terms to students following a programme in another programme country; MicroBank in Spain was the first bank to sign up for the scheme in June 2015, providing loans for 85 students.¹⁰⁶ Third, Erasmus+ **VET Mobility Charters** were introduced and awarded for the first time in 2015 as recognition to institutions with well-established internationalisation strategies. This allowed them to apply with a simplified application procedure under the 2016 call for VET learners and staff mobility. The amendment to the AWP did not foresee any changes within this key action and brought no further allocation of funds.

Key Action 2: Cooperation for Innovation and the Exchange of Good Practices¹⁰⁷

Within KA2, the AWP introduced two main actions: one in the field of education, one in the field of youth. In higher education, the AWP launched an action for capacity building to address internationalization of HE in partner countries and for promoting EU's external action objectives, with special attention paid to participants from disadvantaged groups and least

¹⁰² Ibid, p. 8.

¹⁰³ Erasmus+ Programme Annual Report 2015, European Commission, 2017, p. 7.

¹⁰⁴ Annex 1, Commission Implementing Decision adopting the 2015 annual work programme for the implementation of "Erasmus+": the Union Programme for Education, Training, Youth and Sport, 2015(6856) of 30th September 2014, p. 11; Erasmus+ Programme Annual Report 2015, European Commission, 2017, 15-31.

¹⁰⁵ Ibid, p. 26.

¹⁰⁶ Ibid, 31.

¹⁰⁷ Annex 1, Commission Implementing Decision adopting the 2015 annual work programme for the implementation of "Erasmus+": the Union Programme for Education, Training, Youth and Sport, 2015(6856) of 30th September 2014, p. 50;

developed countries. Within capacity building in the field of youth, in 2015 a specific **'Western Balkans Youth Window'** was introduced, funded by the Instrument for Pre-accession Assistance (IPA II, 2014 – 2020).¹⁰⁸ The implementation of the amendment saw a general increase of focus on Strategic Partnerships in KA2 where significant funds have been allocated to both the fields of Education & Training and Youth, with €16, 5 million awarded to strategic partnerships in E&T and €700.000 awarded to strategic partnerships in the field of youth.¹⁰⁹

Key Action 3: Support for Policy Reform¹¹⁰

In the field of support for policy reform, the 2015 AWP launched a call for proposals for **forward-looking cooperation projects**. The actors involved in such projects are major stakeholders in Erasmus+ which develop and test innovative approaches in order to support systematic improvement. In 2015 this action supported priorities such as higher education reforms, collaborative teaching and learning, and opening up education and training institutions to adult learning. In 2015 the EU cooperation with OECD included the TALIS survey which collected teachers' opinions on working conditions, school environment etc. Under Erasmus+ 2015 TALIS also run its third cycle, "TALIS 2018", and its grant made it possible to reimburse up to 80% of the international costs of the Member States participating in that cycle.¹¹¹ The amendment introduced an action in higher education to optimise the exploitation of the results of U-Multirank within KA3 for support of policy reform, with a budget of €200,000.¹¹² In the field of youth in order to support better knowledge of youth policy, study activities have been reinforced through a significant increase in budget.¹¹³

Jean Monnet Activities¹¹⁴

In this field, a common communication strategy between EU-delegations and national agencies was drafted, in order to promote the programme in less represented countries and regions, leading to a doubling in application compared to 2014 in the March 2015 call for proposals. For Jean Monnet activities the amendment allocated a further €150,000 in the field of promotion.¹¹⁵

Sport¹¹⁶

In 2015, the Annual Work Programme focused on grassroots sport and on projects which goal was to increase the level of participation in sport. The AWP prescribed that half of the budget for collaborative partnerships in sport were devoted to areas where EU guidelines were issued such as dual career of athletes.¹¹⁷ Moreover, the AWP determined the need for

¹⁰⁸ Erasmus+ Programme Annual Report 2015, European Commission, 2017, p. 46.

¹⁰⁹ Commission Implementing Decision amending Commission Implementing Decision adopting the 2015 annual work programme for the implementation of "Erasmus+": the Union Programme for Education, Training, Youth and Sport, 2015(4197) of 25th June 2015, p. 106, 108.

¹¹⁰ Annex 1, Commission Implementing Decision adopting the 2015 annual work programme for the implementation of "Erasmus+": the Union Programme for Education, Training, Youth and Sport, 2015(6856) of 30th September 2014, p. 68.

¹¹¹ Erasmus+ Programme Annual Report 2015, European Commission, 2017, p. 55.

¹¹² Commission Implementing Decision amending Commission Implementing Decision adopting the 2015 annual work programme for the implementation of "Erasmus+": the Union Programme for Education, Training, Youth and Sport, 2015(4197) of 25th June 2015, p. 78.

¹¹³ Ibid, p. 108.

¹¹⁴ Ibid, p. 68.

¹¹⁵ Ibid, p. 109.

¹¹⁶ Annex 1, Commission Implementing Decision adopting the 2015 annual work programme for the implementation of "Erasmus+": the Union Programme for Education, Training, Youth and Sport, 2015(6856) of 30th September 2014, p. 99-103.

¹¹⁷ Ibid, p. 99; EU Guidelines on Dual Careers of Athletes (adopted on 28.09.2012 by EU Expert group on Education and Training in Sport (ISBN 978-92-79-31161-1).

studies to be commissioned to support evidence-based policy-making in the field of sport. Sport saw an important budget increase through the amendment for collaborative partnerships with over €1 million awarded to the action. Moreover, surveys and data gathering for sport also saw a slight increase in budget.¹¹⁸

IT Tools

With regard to IT Tools, in 2015 the **School Education Gateway** was introduced, which is an online platform which provides teachers with relevant information on peer support, mobility opportunities, teaching and professional developments, etc. Only in 2015, the platform offered content on good practices from EU Projects, contributions from experts, tutorials, the European Toolkit for Schools and information on policy development.¹¹⁹

Budget

The **budgetary appropriations** under the 2015 amended work programme are divided into budget lines for Heading 1 (Smart & Inclusive Growth), and Heading 4 (Global Europe). Given a revised amount of third-country contributions to the Programme, the amendment awards additional funds within Heading 1 of the budget lines: education and training, youth and sport. Erasmus + actions in 2015 after the amendment saw an increase in budget of 2.1% compared to 2014.

Adoption of the 2015 Annual Work Programme: role of Commission, Committee and legislators

Concerning the adoption of the 2015 AWP, the Erasmus+ Programme Committee had two discussions on the 1st version of the annual work programme in May and July 2014. Given the onset of the holiday period in 2014, the opinion of the Committee was requested via written procedure, with a positive opinion received via delegation replies on the 4th September 2014. The voting result of the formal opinion portrays the favourable opinion of 260 votes and 92 abstentions, meaning this exactly allowed for a qualified majority, required under the examination procedure for the adoption of an implementing decision. At the end of the month the Commission officially adopted the implementing decision.¹²⁰

The revision of the AWP 2015 started in April to adapt to evolving circumstances as well as for the allocation of additional funds. The Commission officially adopted the amendment to the 2015 AWP on the 25th June 2015.¹²¹

The exact views of the European Parliament and Council in the development and adoption of this AWP, and others, is difficult to gauge through publically available documentation¹²². This is not surprising given that the implementing act procedure does not involve a strong role

¹¹⁸ Commission Implementing Decision amending Commission Implementing Decision adopting the 2015 annual work programme for the implementation of "Erasmus+": the Union Programme for Education, Training, Youth and Sport, 2015(4197) of 25th June 2015, p. 110.

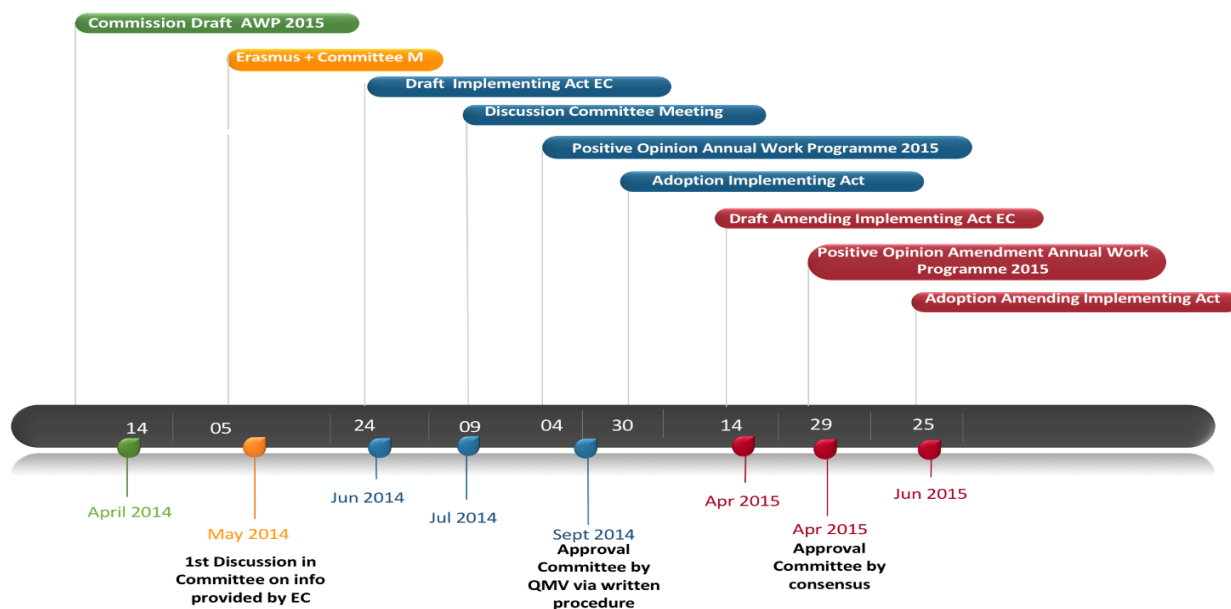
¹¹⁹ Erasmus+ Programme Annual Report 2015, European Commission, 2017, p. 65.

¹²⁰ Commission Implementing Decision adopting the 2015 annual work programme for the implementation of "Erasmus+": the Union Programme for Education, Training, Youth and Sport, 2015(6856) of 30th September 2014.

¹²¹ Commission Implementing Decision amending *Commission Implementing Decision adopting the 2015 annual work programme for the implementation of "Erasmus+": the Union Programme for Education, Training, Youth and Sport*, 2015(4197) of 25th June 2015.

¹²² In the European Parliamentary Research Service implementation assessment of Erasmus+, a reference is made to documentation on this issue of European Parliament views on AWP: European Commission (2016), "CULT Committee, EP Exchange of views on Annual work programmes" Brussels, 25 April 2016. This document was communicated by DG EAC to authors.

for the legislators. However, the European Parliamentary Research Service indicates in its report on the implementation of Erasmus+ that the European Commission “communicated frequently and proactively with the European Parliament to explain the implications of the budgetary policy for the Programme for implementing activities, as well as implications for short-term planning and long-term projections”¹²³. Besides such indirect information from other literature, insights on the precise involvement of the different actors are difficult to establish.



Source: Panteia

¹²³ European Parliament, (2016), The Erasmus+ Programme (Regulation EU No. 1288/2013) – European Implementation Assessment, Ex-Post Impact Assessment Unit of the Directorate for Impact Assessment and European Added Value, within the European Parliamentary Research Service (EPRS) of the European Parliament.

2016 Annual Work Programme

Policy context

The 2016 AWP focused on the stability of the Programme, maintaining stable rules for stakeholders and beneficiaries to become better familiarised with the programme. New actions which were not present in the predecessors' programmes are improved in this financing decision (Strategic and Collaborative Partnerships as well as Sector Skills Alliances) to meet the objectives of the Erasmus+ Regulation. Improvement is also called for in this AWP for IT tools on implementation, use, and exploitation of Erasmus+, particularly by the beneficiaries. As a general rule for the budget for 2016, the Commission decided to converge the allocations toward the minima percentages, by action and sector, set out by the Regulation.¹²⁴

In February 2016 the Commission adopted an amendment to the annual work programme for Erasmus+ to reflect the allocation of additional funds as well as changes in policy priorities. The Amendment focuses on including activities preventing the violent radicalisation of young people to foster the implementation of the Paris Declaration and strengthens support for Strategic partnerships and modifies the implementing mode for certain actions.

In the drafting of each Annual Work Programme, the Commission takes due account of recent European policy developments that will have an impact on the implementation and structuring of the programme within the financing decision. For the first version of the 2016 AWP, the Commission has specifically taken into consideration the Paris Declaration 2015, as well as the new priorities for the Education and Training 2020 and EU Youth Strategy work cycles.

Paris Declaration

The Paris Declaration was adopted at an Informal Education Ministerial Meeting on 17th March 2015 in Paris.¹²⁵ The general policy priorities put forward in the declaration include citizenship and common values of freedom, tolerance and non-discrimination through education in the aftermath of violent extremism in both France and Denmark in 2015. Four main objectives introduced are:

- ensuring that children and young people acquire social, civic and intercultural competences, by promoting democratic values and fundamental rights, social inclusion and non-discrimination, as well as active citizenship;
- enhancing critical thinking and media literacy, particularly in the use of the Internet and social media, so as to develop resistance to all forms of discrimination and indoctrination;
- fostering the education of disadvantaged children and young people, by ensuring that our education and training systems address their needs;
- promoting intercultural dialogue through all forms of learning in cooperation with other relevant policies and stakeholders.

The latter was later also reflected in national policies.¹²⁶

¹²⁴ Note for the Attention of the Members of the Erasmus+ Committee, Analysis of the draft 2016 Erasmus+ Budget, E+/020/2015, April 2015, referring to Article 18, Erasmus+ Regulation.

¹²⁵ Informal Meeting of EU Education Ministers, 'Declaration on Promoting citizenship and the common values of freedom, tolerance and non-discrimination through education', Paris, 17 March 2015.

¹²⁶ European Commission/EACEA/Eurydice, (2016), Promoting citizenship and the common values of freedom, tolerance and non-discrimination through education: Overview of education policy developments in Europe following the Paris Declaration of 17 March 2015.

The Paris Declaration's priorities gained relevance in the context of KA1 for Youth Learning mobility in which projects linked to the implementation of the Paris Declaration were given priority.¹²⁷ Strategic Partnerships in KA2 focused on the development of social, civic and intercultural competences became also a priority.¹²⁸ With regard to KA3 grants awarded by means of specific calls, aimed at tackling the policy priorities and objectives set out in the Paris Declaration: namely European Policy Experimentation and Cooperation Projects, later amended into the Social inclusion through education, training, and youth action.¹²⁹ In the field of sport, grants awarded by means of general calls for proposal, emphasis was put on collaborative partnerships which promote tolerance and non-discrimination and support synergies with the objectives of the Paris Declaration.¹³⁰

Main developments in the Annual Work Programme

Key Action 1: Learning Mobility of Individuals¹³¹

The Erasmus+ **VET Mobility Charter** was a major innovation which aimed at fostering the internationalisation of VET providers. The new Charter benefitted VET organisations who have already been awarded a Charter in the previous year through a fast-lane", the purpose of which is to increase qualitative standards and simplifying workload of applicants with proven experience. For **school and adult education**, the 2016 AWP focused on mobility in the form of professional development activities and teaching assignments. In order to boost the strategic impact of Erasmus+, applicants were required to submit a European Development Plan.

Two main themes were prioritised for the selection of projects in the field of **youth**: (1) involvement of marginalised young people (promotion of diversity, tolerance) and projects for enhancing media literacy and critical thinking, (2) prevention of violent radicalisation by equipping youth workers with competences to transfer common fundamental values. As 2016 marked the 20th anniversary of the **European Voluntary Service**, an enhanced and user-friendly Database of EVS Organisation was put in place.

In 2016, eligible partner countries for the first time included African, Caribbean, and Pacific (ACP) countries to foster the **international dimension** of Erasmus+ for higher education. For the youth sector, the international dimension continued focusing on exchanges and mobility with neighbouring partner countries.

Key Action 2: Cooperation for Innovation and the Exchange of Good Practices¹³²

The 2016 AWP focused on increasing the quality and number of projects involved in **Strategic Partnerships**: both through a budget increase and by improving the rules and criteria for this action with the NA. For **Knowledge Alliances** a budget increase was put forward to respond to the interest shown for this action. The **Sector Skills Alliances** concentrated in

¹²⁷ Erasmus+, Annual Report 2016, p. 10.

¹²⁸ Ibid.

¹²⁹ Ibid; Annex I, Commission Implementing Decision amending Commission Implementing Decision on the adoption of the 2016 annual work programme for the implementation of "Erasmus+": the Union Programme for Education, Training, Youth and Sport, 2016(1122) of 26 February 2016, p. 53, 54, 55.

¹³⁰ Ibid; Annex I, Commission Implementing Decision amending Commission Implementing Decision on the adoption of the 2016 annual work programme for the implementation of "Erasmus+": the Union Programme for Education, Training, Youth and Sport, 2016(1122) of 26 February 2016, p. 23.

¹³¹ Annex 1, Commission Implementing Decision on the adoption of the 2016 annual work programme for the implementation of "Erasmus+": the Union Programme for Education, Training, Youth and Sport, 2015(6151) of 14 September 2015, p. 15-16.

¹³² Annex 1, Commission Implementing Decision on the adoption of the 2016 annual work programme for the implementation of "Erasmus+": the Union Programme for Education, Training, Youth and Sport, 2015(6151) of 14 September 2015, p. 17-18.

aligning with the policy priorities of VET, development, and recognition. The action aimed at (1) tackling skills gaps by identification of labour market need and demand for new skills and (2) supporting design and delivery of trans-national VET as well as teaching and training skills methodologies. For International Capacity Building projects in HE, the emphasis was put on proposals involving Asian universities, and the ACP region was for the first time included in the **Capacity Building Call**. With regard to the same action for youth, in 2016 emphasis was put on projects implemented in cooperation with Western Balkans. Moreover, the 2016 AWP launched the new version of the **School Education Gateway** which offered online courses and material as well as a survey tool. Last, the **European Youth Portal** focus was shifted to social media channels, as well as to a new Structure Dialogue online to widen the number of young people involved.

Key Action 3: Support for Policy Reform¹³³

The main areas of support for KA3 in 2016 involved European policy tools, cooperation with international organisations, policy innovation and stakeholder dialogue. The KA3 main actions for 2016 structured around the policy priorities at EU level, specifically, the priorities set out in the Paris Declaration. With regard to **European Policy Experimentations**, the AWP 2016 supported a wider European policy agenda and the **Cooperation with Civil Society Organisations** call underlined the importance of the promotion of civic education and democratic citizenship. In 2016, activities in the field of **skills and qualifications** were based on a broader agenda: the focus was put on the development of the European Classification of Skills, Qualifications, and Occupations on digital competences and entrepreneurship. The 2016 **Structured Dialogue** for youth, involved efforts to include a broader audience of youth focused on those with a weaker political voice and support synergies between the European Youth Portal and small projects.

Within the scope of **multilingualism**, emphasis was put on activities that could contribute to social inclusion and a grant was renewed with the Council of Europe for the **European Centre for Modern Languages**. Other KA3 actions which were introduced in the 2016 amendment included grants for Member State participation in the **TALIS and PIAAC** surveys.¹³⁴ Moreover, **a grant for online linguistic support for refugees** was introduced, with beneficiaries from Programme Countries already using the programme, being allowed to allocate a number of licences to refugees on a voluntary basis.¹³⁵

After the amendment, KA3 is the area which saw the biggest budget increase, namely €11, 5 million. The social inclusion through education training and youth grant received a significant increase of €7 million for its operations. The cooperation with the OECD saw a relevant budget decrease and the ICILS survey was deleted from the budget. TALIS and PIAAC (international surveys) under the new amendment changed the mode of implementation and were allocated separate funds for the amount of 1,75€ million. Moreover, the amendment provided for new budget for the Online Linguistic support for Refugees for circa €4 million.¹³⁶ In the field of youth the support to better knowledge in youth and the 'structured dialogue: support to national working groups', both received an increase in budget after the amendment.

¹³³ Annex 1, Commission Implementing Decision on the adoption of the 2016 annual work programme for the implementation of "Erasmus+": the Union Programme for Education, Training, Youth and Sport, 2015(6151) of 14 September 2015, 18-19.

¹³⁴ Ibid, p. 66.

¹³⁵ Ibid, p. 75.

¹³⁶ Ibid, p. 94-95.

Jean Monnet Activities¹³⁷

For 2016, Jean Monnet activities centred on new methodologies (interdisciplinary approach) and technologies to focus more attention on developments of others regional integration processes and support of evidence-based research. In order to promote EU integration outside EU within Jean Monnet activities, thematic/regional conferences were organised. The 2016 AWP amendment did not foresee any changes in this field.

Sport¹³⁸

In the field of sport, the 2016 AWP increased the budget for **collaborative partnerships** in order to bring direct support for organisations involved in the promotion of sport, in particular for projects which foster the common values foreseen by the Paris Declaration. In the 2016 AWP, the Commission introduced Small Collaborative Partnerships to better promote grassroots sport. In 2016 the **European Week of Sport** continued to see European support. In fact, within the planned actions for 2016, the Commission was to seek opportunities for partnerships in sport-related policy areas with the **Council of Europe and WHO**. The amendment did not modify any sport action, however, it provided a budget increase for collaborative partnerships.¹³⁹

Budget

Regarding the **budgetary appropriations** under the 2016 amended work programme, those are divided into budget lines for Heading 1 (Smart & Inclusive Growth), Heading 4 (Global Europe) and outside budget appropriations namely the European Development Fund (EDF). Given an updated programming of credits coming from external and internal assigned revenues and additional allocation of funds by the budgetary Authority, the amendment awards more funds within Heading 1 of the budget lines: education and training, youth and sport. Erasmus + actions in 2016 after the amendment see an increase in budget of 7.4% compared to 2015.

Adoption of the Annual Work Programme 2016

This timeline portrays the steps in the adoption of a Commission Implementing Decision as AWP 2016. For the 2016 Work Programme, the Commission presented the first implementing decision in September 2015¹⁴⁰, which was agreed upon by consensus, with three Member States not represented in the Erasmus+ Committee. The Commission amended the Annual Work Programme in February 2016¹⁴¹ to reflect budget increase as well as changes in policy priorities and modification of certain actions implementing modes which was also approved by consensus with two Member States not represented in the Erasmus+ Committee.

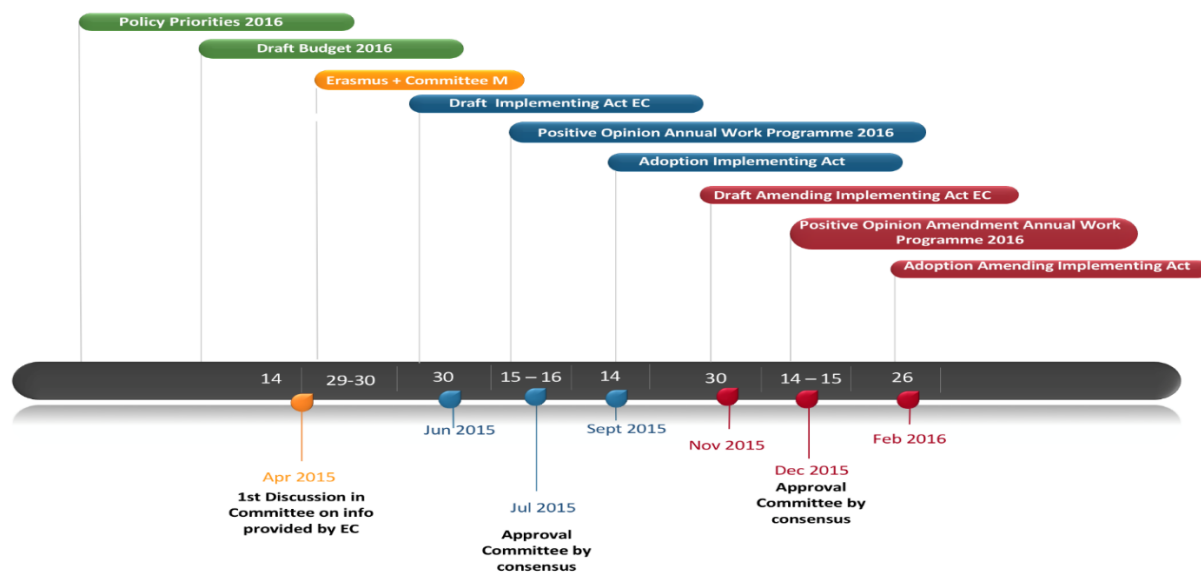
¹³⁷ Annex 1, Commission Implementing Decision on the adoption of the 2016 annual work programme for the implementation of "Erasmus+": the Union Programme for Education, Training, Youth and Sport, 2015(6151) of 14 September 2015, 21-22

¹³⁸ Ibid, p. 22-23.

¹³⁹ Annex I, Commission Implementing Decision amending Commission Implementing Decision on the adoption of the 2016 annual work programme for the implementation of "Erasmus+": the Union Programme for Education, Training, Youth and Sport, 2016(1122) of 26 February 2016, p. 98.

¹⁴⁰ Commission Implementing Decision on the adoption of the 2016 annual work programme for the implementation of "Erasmus+": the Union Programme for Education, Training, Youth and Sport, 2015(6151) of 14 September 2015.

¹⁴¹ Commission Implementing Decision amending Commission Implementing Decision on the adoption of the 2016 annual work programme for the implementation of "Erasmus+": the Union Programme for Education, Training, Youth and Sport, 2016(1122) of 26 February 2016, p. 67.



Source: Panteia

2017 Annual Work Programme

Policy context

The 2017 Annual Work Programme, emphasised the importance of ensuring the stability of the Programme by maintaining a stable level of investment and allow stakeholders to become better acquainted with the Programme structure in order to ensure full exploitation. New actions for the year 2017 included virtual exchanges and networks for inclusive education to foster intercultural dialogue and prevent radicalisation. As for the 2016 AWP, improvement of IT tools supporting the implementation remained a priority to ensure user-friendliness specifically for new entrants and small organisations interested in Erasmus+. A key new element relevant within this AWP is the Mid-Term Evaluation carried out by the Commission to prepare the new generation of Erasmus+. 2017 also marked the year of the 30th Anniversary of Erasmus and budget has been allocated in the AWP to raise awareness and share project results of the Erasmus+ Programme. Compared to the Erasmus+ Annual Work Programme adopted on 5 September 2016, the amendment took into account the additional budget allocations as proposed by the budgetary authority on 17 November 2016. The additional funds mainly covered VET mobility projects, European Voluntary Service (to contribute to the new European Solidarity Corps), the National Agencies Management fees, the 30th anniversary of Erasmus and the initiative to support young Europeans to travel throughout Europe to discover Europe's diversity, as well as the World Special Olympics Winter Games in Austria.

Triggers in policy development between the year 2016 and 2017 mostly overlap. However, one important development which the national agencies worried would impact the Erasmus+ Programme in 2017 was Brexit. The Commission reassured the National Agencies that until further notice the outcome of the referendum in the United Kingdom would not impact the Programme, ergo the partnerships and inclusion of the UK in all the different grants and calls possibilities for the Programme in 2017. The Paris Declaration still had a cross-cutting relevance throughout all the sectors of implementation of the Erasmus+ Programme, as all Member States continued to regard it as a priority to combat and prevent radicalisation and foster the common values of freedom, tolerance, and non-discrimination. Some new policy developments which are relevant to mention include:

Commission Communication supporting the prevention of radicalization leading to violent extremism: In June 2016 the Commission adopted a Communication addressing the EU's contribution to support Member States in preventing radicalisation.¹⁴² The Commission underlined that such a challenge requires action through different policy areas uniting different level of governance and competent authorities.

Public consultation on the EU modernisation agenda for higher education: with the aim of fostering a highly effective higher education system throughout Europe the Commission opened a period of consultation at the end of 2015 which was concluded at the beginning of 2016 to review the agenda for higher education. All stakeholders' views in the field have been collected and challenges affecting higher education institutions have been recognised in globalisation and digitalisation, financial crisis leading to unemployment and underemployment, unawareness in skills needs in the labour market, non-exploitation of

¹⁴² European Commission, (2016), Communication to the European Parliament, the Council, the European Economic Committee and Social Committee and the Committee of the Regions, Supporting the prevention of radicalization leading to violent extremism.

HEI's role in promoting innovation, etc. On this basis, priorities for action have been identified in three main sectors: teaching and learning, research, and innovation and engagement.

New Skills Agenda for Europe: the Communication of the Commission, New Skills Agenda for Europe adopted in June 2016,¹⁴³ launched 10 actions to make the right training, skills and support available to people in the European Union. According to relevant reports, a large number of high-qualified individuals work in jobs that do not match their aspiration, while employers report that they are unable to find people with the right skills to grow and innovate.¹⁴⁴ In connection with the New Skills Agenda, within the AWP 2017, all actions related to skills and qualifications were envisaged to contribute to the New Agenda, in particular for transparency and the improvement of tools and services as well as competences in this framework. This new policy development, however, was not included in the first version of the AWP completely, as wished by the Commission. The Erasmus+ Committee requested the Commission to wait for the negotiations with the Council to proceed in this context and specify some aspects only in the amendment and review of AWP 2017.

Main developments in the Annual Work Programme

Key Action 1: Learning Mobility of Individuals

The new initiative launched in the 2017 AWP was the implementation of the **Erasmus+ Virtual Exchanges**. This action intended to increase cultural awareness and cooperation between young people and aimed at addressing the Paris Declaration objectives.¹⁴⁵ Regarding the **Erasmus Mundus Joint Master Degrees**, the AWP planned to increase the number of selected proposals and the EACEA implemented activities for networking between coordinators of on-going masters programmes. In relation to **VET**, the VET Mobility Charter fast lane procedure continued its application and rules were modified to incentivize long-term mobility activities and attract companies and other players.¹⁴⁶ Last, for the **youth** field, the same emphasis as for AWP 2016 was accorded to projects the reach out to marginalised groups and promote common values.¹⁴⁷

Within Key Action 1 Mobility the amendment brought two main novelties in this key action: with regard to VET, focus was awarded to long duration mobility and additional funds were granted for apprenticeships.¹⁴⁸ Moreover, the amendment stated that the Commission will launch new "formats of the European Voluntary Service" and contribute to the implementation of the European Solidarity Corps Initiative.¹⁴⁹

¹⁴³ European Commission, (2016), Communication to the European Parliament, the Council, the European Economic Committee and Social Committee and the Committee of the Regions, A New Skills Agenda for Europe, Working together to strengthen human capital, employability and competitiveness SWD(2016), 195.

¹⁴⁴ European Commission Press Release, Ten actions to help equip people in Europe with Better skills, Brussels 10 June 2016.

¹⁴⁵ Annex 1, Commission Implementing Decision on the adoption of the 2017 annual work programme for the implementation of "Erasmus+": the Union Programme for Education, Training, Youth and Sport, 2016(5571) of 5 September 2016, p. 15.

¹⁴⁶ Ibid, p. 16.

¹⁴⁷ Ibid.

¹⁴⁸ Annex 1, Commission Implementing Decision amending the 2017 annual work programme for the implementation of "Erasmus+": the Union Programme for Education, Training, Youth and Sport, 2017(705) of 10 February 2017, p. 17.

¹⁴⁹ Ibid.

In terms of budget allocation, the amendment brought a sharp increase in funds for mobility of VET learners and staff.¹⁵⁰ On the other hand, under KA1 the Erasmus+ student loan guarantee facility budget was decreased by €4 million.¹⁵¹ Within the field of youth mobility projects saw an increase of €20,5 million, the EVS insurance also saw an important increase in budget, together with the linguistic assessment and support action.¹⁵²

Key Action 2: Cooperation for Innovation and the Exchange of Good Practices¹⁵³

Strategic Partnerships maintained the mechanisms put in place in 2016, and priority was given to projects aiming at developing and transferring innovative results as well as those pursuing cooperation and exchange of best practices. These measures together with the budget increase aimed at increasing both the number and quality of projects within this action. A novelty implemented in 2017 regarded extending the **Transnational Cooperation Activities** to higher education. The AWP 2017 allocated to this action additional funds with the scope of organising events linked to the 30th Anniversary of Erasmus. A relevant innovation in Key Action 2 was the launch of a separate call for proposals for **Sectoral Skills Alliances** and the addition of a third strand for translating sectoral policy into a comprehensive skills strategy. In relation to web platforms developed in KA2, the 2017 AWP stressed the importance of **eTwitting** which in 2017 became the largest teachers' network in the world and planning began to extend it to Partner Countries to foster intercultural dialogue. Also, the **School Education Gateway** became an important platform for school education and in 2017 it was proposed the platform adds useful content for school stakeholders with special attention given to enhancing the Teacher Academy and to the development of a training course on citizenship(in context of the Paris Declaration).

In the amendment of the 2017 AWP, the Erasmus+ Virtual Exchange initiative, officially introduced under Heading 1, received a budget of €2 million (one for E&T and one for Youth). For Youth, the budget for Strategic Partnerships was increased by €1,3 million.¹⁵⁴ Last, the European Youth Portal was also allocated additional funds to host the European Solidarity Corps portal and the database of participants.¹⁵⁵

Key Action 3: Support for Policy Reform¹⁵⁶

In relation to the action that supports policy reform, focus also in the 2017 AWP has been placed on calls that foster social inclusion as laid down in the Paris Declaration and later complemented by the Council Conclusions on the role of the youth sector in preventing violent radicalisation.¹⁵⁷ Within KA3, a broader agenda was put forward by the Commission in the New Skills Agenda for Europe in the field of skills and qualifications. Given these policy developments, a new call was introduced in 2017 for **VET-business partnerships on apprenticeships and work-based learning** to guarantee education reflects the labour market needs in a period of high youth unemployment. Moreover, another call was

¹⁵⁰ Annex 1, Commission Implementing Decision amending the 2017 annual work programme for the implementation of "Erasmus+": the Union Programme for Education, Training, Youth and Sport, 2017(705) of 10 February 2017, p. 115.

¹⁵¹ Ibid.

¹⁵² Ibid, p. 119.

¹⁵³ Annex 1, Commission Implementing Decision on the adoption of the 2017 annual work programme for the implementation of "Erasmus+": the Union Programme for Education, Training, Youth and Sport, 2016(5771) of 5 September 2016, p. 17-18.

¹⁵⁴ Annex 1, Commission Implementing Decision amending the 2017 annual work programme for the implementation of "Erasmus+": the Union Programme for Education, Training, Youth and Sport, 2017(705) of 10 February 2017, p. 116, 119.

¹⁵⁵ Ibid, 61, 119.

¹⁵⁶ Ibid, 18-19.

¹⁵⁷ Council of the EU, Conclusions on the role of the youth sector in an integrated and cross-sectoral approach to preventing and combating violent radicalisation of young people, 30th May 2016.

established on **Forward-looking cooperation projects** to identify and develop new approaches in the different fields of education, training, and youth to improve policies. In 2017, the Commission also launched a new study on **citizenship education** undertaken by Eurydice network. For school education, in 2017 the Programme endorsed the creation of **European networks for policy development and implementation in the field of school education**, to improve the competences for youth, ensure access to high-quality learning for children with a migrant background and disseminate key conclusions in these areas across Europe. For the field of youth two initiatives were undertaken, namely: an **Eurobarometer study** with a view of looking at young people in areas such as youth participation in democratic life, volunteering, etc.; regular cycles of online chats and consultations with one million young people on different topics from 2017 until the end of the term of the current Commission in 2019. Cooperation with international organisations remained in place, importantly with the OECD in 2017 a third Ministerial-level Global Education Industry Summit was foreseen.

Key Action 3 is the area which saw the biggest budget increase of circa €12 million only for E&T.¹⁵⁸ Seven new actions have been introduced in KA3, and for others, a simple budget increase was provided. First, the National Europass Centres have been introduced with a budget of €2,4 million. Second, the Euroguidance network, with the same budget. Third, the European Qualification Framework – National Coordination Points, divided into two parts with the total budget of €2,5 million. Fourth, the Knowledge Hub for Higher Education introduced the action ‘ranking’ with the budget of €1 million. Fifth, the European Commission’s Corporate Communication has been introduced for €360,000. Last, the action “Learn2Move, Move2Learn” was introduced with the budget of €2,5 million to celebrate the 30 Years Erasmus+ anniversary by offering young people travelling benefits throughout the year.¹⁵⁹

Jean Monnet Activities¹⁶⁰

Within Jean Monnet Activities the main focus remained identical as the one for the 2016 Annual Work Programme, and support continued in three specific fields: make EU studies more ‘fit for purpose’, EU integration in less traditional branches of studies, and increase value for money by encouraging additional activities and involvement of civil society. The Jean Monnet action saw an increase in budget within the amendment for the European University Institute in Florence of €1,7 million.¹⁶¹

Sport¹⁶²

Also in the field of sport, the main actions supported and priorities remained similar to the ones in AWP 2016, ensuring stability and growth for collaborative partnerships and small collaborative partnerships. In like manner to the 2016 AWP, emphasis was given to projects fostering common values of freedom, tolerance, and non-discrimination. Partnerships with

¹⁵⁸ Annex 1, Commission Implementing Decision amending the 2016 annual work programme for the implementation of “Erasmus+”: the Union Programme for Education, Training, Youth and Sport, 2017(705) of 10 February 2017, p. 119.

¹⁵⁹ Ibid, p. 94, 119.

¹⁶⁰ Annex 1, Commission Implementing Decision on the adoption of the 2016 annual work programme for the implementation of “Erasmus+”: the Union Programme for Education, Training, Youth and Sport, 2016(5771) of 5 September 2016, 21-22.

¹⁶¹ Annex 1, Commission Implementing Decision amending the 2016 annual work programme for the implementation of “Erasmus+”: the Union Programme for Education, Training, Youth and Sport, 2017(705) of 10 February 2017, p. 120.

¹⁶² Annex 1, Commission Implementing Decision on the adoption of the 2016 annual work programme for the implementation of “Erasmus+”: the Union Programme for Education, Training, Youth and Sport, 2016(5771) of 5 September 2016, 22-23.

international organisations such as the Council of Europe and the WHO continued to be sought in 2017 and an award was established in the context of sport in 2017 by the Commission, as **the European Award for social inclusion**, which translated into three winner projects for disadvantaged groups.¹⁶³ The amendment allocated addition funds first for special annual events with the budget of €6 million specifically to support the World Special Olympics Winter Games in Austria and second the European Award of Social inclusion through Sport for 30,000€.¹⁶⁴

IT Tools

IT Tools developed throughout the programme have been enhanced in 2017, specifically in light of NA difficulties in the programme's implementation. In 2017 focus was given to improvement of performance and tools that target the beneficiaries and participants of Erasmus+ to enhance cooperation between stakeholders and structures. In 2017, the Commission together with NA explored the possibility of replacing all forms in **"online" eForms**. In the context of the **Mobility Tool (MT+)**, which gathers information on mobility projects, the Commission stated it would gradually provide interim beneficiary reports from 2017 onwards and the IT tool would gradually improve.

Budget

In 2017, the **budget** for the Programme increased significantly allowing to reinforce the flagship actions and introducing new initiatives,¹⁶⁵ however, the Commission pointed out in a Committee Meeting that this was still not enough to absorb the demand by beneficiaries.¹⁶⁶ Given an updated programming of credits coming from external and internal assigned revenues and additional allocation of funds by the budgetary Authority, the amendment to the 2017 AWP awarded circa €58 million to existing and new actions.

Adoption of the 2017 Annual Work Programme: role of Commission, Committee and legislators

For the 2017 Work Programme the Commission adopted the first implementing decision in September 2016¹⁶⁷. The Commission proceeded with the revision of the 2017 AWP with the Erasmus+ Committee in December 2016 and officially amended the Annual Work Programme in February 2017¹⁶⁸ to reflect budget increase as well as evolutions in policy priorities. The voting procedure for the first version of the Annual Work Programme 2017 did not take place at the Committee meeting, but delegations requested for a written consultation to take place. The reason for this lies in the number of requests for modification made by the different delegations, such as the elimination of the reference to the New Skills Agenda of the Commission. Therefore, the Committee, after a swift modification of the Commission (the same evening of the meeting), expressed preference for a written consultation so to allow consultation and approval by the hierarchical structure in their respective institutions. The

¹⁶³ European Commission, #BeInclusive EU Sport Awards, 2017, available at <https://ec.europa.eu/sport/be-inclusive_en>.

¹⁶⁴ Annex 1, Commission Implementing Decision amending the 2016 annual work programme for the implementation of "Erasmus+": the Union Programme for Education, Training, Youth and Sport, 2017(705) of 10 February 2017, p. 121.

¹⁶⁵ Annex 1, Commission Implementing Decision on the adoption of the 2016 annual work programme for the implementation of "Erasmus+": the Union Programme for Education, Training, Youth and Sport, 2016(5771) of 5 September 2016, p. 4.

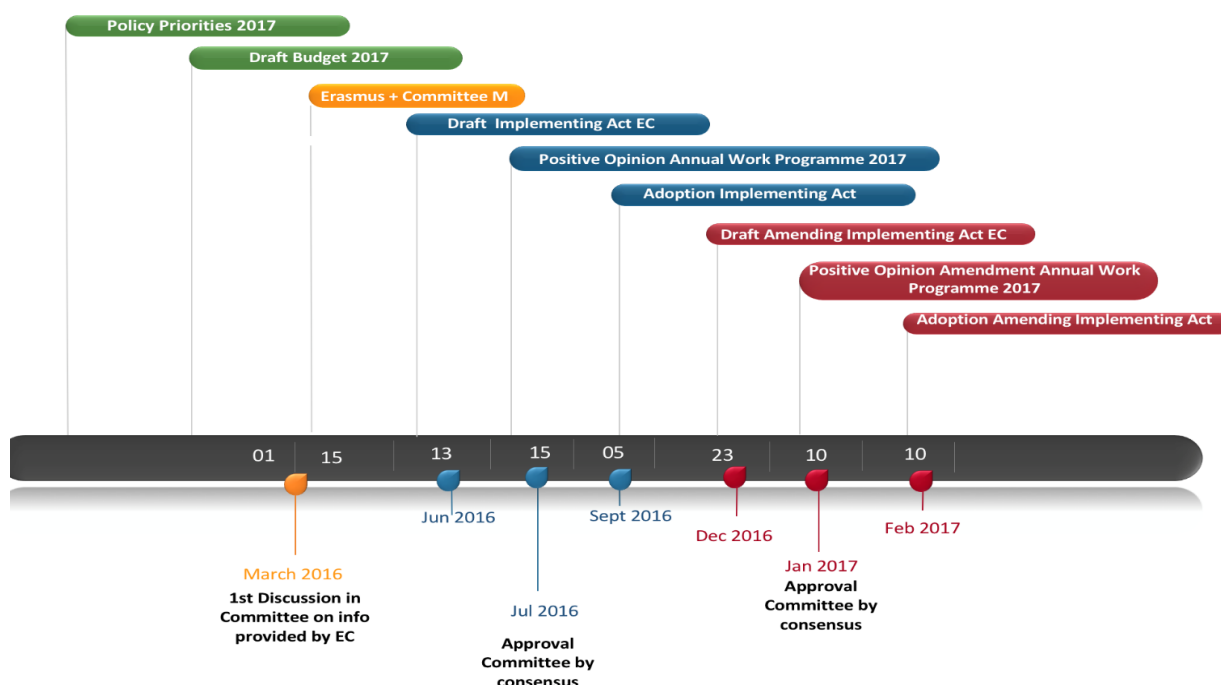
¹⁶⁶ Note for the Attention of the Members of the Erasmus+ Committee, Meeting 28 and 29 June 2016, 2017 Erasmus+ Annual Work Programme, E+/017/2016.

¹⁶⁷ Commission Implementing Decision on the adoption of the 2017 annual work programme for the implementation of "Erasmus+": the Union Programme for Education, Training, Youth and Sport, 2016(5771) of 5th September 2016.

¹⁶⁸ Commission Implementing Decision amending the 2017 annual work programme for the implementation of "Erasmus+": the Union Programme for Education, Training, Youth and Sport, 2017(705) of 10 February 2017.

positive written consultation results were sent to the Commission on the 15th of July 2015 and the AWP was later adopted.

During the preparation of the 2017 AWP, the issue of the European Voluntary Service and its removal from Erasmus+ remained a salient one for the Parliament, though not specifically limited to the discussion and drafting of the AWP. Discussions continued via other channels that the ESC should not drain other existing EU programmes for instance. The ESC is currently being draft as a basic act, and these discussions continue.



Source: Panteia

ANNEX 2: RESEARCH ACTIVITIES

The research activities carried out are described below.

European level research

European level desk research into

1. the outcomes of Erasmus+ in terms of project outcomes and implementation experiences aggregated for all Member States and
2. into delegated and implementing acts, and how they have been used in Erasmus+ to date. This involved an examination of comitology registers, the Annual Work Programmes and their amendments for 2015, 2016 and 2017. Annual Reports were also examined in this context.

The full list of literature consulted for this and the academic research can be viewed in the Interviews with several officials from the European Commission, notably from different branches of DG Employment, Social Affairs and Inclusion and DG Education, Youth, Sport and Culture.

Academic research

Academic literature research was also carried out to gather information on delegated and implementing acts. This research was conducted to understand the rationale of why these secondary rule making procedures were set up, how they have been used to date, and the main academic, legal, and policy making discussions surrounding these decision-making procedures.

This academic literature research was supplemented with interviews with non-governmental officials and academics to gain a more reflective and wholesome understanding of the main points of interest in the discussion surrounding delegated and implementing acts.

National level research

National level research was carried out to gather information on the practical implementation experiences encountered by Member States when using Erasmus+. A selection of 10 Member States was made, to include a balance in geographical positioning in the EU, population size, and the rate of use of Erasmus+. The countries selected were:

Bulgaria, Finland, France, Germany, Latvia, the Netherlands, Poland, Slovenia, Spain, and the United Kingdom.

To ensure systematic data collection across these 10 Member State, a data collection template was prepared which focused on the general perceptions of Erasmus+ in the country, the level of use across fields and Key Actions, the alignment between Erasmus+ annual priorities (as established in the Annual Work Programmes), and national priorities, and finally, ending with a reflection on the 11 conclusions provided by the European Commission in its management response to the mid-term evaluation of Erasmus+.

The data collection activities consisted of national desk research and literature, and 3 -5 interviews with Erasmus+ stakeholders and beneficiaries per Member State.

ANNEX 3: COMMITTEE SUMMARY

Study objectives and approach

The Europe 2020 strategy incorporates the idea that achieving economic growth, productivity, and employment requires better education and lifelong learning. In the context of these European level goals, the Erasmus+ programme aims, amongst others, to boost skills and employability contributing to modernise education, training and youth work and to foster transnational partnerships between a wide range of institutions from education, training, youth and sport sectors¹⁶⁹. The programme has been running since 2014, and as such, the European Commission has recently launched and completed the mid-term evaluation for the programme.

This study was commissioned by the European Parliament's CULT committee to gain objective, reflective insights on the Erasmus+ programme and to arrive at recommendations which can be applied for the remainder of the current programming period and to the next period. Specifically, this study has three main objectives and correspondingly, three main strands of study:

- The first strand is that the study offers a broad overview of Erasmus+; the main concerns across the programme should be raised, as well as what is going well to provide a balanced account of the programme and its performance. This study takes a special focus on implementation level experiences and arrives at an overall impression of the experiences amongst Member States with Erasmus+.
- The second strand of this study is to examine the decision making procedures adopted for Erasmus+. As such delegated and implementing acts are explained, and their use in Erasmus in 2015, 2016 and 2017 are presented, ending in a comparison of the two procedures.
- The third strand of this research is, given the EU and national level data collected, to provide a reflection of the European Commission's mid-term evaluation of Erasmus+.

The approach taken to conduct this study consists of EU level desk research and EU level interviews with officials from the European Commission, and with non-governmental experts. Notably for the discussion on EU decision-making and specifically, on the themes of delegated and implementing acts, academic experts were consulted. To gather evidence on the perceptions of Erasmus+ and its outcomes, national level research was also conducted in 10 selected Member States. National level desk research and interviews were conducted with beneficiary organisations and other relevant stakeholders to gain insights into how Erasmus+ performed in countries, why this was the case, and to understand, and to what extent Erasmus+ help to pursue national needs and priorities in the fields of education and training, youth, and sports. The 10 countries under study included: Bulgaria, Finland, France, Germany, Latvia, the Netherlands, Poland, Slovenia, Spain, and the United Kingdom.

General reflections on Erasmus+

The general positive findings of the mid-term evaluation have been confirmed during this study. Across the sectors, and unanimously amongst the 10 Member States studied, the Erasmus+ programme is perceived as being very useful and effective in achieving its objectives.

¹⁶⁹ European Commission (2016), Erasmus+ website: http://ec.europa.eu/programmes/erasmus-plus/discover/index_en.htm

The programme is said to have a **strong added value** by stakeholders across fields and administrative levels.¹⁷⁰ As the areas of education and training, youth, and sports are not typically sectors which aim to generate profit, support in these areas from the EU has a comparatively high impact.

According to EU stakeholders, there is also now more **room for different types of projects to be supported** by the EU given the design of Erasmus+. ¹⁷¹ As the programme is organised along three Key Actions which organise activities across education and training, youth, and to a lesser extent, sports, projects which have a bearing on multiple fields and sub-fields can be supported. This contributes to the added value for EU stakeholders and national beneficiaries.

The positive perception of the programme and the demand for the support it is clear from the **budgetary absorption rate** of 100%. This has given rise to a trend where success rates for applications decline though the quality of the applications is increasing; even good quality applications must be rejected due to budgetary pressure.

At the implementation level, the **design of the programme**, and the Erasmus+ architecture based on three main Key Actions, the programme in its current form appears to be reaching its stride. The implementation issues experienced at the outset of the programme during 2014 and 2015 have been mitigated to a large extent.

A further observation is that, now, halfway through the programming period, the **knowledge and expertise of implementing organisations** such as the EACEA, and of the National Agencies have been further consolidated. The quality of the support offered by National Agencies to applicants is said to have improved especially.

Erasmus+ implementation experiences

Despite the positive feedback, some concerns have been identified at the implementation level in the following areas:

- Synergies and cross fertilization: there is more potential for cross-sectoral cooperation than currently witnessed by both EU and Member State stakeholders. One of the reasons for this is that the concept of “cross-sectoral” cooperation and projects, and what this entails is not always clear to (potential) applicants.
- Simplification of the programme has led to greater simplicity of programme architecture, which is beneficial for both beneficiaries and those in charge of management. In some cases the simplification, in particular for Key Action 2, has gone too far, as it has obscured the identity of the different types of actions and the standard order to the application process means that similar requirements exist regardless of the size and scope of a project.

¹⁷⁰ European Parliament, (2017), *Report on the implementation of Regulation (EU) No 1288/2013 of the European Parliament and of the Council of 11 December 2013 establishing 'Erasmus+': the Union programme for education, training, youth and sport and repealing Decisions No 1719/2006/EC, No 1720/2006/EC and No 1298/2008/EC (2015/2327(INI))*; European Parliament, (2016), *Research for Cult Committee – Erasmus+: Decentralised Implementation – First Experiences*, requested by the European Parliament's Committee on Culture and Education (CULT); European Parliament, (2016), *The Erasmus+ Programme (Regulation EU No. 1288/2013) – European Implementation Assessment*, Ex-Post Impact Assessment Unit of the Directorate for Impact Assessment and European Added Value, within the European Parliamentary Research Service (EPRS) of the European Parliament.

¹⁷¹ From interviews with EU level stakeholders, and from national data collection conducted in the context of this study.

- Inclusiveness of the programme: although actions have been put in place to strengthen the participation of disadvantaged groups, disadvantaged groups still comparatively underrepresented in Erasmus+. There is an organisational bias when applying for funding (favouring large organisations that have the capacity and resources to cope with the programme).
- Visibility of the programme: results of Erasmus+ are still not sufficiently communicated to a wider public.
- Result orientation of the programme: there is modest mainstreaming of the outputs produced beyond the direct beneficiaries of these actions.
- Alignment with policy needs and EU policy priorities: the alignment between the programme and EU level priorities has improved, although there is still room for improvement.
- Coherence with other EU funds: although funds are complementary with other funds contributing to human capital development, synergies are not sufficiently explored in practice.

The most relevant conclusions and priorities of the mid-term and management response, from the perspective of national level experience, are those relating to the need to make Erasmus+ more accessible and to boost the inclusion dimension, the conclusion regarding more focus on adult learning, and the conclusion regarding the need to improve IT tools and to reduce the administrative burden involved in applying to the Erasmus+ programme.

Decision-making in Erasmus+: delegated and implementing acts

The Lisbon treaty introduced a new system for the conferral of powers to the European Commission by the legislature which entails a division between delegated and implementing acts. The Erasmus+ Regulation provides the Commission with secondary rulemaking powers both through delegated acts for amending a Regulation article providing additional actions to be managed by national agencies, and through implementing acts for the adoption of Annual Work Programmes.

The Commission has never made use of its power to adopt delegated acts under the Erasmus+ Regulation. Every year it has utilised its power to adopt the Annual Work Programmes with usually one amendment per year. The case studies of the Annual Work Programmes reveal that EU policy priorities played an increasingly important role through the years for the implementation of Erasmus+, giving rise to new specific actions and modifying the annual orientation for the selection of projects.

The Annual Work Programme 2017 and more importantly the Annual Work Programme 2018 introduced the European Solidarity Corps as an initiative that would be implemented through the budget of youth, specifically, the European Voluntary Service. While this use of the implementing acts procedure was perceived as questionable by the European Parliament, the empowerment conferred on the Commission in the basic act allows for the possibility of using the Annual Work Programme in such a way.

Alternative decision making procedures are practically difficult to suggest due rules against making suggestions of hybrid decision-making procedures under the 2016 IIA and the Common Understanding on Delegated Acts.

To help avoid discussions regarding decision-making mandates, (such as those triggered by the European Solidarity Corps decision), providing more detail in the basic act on the exact nature of the powers conferred upon the Commission may help to prevent similar situations in the future. Moreover, using delegated acts for some elements of the Annual Work Programmes that are currently decided under implementing acts may provide for greater influence on secondary policy choices, such as the (multi-)annual orientation of the programme.

A general note to be made here is that given the breadth of the programme, and the large scope of the mid-term, many areas for improvement arise, despite the programme's success up until now. As such, it is important to bear in mind that in order to make concrete and pragmatic recommendations, the Parliament itself must decide on what it feels the key priorities for the programme should be.

A decision of this nature will also require reflecting on what the strategic focus and goal of the programme ought to be: to continue maximizing the programme in terms of numbers of users and projects, or to focus on groups who are most hard to reach such as vulnerable groups and individuals from disadvantaged backgrounds. The demand for youth and for KA2 projects far outstrips the European Commission's ability to supply funding within the current budget allocation. With the increased programme budget, attention should be paid as to how this could be allocated to the youth sector. Additionally, there should be more room for smaller projects to be supported, with more proportionate administrative, information and eligibility requirements when applying for support.

Potential recommendations for Erasmus+ programme

- For the overall direction of Erasmus+ the recommendation was made by national level research that the youth sector should receive more support, specifically funding.
- Key Action 2 on strategic partnerships should also receive more support by allocating a larger share of the budget.
- Adult learning as a sector could also receive more specific focus and visibility within the Erasmus+ programme.
- Introduce actions targeting smaller organisations and new comers. Allow for smaller projects to be conducted within Erasmus+, with proportionately lower administrative and eligibility requirements.
- Consider the possibility of introducing multiple calls for proposals for the other fields, besides youth, to promote further accessibility of the programme.
- Revise the administrative and information requirements needed for application procedures, notably in Key Action 2 to make this less lengthy and burdensome, and harmonise the information requirements where possible.
- Investigate the functionality of the existing IT tools, and explore where these tools and the information they collect can be better harmonised, with a view to perhaps reducing the number of IT tools needed when using Erasmus+. A suggestion is to hold consultations with end-users specifically to achieve a balance in user-friendliness of the programme and the information needs of EU policy makers who govern the programme.
- For projects targeting individuals from disadvantaged or remote areas, investigate the possibility of setting up complementary projects using European Social Investment Funds to promote development of disadvantaged regions and the inclusion of individuals living in such regions.

ANNEX 4: COUNTRY USER PROFILES

For ease of use, Annex 4 with the country user profiles is provided in a separate document.

This study was commissioned by the CULT committee of the European Parliament as a general reflection on the performance of the Erasmus+ programme so far. The study provides a complement to the European Commission mid-term evaluation of Erasmus+. This current project examines 1) the outcomes of Erasmus+ so far, notably focussing on the implementation experiences in using Erasmus+ in 10 Member States, 2) the decision-making procedures used in the programme, highlighting how delegated and implementing acts have been used to date, and 3) the Commission mid-term evaluation conclusions. These aspects are all drawn together to arrive at a series of key findings and recommendations which can be considered as adjustments for the Erasmus+ programme during its next programme cycle.
