







EUROPEAN PARLIAMENT

**Directorate General Internal Policies of the Union**

**Policy Department Structural and Cohesion Policies**

**CULTURE AND EDUCATION**

**FOLLOW-UP OF  
NON-LEGISLATIVE PARLIAMENTARY RESOLUTIONS ON  
CULTURE AND EDUCATION**

**2000-2005**

**NOTE**

**Content:**

The document provides information on the European Commission's follow-up of parliamentary texts in the field of competence of the Committee on Culture and Education. Its field of competence focus is on non-legislative texts. It covers the period from 2000 to 2005.

The report consists of a compilation of 'SP' documents, produced by the European Commission in order to inform about action taken following a text adopted in Parliament. The compilation is based on a list of the European Commission's follow-up, provided by the European Parliament's Plenary Organisation and Follow-up Unit.

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## INTRODUCTION

The Committee on Culture and Education has asked the Policy Department Structural and Cohesion Policies to provide information about the follow-up of non-legislative parliamentary resolutions adopted in its field of competence.

Following to the request of the Committee on Culture and Education, this document provides information on the European Commission's follow-up of parliamentary texts. According to the request, its focus is on non-legislative texts.

The report is based on a list of all procedures of the Committee on Culture and Education resulting in the adoption of texts by the Parliament and on a list of the European Commission's follow-up, both produced by the European Parliament's Plenary Organisation and Follow-up Unit.<sup>1</sup> It covers the period from 2000 to 2005.<sup>2</sup>

Information on the follow-up is provided as follows: The report consists of a compilation of 'SP' documents, produced by the European Commission in order to inform about action taken following a text adopted in Parliament. The Commission documents are reproduced in this report. They are organised in eight chapters according to the issues treated in the Committee on Culture and Education. The division in subchapters indicates whether the Commission documents were produced as a follow-up to an own-initiative report (INI), to a non-legislative report adopted in response to a Commission Communication (COS), or to other non-legislative resolutions.<sup>3</sup> Inside each chapter, information is given in a chronological order.

At the end of the report, the reader will find a separate annex with the lists produced by the European Parliament's Plenary Organisation and Follow-up Unit. The lists provide information about the few procedures where no follow-up was done or where no information on a follow-up exists. They also provide the numbers of the 'SP' documents, which allow the finding of the reproduced follow-up documents on Epades.<sup>4</sup>

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<sup>1</sup> The Policy Department would like to thank the Plenary Organisation and Follow-up Unit for the very useful information provided.

<sup>2</sup> This is due to the fact that the records of the Plenary Organisation and Follow-up Unit only go back to 2000, with the inclusion of only some earlier procedures. The note takes into account follow-up provided until June 2006. It can be updated regularly if the Committee so wishes.

<sup>3</sup> Please note that following a change in EP's Rules of Procedure, reports adopted in response to a Commission Communication are equally called INI from 2003 onwards, and are therefore part of the INI-chapters.

<sup>4</sup> The 'SP' documents can be consulted on Epades Public:

Z:\docs\_autres\_institutions\commission\_europeenne\Suites aux actes\Rapports (non-leg).



## 1. CULTURE

### 1.1. Own-initiative reports

#### 1.1.1. Protection of world cultural and natural heritage in the Member States of the European Union

1. **Rapporteur:** Christine De Veyrac
2. **EP No:** A5-0382/2000
3. **Date of adoption of the resolution:** 16/01/2001
4. **Subject:**

Application of the Convention concerning the Protection of the World Cultural and Natural Heritage in the Member States of the European Union.

#### 5. Competent Parliamentary Committee:

Committee on Culture, Youth, Education, the Media and Sport

#### 6. Background to the resolution:

The resolution reviews the application in the EU Member States of the UNESCO Convention concerning the Protection of the World Cultural and Natural Heritage and any gaps at European level in the protection of this heritage.

#### 7. Analysis of the text and of Parliament's wishes:

##### *The Parliamentary Committee's report:*

1. calls on the Commission and the Member States to support young people's voluntary activities in the field of heritage protection;
2. calls on the Commission to implement all possible forms of cooperation and consultation with UNESCO and the Council of Europe, while respecting the specific features of each institution and avoiding duplication;
3. calls on the Commission to simplify consultation between Member States' representatives, so as to reach common positions in the various bodies of the Council of Europe and UNESCO;
4. calls on the Commission, Council and especially the Member States to ensure compliance with Council Directive 85/337/EEC of 27 June 1985 on the assessment of the effects of certain public and private projects on the environment (EIA Directive) and to implement rigorously the provisions of Article 3 and Annexes I and II;
5. calls on the Commission to draw up a study on the situation of "conservation professionals" in the Member States, so as to encourage the latter to organise the profession at various training levels with mutual recognition of diplomas in order to ensure the quality of heritage restoration work;

6. calls on the Commission within the framework of training programmes to devote particular attention to arts and crafts and to take practical measures to preserve and transmit rare professional skills in this field to future generations;
7. calls on the Commission to assist, within existing programmes, developing countries which are facing problems with the recognition, description and conservation of cultural assets;
8. calls on the Commission to promote, by means of specific measures within existing programmes targeting businesses, initiatives seeking to support crafts, particularly those whose existence is threatened, which are essential to the proper restoration and maintenance of heritage;
9. calls on the Commission to strengthen programmes to aid the training of professionals working in the field of conservation of cultural heritage, in the belief that increased restoration of places of interest and improved care of our heritage might provide a sound basis for the promotion of new jobs in the European Union;
10. calls on the Commission, before approving projects financed by the Structural Funds, to examine the impact they may have on the cultural and natural heritage in the Member States of the Union;
11. calls on the Commission and the Member States to study, in cooperation with UNESCO and the Council of Europe, the viability of an international legal and fiscal framework, which would facilitate forms of sponsorship relating to the conservation of cultural and natural heritage;
12. calls on the Commission and Council to enforce directives and promote good practice in the area of wetlands and ancient forests and hedgerows, and in Europe's mountain areas;
13. calls on the Commission and the Member States to ensure that no public or private project undertaken on Community territory is supported by Community funds if it is shown that its completion would entail the destruction of valuable cultural, historical or artistic heritage;
14. calls on the Commission to speed up the consideration and investigation of complaints which it receives regarding breaches of the EIA Directive, as well as infringement proceedings, where appropriate, with a view to guaranteeing protection for cultural heritage which may be under threat.

**8. Response to these wishes and action taken or planned by the Commission:**

**Paragraphs 2 and 3**

The Commission and the Council of Europe have been working together for many years; within the Culture 2000 framework programme, their cooperation is focused on activities and projects in the field of cultural heritage. The "Europe: a common heritage" campaign led to the launch of several joint activities, based on an agreement between the European Commission and the Council of Europe, with each institution contributing EUR 300 000. The Council of Europe and the European Union are also working together on the European Heritage Days initiative, which started in 1991. The European Union also collaborates with UNESCO in the conservation of cultural heritage.

### **Paragraph 5**

The Commission has taken note of the request for a study on the situation of "conservation professionals" in the Member States and will inform the European Parliament of its conclusions.

### **Paragraph 6**

The Leonardo da Vinci programme is already devoting particular attention to arts and crafts. During the first phase of the programme funding was given to a number of innovative pilot projects relating to arts and crafts and to mobility schemes involving craft organisations. More detailed information is available from the project/product database on the Leonardo programme's website:

<<http://europa.eu.int/comm/education/leonardo/compacc.html>>.

The Council Decision establishing the second phase of the programme, with a view to reinforcing activities already funded, mentions crafts explicitly in recital 9, Article 4c and in Annex I, section II.1.a.

The Commission will continue to give special attention to these two areas through the priorities set in current and future calls for proposals.

### **Paragraph 7**

With regard to the participation of third countries in the existing programmes, it is important to note that the Culture 2000 programme is open to the following ten countries of central and eastern Europe: Bulgaria, Estonia, Hungary, Latvia, Lithuania, Poland, the Czech Republic, Romania, Slovakia and Slovenia.

### **Paragraph 8**

The Commission recognises the importance and the special nature of arts and crafts. They have a cross-disciplinary dimension which affects the economy, regional development and social and local integration. They therefore provide added value and help to boost job creation, even in disadvantaged areas. A survey has also been carried out in order to identify the relevant organisations and best practice methods for communicating know-how in the field of rare crafts in 21 countries. The results of the study were published in 2000 and are available on the DG Enterprise website:

<<http://europa.eu.int/comm/enterprise/entrepreneurship/craft/craft-studies/rarecrafts.htm>>.

When the European Charter for Small Enterprises was adopted by the Feira European Council held on 19 and 20 June 2000, the Member States and the Commission took definite steps to create "the best possible environment for small business and entrepreneurship".

The measures taken by the Commission are intended essentially to create an overall environment which is favourable to business, including crafts. It involves global and structural action which therefore does not concern any one activity. However, the smallest craft businesses derive greater benefit from measures to simplify administrative formalities or to facilitate access to funding, as the relative size of these obstacles is greater for micro-enterprises.

It will be up to the Commission and the Member States to monitor progress on the basis of a Commission report on the implementation of the Charter; this report is to be submitted at the next Summit in spring 2002.

**Paragraph 9**

By means of the Culture 2000 programme, the Commission supports and encourages the development of international cooperation among institutions and/or operators in order to boost the exchange of know-how and the development of best practice in the area of conservation and protection of cultural heritage, and encourages mobility and training in the area of cultural heritage for people working in that field.

Moreover, the Leonardo da Vinci programme is not a training support programme for professionals. It is geared towards mobility measures for which specific financial assistance is awarded (in accordance with certain rules, see Annex I Section II.1 of the Council Decision) to projects "which involve SMEs and craft industry as host bodies". It also funds transnational pilot projects to develop and transfer innovation in vocational training.

**Paragraph 10**

In the 2000-2006 programming period, all regional programmes undergo ex ante evaluation before being approved by the Commission. This evaluation includes the estimated impact of the measures on the environment of the regions and the Member State concerned. However, selection of the individual projects subsequently funded within each programme is the responsibility of the Member States alone. As decision-making has been decentralised, the Commission is not responsible for making this selection. The impact of individual projects on the environment (unlike that of the "major projects", the total cost of which is more than EUR 50 million, and the Cohesion Fund projects) is the direct responsibility of the Member State.

**Paragraph 11**

The Commission very much agrees that it is important to develop sponsorship and public/private partnerships in Europe, and is therefore involved in the organisation by the Spanish Presidency of an experts' seminar on patronage and sponsorship in Europe, which will be held in Madrid on 8 and 9 April 2002.

**Paragraphs 4, 12, 13 and 14**

With regard to the evaluation of the effects of certain public and private projects on the environment, the Commission must point out that one of its principal tasks is to ensure that Member States fulfil their obligations under the applicable Community legislation, although compliance is principally the responsibility of the Member States. In relation to the landscape and the visual impact of the projects, it must be noted that the new SEA Directive (Annex 1f and Annex 2) also refers to the latter. It is also very important to mention the Habitats and Birds Directives, which are the EU's main contribution to all international conventions in the area of biodiversity and nature; the Commission takes all necessary measures (communication, funding, legal measures) to accelerate and promote the proper implementation of these Directives.

### **1.1.2. European Parliament resolution on cultural cooperation in the European Union**

- 1. Rapporteur:** Giorgio Ruffolo
- 2. EP No:** A5-0281/2001
- 3. Date of adoption of the resolution:** 5 September 2001
- 4. Subject:** Cultural cooperation in the European Union
- 5. Competent Parliamentary Committee:** Culture, Youth, Education, the Media and Sport
- 6. Background to the resolution:**

The aim of the resolution is to increase cultural cooperation between Member States. It is hoped that Member States will be able to plan and carry out joint actions.

#### **7. Analysis of the text and of Parliament's wishes:**

##### **Paragraph 3**

The European Parliament points out that culture is an asset in its own right and also makes an important contribution to economic development and helps increase employment; it calls on the Member States and the Commission, therefore, to raise the profile of, and invest in, all parts of the 'cultural chain', i.e. not only cultural assets related to tourism, but also the protection and conservation of heritage, urban regeneration, handicrafts, training, the production of goods and services, etc.

##### **Paragraph 8**

The European Parliament calls on the Commission to submit to the Council and Parliament a proposal for a decision, based on Article 151(5) of the Treaty, on the following points:

- the Commission's undertaking to submit to the Council and Parliament an annual report on the cultural policy of the Union and the Member States;
- the request that Member States contribute actively to drawing up and carrying out a three-year cultural cooperation plan incorporating specific targets, such as:
  - a) establishing telematic networks and services to connect cultural institutions (libraries, foundations, museums, restoration centres, theatres, etc.);
  - b) strengthening telematic networks and services for the purpose of informing the public and raising awareness of the cultural heritage and cultural policies of the Union and the Member States and of different regions within Member States. These new services, if implemented judiciously, could greatly increase the ability of individuals to communicate effectively at a distance. It would encourage a more resourceful collaboration between individuals and a better understanding of cultural diversity on all levels;

- c) improving information and cooperation at various levels between the authorities and cultural operators;
- d) systematically exchanging information on institutional and legislative innovations and on best practice in the planning and administration of cultural policies;
- e) reinforcing the Eurostat working group on cultural statistics and broadening the scope of its activities;
- f) supporting initiatives launched by the third sector and the voluntary sector;
- g) promoting initiatives seeking to establish a stronger connection between culture and education, including the teaching of European languages;
- h) conducting research, particularly on techniques for conserving the cultural heritage;
- i) promoting a training scheme for cultural managers;
- j) providing assistance on twinning and exchanging best practice in this area;
- k) implementing direct measures to boost the growth of creative jobs in the cultural sector;
- l) setting up a working party to make an in-depth analysis of the role of the media, given their importance in shaping cultural awareness in contemporary European society;
- m) developing cooperation with the Council of Europe and UNESCO.

### **Paragraph 9**

The European Parliament calls on the Commission to provide Parliament and the Council with a report reviewing the funding of cultural activities as part of the subsidies granted by the Structural Funds.

### **Paragraph 10**

The European Parliament calls on the Commission to submit to the Council and Parliament a draft decision based on Article 151(5) of the Treaty, on setting up a European agency to monitor cultural cooperation, with the aim of promoting the exchange of information and coordination between the cultural policies of the Member States and Community cultural policy; this body, linked to the Commission and the national contact points in the Culture 2000 programme, will be required to systematically identify and promote best practice in the Member States' policies and successful experience with sponsoring schemes or public-private partnerships for the benefit of the cultural heritage, artistic creation and citizens' access to culture.

### **Paragraph 12**

The European Parliament calls, as part of the review of the Culture 2000 framework programme, for upgrading of the role of the contact points, especially in their function:

- of providing a permanent point of reference with the various institutions supporting the cultural sector in the Member States, thus contributing to coordination between the Culture 2000 programme activities and national support measures,



- of providing information and contact at the appropriate level between those taking part in the Culture 2000 programme and in other Community programmes accessible to cultural projects.

### **Paragraph 13**

The European Parliament calls on the Commission, with a view to the assessment and review of the Culture 2000 framework programme, to convene a second Cultural Forum (in the wake of the first EU Cultural Forum held in January 1998) which, on the basis of this resolution, would redefine the values, objectives and forms of cultural cooperation in Europe.

### **Paragraph 14**

The European Parliament hopes that, at the Cultural Forum, dialogue with cultural operators will be strengthened and improved in a transparent and effective manner.

### **Paragraph 15**

The European Parliament points to the importance of patronage for artistic creation and events, and asks the Commission to encourage partnerships between cultural foundations, institutions and associations, and private companies which wish to pursue activities on a European scale.

### **Paragraph 17**

The European Parliament calls on the Commission to carry out a study into the possibility of approximating at Community level the principles governing the tax arrangements for works of art and artistic work, particularly concerning VAT, and the tax provisions for the movement of artists within the European Union.

### **Paragraph 18**

The European Parliament calls on the Commission to draw up rules to ensure that, in tendering for any public works financed with Structural or Cohesion Funds (for transport and communications infrastructure, certain equipment, and landscaping or environmental works), from 0.1 to 0.5% of Community funding should go to the creation of any works of art (sculpture, ceramics, painting etc.) that will serve to decorate the completed works and remind citizens of the Community's participation in those works.

## **8. Response to these wishes and action taken or planned by the Commission:**

### **Paragraph 3**

The Commission has already invested in many parts of the 'cultural chain' in carrying out its tasks related to various Community policies, especially in relation to the cultural cooperation instrument, the Culture 2000 programme, which has extremely varied fields of intervention, but also in implementing policies on regional development and scientific research, social and employment policy, environment policy, the information society, etc. The European Union's action is a reflection of the variety and wealth of culture in Europe.

**Paragraph 8**

With regard to a decision, the Commission feels that this issue needs to be examined in the context of a future Community instrument on cultural cooperation.

The Commission essentially agrees with the objectives of the European Parliament's resolution, i.e. to increase cultural cooperation between Member States. We want Member States to be able to plan and implement joint actions, and the Commission is prepared to support this move as part of its tasks under Article 151 and the Culture 2000 framework programme. It has therefore noted the adoption in the 2002 budget of a new budget line covering the drafting and implementation of a long-term plan for cultural cooperation between EU Member States in the following areas:

- improving information and cooperation at various levels between the authorities and cultural operators;
- systematically exchanging information on institutional and legislative innovations and on best practice in the planning and administration of cultural policies;
- reinforcing the Eurostat working group on cultural statistics and broadening the scope of its activities;
- promoting initiatives seeking to establish a stronger connection between culture and education, including the teaching of European languages;
- initiatives to encourage creative jobs in the cultural sector.

**Paragraph 9**

In terms of the implementation of the Structural Funds, there are currently no cultural indicators for the reports provided by the Member States. It is therefore difficult to draw up a report of this kind in the current circumstances and, moreover, it is not advisable to move towards an increasing number of sectoral reports on Structural Fund assistance.

However, the Commission will take culture into account in the reports which it submits annually on the Structural Fund activities and in the evaluations which it carries out at regular intervals on the results of the Structural Funds.

In addition, as part of the implementation of EU cultural measures, the Commission plans to present a report at the end of this year on Article 151(4) of the Treaty, which will include information obtained from Member States on the use of Structural Funds in the field of culture.

The Commission also launched a European culture portal on the Internet on 18 March, which includes a great deal of information on all Community actions with a cultural dimension.

**Paragraph 10**

The Commission is currently examining ways to promote the exchange of information, strengthen cultural cooperation between Member States and complement Community cultural action. It is also examining what form this observation could take.

**Paragraph 12**

The role of the contact points, as provided for in the Decision establishing the Culture 2000 programme, is very important; they have essential tasks to carry out as information bodies for the programme and for other EU cultural actions. The Commission is most willing to re-examine this role with a view to reviewing the Culture 2000 programme after 2004.

**Paragraphs 13 and 14**

The Commission held a second Forum in Brussels on 21 and 22 November 2001 on the subject of cultural cooperation in Europe. The Forum provided the opportunity for an exchange of views among more than 250 professionals and policy-makers (including several MEPs belonging to the Culture Committee). They reviewed the EU's cultural measures over the last ten years and discussed the future of European cultural cooperation, looking also at the role of creativity, cultural networks and creative industries in today's European cultural landscape.

For the minutes of the Forum see: <[http://europa.eu.int/comm/culture/eac/index\\_en.html](http://europa.eu.int/comm/culture/eac/index_en.html)>

**Paragraph 15**

The Commission very much agrees that it is important to develop patronage and public/private partnerships in Europe, and is therefore involved in the organisation by the Spanish Presidency of an experts' seminar on patronage and sponsorship in Europe, which will be held in Madrid on 8 and 9 April 2002.

**Paragraph 17**

In its Communication on the new VAT strategy<sup>1</sup>, the Commission announced that a revision and rationalisation of the rules and derogations applying to the definition of reduced VAT rates should be considered in the medium term. From this perspective, with the objective of harmonising rates, particular attention will be paid to the question of using reduced VAT rates in pursuing the various Community policies, particularly in the area of culture.

**Paragraph 18**

The Commission is not in favour of a system of quotas for implementing the Structural Funds in any area. This would introduce an element of rigidity in a system of assistance based on subsidiarity and the initiative of local and regional authorities.

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<sup>1</sup> COM (2000) 348 final.

### **1.1.3. European Capital of Culture 2005**

- 1. Rapporteur:** Giuseppe Gargani
- 2. EP No:** A5-0428/2001
- 3. Date of adoption of the resolution:** 11 December 2001
- 4. Subject:**

European Parliament resolution on the European Capital of Culture 2005

**5. Competent Parliamentary Committee:**

Culture, Youth, Education and Media

**6. Background:**

The resolution addresses specific aspects relating to the city of Cork's candidature for European Capital of Culture in 2005. It also draws attention to certain general aspects such as the selection procedure.

**7. Analysis of the text and of Parliament's requests**

***The EP resolution:***

calls on the Commission and the Council to support the nomination of the city of Cork as European Capital of Culture for the year 2005;

notes the selection panel's report, particularly its remarks on the need for the city selected to take appropriate steps to enhance its European dimension in preparation for the event, and proposes that a dialogue be initiated with the officials in charge of the event to ensure that real European added value is achieved;

calls on the Commission to draw up a report evaluating the results of that event pursuant to Article 6 of Decision 1419/1999/EC, and in particular the aspects connected with the procedure laid down in Article 2 thereof, in order to make any adjustments necessary, particularly with a view to the forthcoming accession of the candidate countries.

**8. Response to these requests and outlook in terms of action taken or planned by the Commission:**

**Point 1**

Ireland put forward four cities (Cork, Galway, Limerick and Waterford) to the European institutions in December 2000. The selection panel examined the proposals and, in accordance with Decision 1419/1999/EC, drew up a report nominating Cork, which was submitted to the Commission, the Council and the European Parliament. The Commission is preparing a recommendation to the Council regarding the event. This recommendation will be adopted by the Commission some time around 15 February 2002 and will be forwarded to the Council around 20 February. It will support the proposal of the panel and the European Parliament to designate Cork as Capital of Culture 2005.

**Point 2**

The Commission agrees with the remarks of the selection panel supporting the city of Cork as Capital of Culture 2005, a proposal which is also backed by the European Parliament. The panel's report emphasises an important aspect concerning the European dimension which the city selected should develop in preparation for the event. With a view to achieving real added value, the Commission intends to organise in the near future a hearing in collaboration with the Cork authorities, with the participation of the Council and Parliament.

**Point 3**

In compliance with Article 6 of Decision 1419, the Commission will draw up an evaluation report in 2006 covering the different aspects of the event. This report will be presented to Parliament, the Council and the Committee of the Regions. The Commission will shortly convene a triilogue to discuss the participation of the accession candidate countries.

#### **1.1.4. European Parliament resolution on the implementation of the “Culture 2000” programme**

- 1. Rapporteur:** Vasco Graça Moura
- 2. EP No:** A5-0018/2002
- 3. Date of adoption of the resolution:** 28 February 2002
- 4. Subject:**

European Parliament resolution on the implementation of the “Culture 2000” programme

#### **5. Competent Parliamentary Committee**

Culture, Youth, Education and Media

#### **6. Background:**

The resolution raises various points concerning the Commission’s implementation and management of the “Culture 2000” framework programme, after its first two years of existence.

#### **7. Analysis of the text and of Parliament’s requests:**

##### **Point 6**

Parliament calls on the Commission to ensure that calls for proposals published under the “Culture 2000” programme:

- encourage the design of projects that will serve as models of good practice for the management and conservation of cultural assets;
- include in the indicators of project quality the integral nature of the projects, their multidisciplinary methodology and their capacity for enhancing the value of cultural resources of any kind.

##### **Point 14**

Parliament calls on the Commission to adopt a more accessible and personalised management approach that is more open to dialogue in dealing with applications (by making forms for calls for tenders clearer and more comprehensible, entering into a dialogue with candidates to give them the opportunity to improve or complete their projects, etc.).

##### **Point 15**

Parliament calls on the Commission to ensure that the results of the selection procedure are published and to issue a reasoned reply at least to all candidates who have passed the pre-selection stage.

##### **Point 17**

Parliament calls on the Commission to produce an assessment of the results of the selected projects in liaison with cultural contact points.

### **Point 19**

Parliament calls on the Commission to utilise the information and communication services to disseminate information regarding the selected projects in order to increase public awareness and participation, and thus guarantee ultimate “European added value”.

### **Point 20**

Parliament reiterates its request that, within the framework of the review of the “Culture 2000” programme, the role of contact points should be strengthened, and they should be charged with the following tasks:

- liaising on a permanent basis with the various institutions which support the cultural sector in the Member States and their regions, thus helping to ensure complementarity between the actions of the “Culture 2000” programme and national and regional support measures;
- ensuring an appropriate level of information and contacts between players involved in the “Culture 2000” programme and other Community programmes open to cultural projects.

### **Point 21**

Parliament calls on the Commission and the Member States to ensure the promotion and the broad dissemination of information concerning the role and activities of the cultural contact points in order to make cultural operators more aware of them.

### **Point 22**

Parliament calls on the Commission to optimise the information flow and dialogue with the cultural contact points, to enable them better to anticipate the demand for information on the programme’s specific procedures and, as the first point of contact, to improve public perception of the programme.

### **Point 23**

Parliament calls on the Commission to take due account, both in managing and in evaluating and reviewing the “Culture 2000” programme, of the essential and priority objective of this programme, namely that it is a programme directed at citizens.

### **Point 24**

Parliament calls on the Commission, with a view to revision of the programme, to evaluate whether combining the earlier Raphael, Kaleidoscope and Ariane programmes in a single programme has created significant added value.

### **Point 25**

Parliament calls on the Commission, in assessing and reviewing the “Culture 2000” programme, to pay particular attention to the role and functioning of the boards of experts charged with selecting the projects, in order to make them more operational, not only in terms of independence, qualifications and representativeness of the specific characteristics and needs of the various cultural sectors, taking account of interdisciplinary cultural projects, but also in

terms of a horizontal approach and comparability with regard to the sectors and thematic content.

**Point 26**

Parliament calls on the Commission to continue to take particular care to ensure that:

- members of the selection boards have no professional or other type of links with the beneficiaries;
- a very substantial turn-over of beneficiaries occurs;
- a genuine European added value of projects from the point of view of content is secured.

**Point 29**

Parliament calls on the Commission forthwith, acting in a spirit of interinstitutional cooperation and with the aim of closeness to the citizen, to draw up a cultural policy blueprint for the cooperation programme which will follow Culture 2000, in connection with the three-year cultural cooperation plan set out in its above-mentioned resolution of 5 September 2001; points out that in an enlarged Union it will be necessary to meet the challenge of preserving, promoting and sharing Europe's common cultural heritage, but without neglecting cultural creation (production, dissemination, etc.).

**Point 30**

Parliament calls for the Commission and the Council to launch, together with Parliament, a public debate on the aims of European cultural action and its coordination with that of the Member States, so as to define a new, consistent cultural programme in the service of a European cultural policy.

**Point 31**

Parliament calls on the Commission to draw up the blueprint, taking due account of the implications of enlargement for European cultural policy and cooperation.

**Point 32**

Parliament calls on the Commission to establish coordination between the "Culture 2000" programme and the Structural Funds intended to finance cultural objectives.

**8. Response to these requests in terms of action taken or planned by the Commission:**

**Point 6**

The Commission already encourages these project quality criteria in the drafting of calls for proposals.

**Point 14**

As far as a more accessible and personalised management approach is concerned, there is no doubt that the Commission is aiming towards this. All projects, once they have been selected, are allocated a manager within the Commission, whose name appears clearly on the contract.



This person monitors the project from start to finish and attends to financial and other matters which are of concern to the operators. The manager provides guidance for the operators in developing the project. Moreover, all communications between the Commission and project promoters follow the rules laid down in the code of good conduct (time limit for reply, acknowledgement of receipt, etc).

### **Point 15**

A lot of effort has gone into the publishing of project selection results. For all the projects selected in 2000 and 2001, a detailed list containing the name of the project participants, a summary of the activity and the amount of grant awarded is available on the Commission's Internet site: <<http://europa.eu.int/comm/culture/eac/>>. Moreover, a press release accompanied by a detailed list of projects selected is distributed in all the countries participating in the programme, via the members of the Management Committee, while the European Union's recently launched culture portal gives even more information about the activities involved. The Commission informs the project promoters in writing of the results of the preselection and selection procedures within a reasonable period, taking account of the time limits laid down in the decision and in accordance with the comitology procedure. Reasons are given for every grant refusal, whether at the pre-selection or selection stage.

### **Point 17**

The detailed evaluation report which the Commission will present before 31 December 2002 on the mid-term results of the "Culture 2000" programme should provide an initial assessment of the results of the projects selected so far. The contact points will be consulted for information purposes.

### **Point 19**

The Commission is developing a more comprehensive communication policy on the "Culture 2000" programme by means of presentation brochures, project success stories, a more interactive and user-friendly Internet site and, since March 2002, the new culture portal.

### **Points 20 and 21**

The role of the cultural contact points as provided for by the decision establishing the "Culture 2000" programme is very important. They facilitate access to the programme for cultural operators and are instrumental in providing information and technical assistance. The contact points are responsible for promoting the programme and providing information on other Community programmes available to cultural projects, as well as providing a link with the various institutions supporting the cultural sector in the Member States. The information structures in place cover decisions taken by policy bodies. The Commission will examine the role of the contact points when reviewing the Culture 2000 programme in the light of the medium-term assessment.

### **Point 22**

The development of communication activities is one of the main objectives for this year. In addition to the launch of the culture portal in March 2002, the Commission intends to branch out generally in this area, with the launch of a newsletter and other publications, and the Internet site already accessible to all.

**Point 23**

The Commission strives to ensure that the aims of the programme are fully respected, in line with Decision No 508/2000/EC, particularly to ensure that "citizens give their full support to, and participate fully in, European integration". The projects supported each year under the programme, as with the arrangements for its management, demonstrate how the "citizen" dimension is taken into account.

**Point 24**

The current assessments of earlier cultural programmes, and the detailed evaluation report which the Commission is to present before 31 December 2002 on the mid-term results of the "Culture 2000" programme, should provide insight into this question. It can already be pointed out that the majority of the participants at the cultural cooperation forum of November 2001 regarded the "Culture 2000" programme as having extra quality compared with the earlier programmes.

**Points 25 and 26**

As far as the panel of independent experts is concerned, it is constituted on the basis of proposals by the countries participating in the programme, and after consultation of the committee comprising representatives of the Member States. Moreover, the Commission has, since 2000, taken the initiative in asking the appointed experts to certify, by signing a declaration prior to the evaluation meetings, that they are not in any way linked to the projects under consideration. At the end of the selection process and following publication of the results, the names of the experts are published, as from 2001, on the Commission's Internet site, so as to ensure ex-post transparency.

**Points 29 and 30**

As far as the future of the programme is concerned, we stand by the comments made in the report. The Commission undertakes to work on the suggestions of the European Parliament, with more carefully targeted objectives (also discussed at the November 2001 forum on European cultural cooperation) and stepping up cooperation between Member States. The Commission proposes continuing discussion of this subject with Parliament and the Council. As regards European "added value", joint consideration will be given to reaching a definition accepted by all.

**Point 31**

The implementation of the "Culture 2000" framework programme takes full account of the prospects for enlargement, entailing essential enrichment of European cultural cooperation. The programme has, since 2000, been open to nine additional countries (Bulgaria, Estonia, Hungary, Latvia, Lithuania, Poland, Czech Republic, Romania and Slovakia). Slovenia has subsequently joined the participating countries, bringing to 28 the number of countries so far involved in the programme; negotiations are proceeding with Cyprus and Malta to finalise their participation from 2003 onwards.

**Point 32**

In connection with the European Union's cultural action, the Commission will present at the end of 2002 a report on Article 151(4) of the Treaty, which will include information gathered from

Follow-up of non-legislative resolutions  
the Member States on the use of the Structural Funds in the cultural field. Moreover, on 18 March 2002, the Commission launched on the Internet a European culture portal providing a wealth of information on all the Community activities with a European dimension, pointing cultural operators in the direction of other Community programmes likely to interest them.

**1.1.5. The importance and dynamics of the theatre and the performing arts in an enlarged Europe**

1. **Rapporteur:** Geneviève Fraisse
2. **PE No:** A5- 0264/2002
3. **Date of adoption of the resolution:** 22 October 2002
4. **Subject:**

The importance and dynamics of the theatre and the performing arts in an enlarged Europe

**5. Competent Parliamentary Committee:**

Culture, Youth, Education, the Media and Sport

**6. Analysis of the text of Parliament's requests:**

*The Culture Committee report calls on the Commission to:*

- 1) ensure that the assessment and review of the Culture 2000 programme results in a better distribution of the budget and objectives so as to make it possible to devote a specific annual budget to the performing arts, fine arts, heritage, translation and reading;
- 2) provide (in conjunction with the budgetary authority) for a mechanism to fund the operation of organisations of European cultural interest and, in the same vein, to ensure a balance between the various performing arts;
- 3) to increase Eurostat's production of cultural statistics;
- 4) consider, with due respect for subsidiarity, in view of recent analyses, coordinating social and tax laws applicable to those working in the performing arts and to draw up a White Paper;
- 5) abolish (in conjunction with the Member States) double taxation by the State of origin and the host State, abolish all tax discrimination against non-nationals working in the performing arts and establish tax measures to encourage the mobility of performers and those working in the cultural field;
- 6) include in its cultural portal more information for professionals on structures to assist mobility, social and fiscal legislation and administrative formalities in the EU and candidate countries, as proposed in the study on "Exploitation and development of job potential in the cultural sector in the age of digitalisation" commissioned by the European Commission's Employment and Social Affairs DG;
- 7) encourage the creation of a platform of European networks of translators of European plays;
- 8) support the creation of a database of contemporary plays, an incidental music and sound creation fund (recordings and scores) and a database of technical information on entertainment halls;

- 9) give thought to convergence of the legal and technical regulations governing scenery and itinerant structures (such as circuses, tented structures and mobile theatres), so as to remove the obstacles to the free movement of the entertainment industry in Europe;
- 10) establish a nomenclature of performing arts occupations and harmonise the common technical vocabulary for all the Member States;
- 11) include on the political agenda (in conjunction with the Council) mutual recognition between Member States of performing arts qualifications;
- 12) establish (in conjunction with the Council) European programmes for continuing training for performers and technicians and publicise the continuing training on offer in each Member State;
- 13) devote more of its Erasmus, Socrates, and Leonardo programmes to training those working in the performing arts.

**8. Reply to these requests and expectations regarding the measures which the Commission has already introduced or intends to introduce:**

- 1) When the Culture 2000 Programme was adopted, the Commission had felt that allocating percentages of the budget to the different cultural sectors was liable to impair the quality of the eligible projects or make the organisation of the Programme too rigid. (However, the Commission did agree to establish an indicative breakdown, which will be adhered to throughout the implementation of the Programme.) The Culture 2000 Programme is, in fact, a framework programme which allows for flexibility in its implementation. This flexibility has been used by the Commission and the Programme Management Committee to resolve the problems created by the very wide range of objectives and broad scope of the Programme. These changes were introduced to enable the ten new countries to be involved in the Programme, giving it a new dimension. Since 2002, there has been an annual sectoral breakdown of the Culture 2000 Programme's annual budget, designed to meet the challenge of enlargement while still allowing all those active in the cultural fields to see clearly what the Programmes medium-term priorities are.
- 2) The Commission has given a mandate for a study to evaluate the subsidies to be used to fund the costs of the activities and the operating costs of organisations working to promote European culture. The study will be finalised and disseminated very soon, and will be used in the Commission's discussions on the future of these subsidies.
- 3) The Commission is aware of the need to increase Eurostat's production of cultural statistics. For example, a Eurobarometer survey on the participation of Europeans in cultural activities was carried out this year at the request of the Commission (EUROSTAT). Furthermore, the amount allocated to Eurostat has been increased thanks to the use of the funds earmarked for experimentation, approved by Parliament in the 2002 budget. The Commission does, however, regret that there is some difficulty in quantifying data in the field of culture.
- 4) This request refers to point 4 of the "Fraisie report". It can be interpreted in two different ways:
  - (a) either it requires coordination whereby when the social legislation of a certain Member State is applicable — governed at Community level by Regulation 1408/71 — the tax legislation of that Member State should also be applicable

- (b) or it requires on the one hand coordination of the social legislation and on the other coordination of the tax legislation.

There would certainly be advantages in coordination of the applicable social legislation and tax legislation, given the differences between the Member States in the funding of the social and tax systems. However, there are also disadvantages and, respecting the principle of subsidiarity, the Commission has not so far felt it advisable to make proposals of this kind and does not envisage taking initiatives to develop coordination of this kind for the time being.

As regards the direct taxation of those working in the performing arts, the Commission is not considering taking initiatives for the time being to coordinate the national legislation as such. Any Community-level decision on taxation must be taken unanimously by the Member States. This is why Community-level coordination of tax legislation has proved difficult to implement, particularly in the field of direct taxation, where the Member States want to protect their sovereignty. This was why in the past, it was not possible, for example, to reach an agreement on the establishment of a single place of taxation for cross-border workers, in spite of 13 years of discussions within the Council, and the Commission was ultimately obliged to withdraw its proposal. The Commission therefore feels that a proposal to coordinate the legislation on direct taxation applicable to persons working in the performing arts would not meet with any success.

- 5) The fact that there is taxation by both the “State of origin” and the “host State” does not mean that there is actually double taxation. One of the means of avoiding double taxation proposed in the OECD Model Convention is for taxation in both the source country and in the country of residence, double taxation actually being avoided by the fact that the “State of origin” grants a credit, i.e. a deduction, on the basis of the tax paid in the source country. Practically all bilateral relations between the Member States are covered by agreements for avoiding double taxation, and these agreements are based in principle on the OECD Model Convention.

The Commission feels that, in the present situation, the Member States are in the best position to decide between themselves on the distribution of the right of taxation, taking each specific situation into account, and does not therefore consider that it is advisable at present to make proposals for harmonisation in this field. Implementation of the tax agreements concluded between the Member States should eliminate the risk of double taxation.

Even though direct taxation is within the Member States’ sphere of competence, they are still required to exercise this power within the framework of Community law and consequently to refrain from any discrimination, ostensible or disguised, based on nationality.

- 6) Mrs Fraisse's report stresses the importance of information on structures to assist mobility, social and fiscal legislation and administrative formalities to encourage mobility. The Commission shares this concern, as does the Council, which is also discussing a proposal for a resolution on the mobility of artists. Now that a common area free from any restriction on movement has been established, the Commission is trying to encourage mobility in Europe in all forms. We have also recently published a study specifically concerned with obstacles to mobility in the cultural sector. In this context, and as part of the “Action plan of action on mobility”, an Internet site on the mobility of Europeans will be set up in 2003. In addition,

the development of the cultural portal will allow the Commission to offer an increasing amount of information on mobility in the cultural sector. We have therefore asked for the cooperation of the Member States, so that artists will have access to a database for all countries.

- 7) The Culture 2000 Programme supports many networks, including in this field. In addition, the idea of encouraging the creation of platforms was brought up in the discussions on the future of European cultural measures, in particular in the Forum on cultural cooperation in Europe. This point is therefore being considered in the current deliberations on the future of the Culture 2000 Programme.
- 8) The Culture 2000 Programme already supports the creation of this kind of database; obviously, projects will first have to be submitted under the Programme. For example, "Culturebase.net" is a project launched by the Berlin House of World Cultures, in cooperation with Swedish, British and Danish operators; the aim is to create a database on the Internet which presents artists from all over the world, beginning with Europe. The grant for the Culture 2000 Programme for 2002 is 149 000 euro.
- 9) The Commission is not aware of the existence of obstacles to the free movement of scenery and itinerant structures (such as circuses, tented structures and mobile theatres), but it would stress the importance of removing any administrative obstacles and/or bureaucratic complications in this sector at national level.

Furthermore, so as not to hinder the free provision of services and, consequently, cultural, artistic and linguistic interpretation, the Commission considers it important to encourage the Member States not to impose unjustified or excessive demands on cross-border agents and artists.

- 10) With regard to the statistical aspect of this nomenclature, Eurostat works with the Member States in a working group on the use, for the production of statistics, of the section of the ISCO (International Standard Classification of Occupations — <http://www.warwick.ac.uk/ier/isco/brit/grplist.html>) which covers cultural occupations (including the performing arts). At the same time, proposals have been developed to improve the coverage and accuracy of this nomenclature on jobs in the cultural field.
- 11) In most cases, professions in the performing arts are "unregulated" professions, for which the recognition of diplomas for professional purposes depends on the market forces. Nevertheless, a lot can and must be done to facilitate this recognition, for academic purposes as well (continuation of studies). The Commission has decided to set up and promote instruments making the content of studies in other countries visible (Diploma Supplement and the ECTS (European course credit transfer system)). It also promotes confidence and mutual recognition by networking art schools throughout Europe.
- 12) Although there are no specific programmes reserved for professionals or students in the field of the arts and performing arts, it is important to note that: the number of Erasmus students in Art and Design increased from 3 250 in 1997/98 to 4 697 in 2000/01. Each school recognised in its own country can apply to take part in the Socrates-Erasmus programme activities: mobility of students, mobility of teachers, development of curricula, creation of European associations (thematic networks) and the organisation of intensive programmes. Intensive programmes in particular, bringing together (for a minimum of ten days) students

Follow-up of non-legislative resolutions and teachers from several countries, have been found to be very useful for students of the performing arts and can serve as master classes.

13) As regards the Leonardo programme, for example, it is very important to note that even though there is no specific section reserved for training people to work in the performing arts, projects of this type have been supported.

Furthermore, schools and associations in this sector can make use of mobility projects under this programme. It is also important to note a number of successful pilot projects in this field:

- **Media house:** a multimedia learning programme on CD-ROM (the result has been taken up and marketed by Bertelsmann)  
<[http://leonardo.cec.eu.int/pdb/Detail\\_fr.cfm?numero=3227&annee=96](http://leonardo.cec.eu.int/pdb/Detail_fr.cfm?numero=3227&annee=96)>
- **Training of women multimedia directors?**  
<[http://leonardo.cec.eu.int/pdb/Detail\\_fr.cfm?numero=1034&annee=96](http://leonardo.cec.eu.int/pdb/Detail_fr.cfm?numero=1034&annee=96)>
- **Support for an online network of cinematographic archives for the continuing training of film restorers**  
<[http://leonardo.cec.eu.int/pdb/Detail\\_fr.cfm?numero=426&annee=96](http://leonardo.cec.eu.int/pdb/Detail_fr.cfm?numero=426&annee=96)>



### **1.1.6. European Parliament Resolution on Cultural Industries**

**1. Rapporteur:** Myrsini Zorba

**2. EP No:** A5-0276/2003

**3. Date of adoption of report:** 14 July 2003

and **Date of adoption of resolution:** 4 September 2003

**4. Subject:** The Cultural Industries

**5. Competent Parliamentary Committee:**

Committee on Culture, Youth, Education, the Media and Sport

**6. Background of the resolution:**

The European Parliament Resolution stresses that Europe's cultural dimension includes all its values and constitutes a cornerstone of the European economic and social model. It emphasises that culture has an economic dimension, contributes to GDP and is one of the sectors which plays an important role in job creation and in the rural and urban development of the European Union.

**7. Analysis of the text and of Parliament's request:**

2. Urges the Commission to bring up to date its communications on working papers currently in progress which should take account of the implications stemming from the enlargement of the EU and the greater involvement of the partnership aspects associated with the public-private initiatives, and calls upon the Commission to submit to the European Parliament and the Council a Communication seeking to define cultural and creative industries, including the sectors, and the conditions that associations and regional organisations with a cultural and economic dimension have to fulfil;

3. calls on the Commission to carry out an in-depth study on a European map of cultural industries to be submitted to the European Parliament and the Council, which will concentrate on cultural, economic, legal, technological and educational aspects, also paying attention to the implications linked to the enlargement of the EU; believes that the map should contain data on employment, intellectual property rights, index of competitiveness, new products and exports; also believes that the map should be submitted to the appropriate professional bodies and associations for a permanent consultation;

4. urges the Commission, by way of an update of its aforementioned 1998 working paper, to come forward with a Green Paper on European culture with the aim of supporting and disseminating cultural wealth and respecting regional particularities and the special cultural characteristics of different people, taking account of the following:

- a) to promote the coordination of policies of Member States and regions in the field of cultural industries, with due regard for the principle of subsidiarity,
- b) to examine existing restrictions and barriers and to identify solutions,

- c) to enhance cultural and linguistic diversity and variety, as well as to promote public-private partnerships,
  - d) to organise a forum on the role and activities of the cultural industry in the framework of the promotion of cultural diversity and a creative economy capable of contributing to economic and social regeneration,
  - e) to promote the competitiveness of European cultural and creative industries,
  - f) to improve access to culture for all European citizens, making available the relevant information on creators, cultural products and services, and services offered by cultural institutions,
  - g) to study the impact of economic indicators on culture,
  - h) to study the impact of an active cultural policy on the economy (skills, progress, labour market sector, etc);
5. Urges the Commission and the Member States to reinforce the support of cultural industries in the projects of economic development of regions and cities, based on Structural Funds;
6. Invites the Commission to submit by the end of 2003, a communication on the cultural dimension of the EU Structural Funds for the period 1994-1999;
7. requests the Commission to define a coherent and pro-active strategy seeking to develop innovative, flexible and appropriate instruments to promote the competitiveness of European cultural and creative industries, which would be based on the principles of comparative national advantage, the maintenance of regional or local custom and of cultural diversity;
8. calls on the Member States and the Commission, in consultation with professionals in the sector, to identify priority actions for the promotion of cultural industries;
9. calls for a revision of the 'de minimis' rules on state aids to take account of the unique situation pertaining to SMEs in the cultural sector, in particular those based in peripheral areas;
10. calls on the Commission to examine the effects of increasing concentrations in the telecommunications, cultural industry and media sectors, and to ensure that these do not lead to the disappearance of independent bodies and do not alter the diversity of creativity by producing an increasing uniformity in production and distribution;
11. urges the Commission to promote mobility and free movement of persons and circulation of works in the cultural sector, as foreseen in the above-mentioned Council resolution of 19 December 2002 and set out in the Commission's study on the mobility and free movement of people and products in the cultural sector;
12. urges the Commission and the Member States to develop appropriate instruments for the mutual enhancement of culture and tourism, particularly in the area of integration, mutual understanding and employment;
13. points out that so far no research has been carried out into the variety of measures in the Member States and the accession countries on indemnity and insurance policies; calls on the Commission to draw up such a report and calls on the Member States and accession countries to

take measures which create a level playing field for the circulation and exchange of cultural goods;

14. urges the Commission to bring Eurostat cultural industries statistics in line with international standards, and to search for additional and systematic information on the use or consumption of cultural products, by enhancing the responsibilities of the European Audiovisual Observatory and other specialised bodies;

15. urges the Commission and the Member States to take account of the cultural industries' specificities when assessing the compliance of national or European supportive measures with the rules of the EU internal market, in so far as this is in accordance with the subsidiarity principle, as well as to provide adequate financing of SMEs in the cultural field, particularly in the start-up phase;

16. calls on the Commission and the Member States to remove the VAT discrimination amongst cultural products by placing music in Annex H of the VAT directive;

17. calls on the Commission, the Member States and the regions, within their respective competencies and responsibilities:

- a) to enhance the level of coordination of cultural policy and initiatives at national and EU level;
- b) to examine best practices throughout the EU with a view to promoting cultural diversity,
- c) to stimulate the circulation and promotion of products and services and develop a dynamic scheme for international promotion and export of European products,
- d) to increase research capability in the various areas of culture,
- e) to establish a stronger connection between culture, education and training,
- f) to encourage creativity by independent artists, by establishing promotional activities, e.g. awards, cross-border festivals, exhibitions, cultural routes and itineraries,
- g) to expand and improve information on existing cultural opportunities and job opportunities throughout the European Union,
- h) to support UNESCO-declared World Book Day for the promotion of reading, publishing and the protection of copyright, with a view to tackling illiteracy, by actively organising and supporting local, small-scale initiatives enabling individual readers to be reached,
- i) to amend the 'Television without Frontiers' directive in accordance with existing European Parliament resolutions, and in particular its resolution of 4 September 2003 on Television without Frontiers<sup>(11)</sup>, taking particular account of the interests and needs of European cultural industry so as to promote it as effectively as possible,
- j) to study, as part of the revision of the 'Television without Frontiers' Directive, the advisability of putting in place mechanisms to improve the circulation of non-national European works,

- k) to promote the showing and broadcasting of movies in their original language version, in order to familiarise the spectator with the reality and the desirability of a multilingual environment and with the improved credibility of the product, to improve the knowledge of languages and to change cultural diversity into an added value instead of a handicap; if translation is required, to prefer subtitling in one or more languages as opposed to dubbing,
- l) to develop a European legal framework with a view to creating an all- embracing 'statute of the artist' intended to afford appropriate social protection, which would include legislation regarding authors' intellectual property rights,
- m) to promote effective systems designed to protect intellectual property and to develop the labelling of works, with a view to facilitating cultural production, particularly in the multimedia sphere, and commercial transactions,
- n) to draw up a tourism plan for the most popular cities, monuments, countryside and other locations, reconciling financial profit with conservation and respect for cultural heritage, and averting the damage caused by excessive numbers,
- o) to submit, in line with the provisions of Part III, Title V, Article III-193 V of the draft constitutional treaty, a feasibility report on accession of the European Union to specialised UN organisations, in particular UNESCO, so as to reinforce the presence and action of its Member States in such organisations,
- p) to consider joining the Global Alliance for Cultural Diversity, launched by UNESCO in 2002, with the aim of uniting partners from public, private and non-governmental sectors, to work on projects that foster growth in local cultural industries,
- q) to support efforts to develop the proposed UNESCO Convention on Cultural Diversity,
- r) to consider incorporating in their development policies the promotion of cultural industries as a means of stimulating employment and local economies in developing countries.

18. calls on the Commission to promote a horizontal approach to promoting cultural industries through mainstreaming such support into projects and programmes receiving EU funding in the fields of industrial policy, structural policies, education, training and research.

**8. Reply to these requests and outlook regarding the action that the Commission has taken or intends to take:**

**Points 2, 3 and 4 - Actions designed to improve the information tools vis-à-vis the European cultural industries**

The Commission welcomes the idea of promoting study of the cultural industries and indeed the preparation of a Green Paper on the subject, provided it has the financial and human resources to carry out such a project. Hence this cannot be achieved in the immediate future.

### **Points 5 and 6 - Strengthening of the activities of the Structural Funds in favour of the cultural industries**

The Commission agrees with Parliament as regards the importance of synergy between culture and other Community actions. The communication on the cultural dimension of the structural funds is under preparation and should be finalised by end 2003. Finally, two general documents – which, however, partly address the cultural dimension – will be presented in the near future: the third report on economic and social cohesion and the mid-term evaluation of all the Structural Funds' activities.

### **Points 7 and 8 - Development of a strategy to promote the competitiveness of European cultural and creative industries**

The European Union's achievements in this area include the MEDIA programme and the measures taken to promote the competitiveness of the publishing industry: apart from the aid granted by Culture 2000 to publishing houses for the promotion of literary translations, the Commission each year organises a publishing forum and has recently carried out in-depth studies. It is currently preparing a working document on services in this field in order to identify and characterise the drivers of competitiveness in the publishing sector.

Finally the Commission is developing actions to support the cultural industries in the form of experimental projects currently under way.

### **Point 9 - Revision of the “de minimis” rules on State aids**

The Commission is opposed to differentiating the de minimis rule on the basis of sectors of activities or geographical location. On the contrary, the specificity of the cultural sector has already been taken into account by the Commission in compliance with the rules of Article 87(3)(d) which provide that “[t]he following may be considered to be compatible with the common market: [...] (d) aid to promote culture and heritage conservation where such aid does not affect trading conditions and competition in the Community to an extent that is contrary to the common interest.” This legal basis is regularly used by the Commission to authorise aids which contribute to the promotion of culture.

### **Point 10 - Effects of increasing concentration in the telecommunications, cultural industry and media sectors**

It is true that media pluralism is basically a matter for the Member States and that secondary Community legislation does not at present contain any rule which is directly designed to guarantee this pluralism. The Commission has long recognised the importance of protecting media pluralism. In this connection the Commission published a Green Paper designed to launch public debate on the need for Community action in this field (Pluralism and media concentration in the internal market — an assessment of the need for Community action, Commission Green Paper, COM(92) 480 of 23.12.1992). However, this debate did not allow clear operational conclusions to be drawn.

Recently the Commission has begun to think again about the matter: in the Green Paper on services of general interest, the Commission indicated that it wanted it to elicit public contributions on the question as to whether the Commission should re-examine the need for Community action in this field in more detail. In this connection the following questions were

put: “Should the possibility to take concrete measures in order to protect pluralism be re-considered at Community level? What measures could be envisaged?”

### **Point 11 - Mobility of cultural professionals**

The Commission is very much in favour of developing actions in favour of the mobility of professionals in the European cultural sector. Notably, it has commissioned studies in this area and supports the development of a specific Internet gateway and the encouragement of mobility on the part of cultural players.

In many cases the information provided to professionals on the social, regulatory and fiscal provisions applicable during a short- or long-term stay in another country is overly piecemeal. In order to promote the mobility of these professionals it is thus absolutely essential to encourage the creation of networks, to move towards greater coordination and to promote the dissemination of knowledge and information.

### **Point 12 - Synergy between culture and tourism**

The Commission regularly presents reports on Community measures affecting tourism to the other European institutions, in application of Article 5 of Council Decision 92/421/EEC of 13 July 1992 on a Community action plan to assist tourism. These reports highlight the need for synergy between tourism and the different Community activities, hence also culture. The next report will concern the years 2001 and 2002.

### **Point 13 - Indemnity and insurance policies for the circulation and exchange of cultural goods**

The Commission has published an invitation to tender for a study to inventorise national systems of public guarantees relating to insurance costs for the circulation of works of art intended for showing in exhibitions in Europe. This study should cover the Member States and the accession countries. It should be completed in the course of 2004.

### **Point 14 - Eurostat statistics**

The Commission has been working actively since 1999 on the implementation of Council Decision 1999/297/EC concerning the establishment of a statistical infrastructure for the audiovisual sector by Eurostat. By 2004 the last actions carried out on the basis of this Decision will be finalised and the Commission is presently planning the appropriate initiatives that will assure an adequate follow-up of the “investments” made so far in order to upgrade and make uniform the methodologies used by the National Statistical Offices.

The Community Participation in the European Audiovisual Observatory has proven useful for both the operators and the political instances at national and European level. The Commission services are preparing a proposal for a Parliament and Council Decision to extend such participation for two years: 2005 and 2006. This period should allow the Observatory to elaborate an in deep re-assessment of its remit for the period up to 2010. The Commission is open to discuss within the statutory bodies of the Observatory the proposals that will be put forward by the latter’s administrators.

**Point 15 - Taking account of the cultural industries' specificities when assessing the compliance of national or European supportive measures with the rules of the EU internal market**

The different Community actions and policies must be implemented in compliance with Article 151(4) of the TEC, which requires the Community to take cultural aspects into account in this context, whether this concerns regulatory activities or activities in the field of financial support (see also point 18). The Commission fully complies with this rule in implementing Community law, notably as regards the cultural industries.

**Point 16 - VAT on music**

On 23 July 2003 the Commission adopted the proposal for a directive on reduced rates of value added tax (COM (2003) 397). In this proposal, the Commission's objective was to improve the internal market, notably by simplifying current VAT legislation and applying it on a more uniform basis. This proposal does not provide for reduced rates for records or any other audiovisual aids. After a very thorough review, the Commission considered that, bearing in mind the divergences between the Member States on this issue, the possibility of applying reduced rates to these goods would inevitably lead to a decline of the European internal market in a sector in which there is a real risk of distortions of competition as a result of the optional application of reduced VAT rates.

Now it is up to the Council to take a unanimous decision – also in the light of the opinion of the European Parliament – on the future scope of reduced VAT rates.

**Point 17**

Generally speaking, the Commission fully shares Parliament's concerns as regards the importance of the circulation of works and the encouragement of creativity with a view to promoting cultural diversity in our common cultural area. The programme "Culture 2000" is already working towards these goals and the Commission would like this effort to be continued and augmented in the cultural programme that will follow the existing one. The elements of this resolution are therefore very useful for preparing the future programme.

**Sub-titling**

17 k) The Commission welcomes the idea of promoting cultural diversity via sub-titling and will do its best to take account of these comments when analysing the sector in connection with the preparation of the new programme.

**The "Television without Frontiers" Directive**

17 i and j) The review of the "Television without Frontiers" Directive was launched under the work programme annexed to the fourth implementation report (adopted at the beginning of 2003). Most of the contributions we have received acknowledge that the Directive has provided a flexible and appropriate framework for its implementation on the part of the Member States and welcome the Commission's pragmatic approach. They constitute a solid basis for future work. In this connection the communication on audiovisual policy, which will be adopted at the end of 2003 or in early 2004, will draw conclusions from the consultation and will propose a two-stage procedure.

In the short-term, the focus will be on matters which do not require revision of the Directive: notably, it is planned to draft an interpretive communication on new advertising techniques.

In the medium-term, the communication on audiovisual policy will identify questions which require further reflection and debate. These questions will mainly be scrutinised by focus groups. Their work should ultimately identify all the elements needed with a view to the possible revision of the TVWF Directive.

As regards the advisability of putting in place mechanisms to improve the circulation of non-national European works, there was not sufficient support for such an approach in the consultation.

### **UNESCO's work on cultural diversity**

17p) to consider joining the Global Alliance for Cultural Diversity, launched by UNESCO in 2002, with the aim of uniting partners from public, private and non-governmental sectors, to work on projects that foster growth in local cultural industries.

Via its programmes and in the framework of its cooperation policy, the Community has developed mechanisms which contribute to supporting both European and third country cultural industries. This applies in particular to the Community's MEDIA and Culture 2000 programmes and to actions in the cultural sector in the framework of the EuroMediterranean partnership and the partnership with the African, Caribbean and Pacific countries (ACP). These actions should be promoted as part of the European Union's contribution to cultural diversity at global level. UNESCO constitutes an excellent framework for making the most of Community activity in this area and for developing consensus as regards the preservation and promotion of cultural diversity.

17q) to support efforts to develop the proposed UNESCO Convention on Cultural Diversity.

As regards preparing an international instrument on cultural diversity at UNESCO, the Commission welcomes the unanimous decision to start preparing a convention, adopted by the UNESCO General Conference on 17 October last.

The Commission supported the development of such a legal instrument at UNESCO in its Communication to the Council and European Parliament [COM(2003) 520 final] of 27 August 2003: "Towards an international instrument on cultural diversity". The Commission will continue its Community coordination efforts so that the European Union can make a real contribution to drafting the UNESCO Convention.

### **Point 18 – horizontal approach to promoting cultural industries**

The Commission is very much in favour of this horizontal approach: culture should be taken into account in the other Community policies, in compliance with Article 151(4) of the Treaty. This explains why, for example, actions to support research and technological development, local development actions co-funded by the structural Funds, or again the actions to foster development referred to in point 17 above, fully incorporate this dimension (hence the Swedish town of Hultsfred has become the "rock capital" of Sweden, after receiving part-funding under the Regional Development Fund to implement its project, whose focus is on the development of the music industry).



**1.1.7. European Parliament resolution on preserving and promoting cultural diversity: the role of the European regions and international organisations such as UNESCO and the Council of Europe**

1. **Rapporteur:** Christa Prets
2. **EP No:** A5-0477/2003
3. **Date resolution adopted:** 14 January 2004
4. **Subject:** Cultural diversity in Europe and in international organisations
5. **Competent Parliamentary Committee:**

Committee on Culture, Youth, Education, the Media and Sport

**6. Background of the resolution:**

At the sitting of 16 January 2003, the President of Parliament announced that the Committee on Culture, Youth, Education, the Media and Sport had been authorised to draw up an own-initiative report under Rule 163 on preserving cultural diversity: the role of the European regions and international organisations such as UNESCO, and that the Council of Europe, and the Committee on Foreign Affairs, Human Rights, Common Security and Defence Policy had been asked for its opinion.

The Committee on Culture, Youth, Education, the Media and Sport had appointed Christa Prets rapporteur at its meeting of 28 November 2003.

The committee considered the draft report at its meetings of 20 May, 11 September, 4 November, 25 November and 2 December 2003. At the last of these meetings it adopted the draft resolution by 20 votes to 1 with 2 abstentions.

**7. Analysis of Parliament's requests:**

The report addresses the issue of preserving Europe's cultural diversity through internal Community policies (Community youth and culture programmes, media pluralism, role of the public service, implementation of Article 151, mobility of artists, etc.) and the European Union's external policy, and calls on the Commission or the European Union, as appropriate, to actively promote the principle of cultural diversity in their action.

Concerning the negotiations on services in the context of the World Trade Organisation (WTO), Parliament calls on the Union to exempt cultural services and products from trade liberalisation.

On the subject of an international instrument on cultural diversity within the UNESCO framework, Parliament agrees with the Commission that a legally binding standard on cultural diversity is necessary, and requests the Union to be united in its conduct at the UNESCO negotiations. To this end it requests the Presidency and the Commission to work closely in order to seek common positions of the EU, and the Member States to mandate the Commission to negotiate on behalf of the EU and its Member States within the UNESCO framework.

***On the more concrete aspects, Parliament calls on the Commission to submit two Communications:***

- one, based on Article 151 (4) of the EC Treaty, on how to incorporate culture as a cross-cutting principle applicable to all policies in the European Union;
- another on the purpose, objectives and operating methods of the future UNESCO international convention on cultural diversity.

*Content of the report:*

The report is in several parts: a resolution, an explanatory statement and the opinion of the Committee on Foreign Affairs, Human Rights, Common Security and Defence Policy, of 1 October 2003.

Only the requests addressed to the Commission have been included below.

***In its resolution, Parliament:***

- calls upon the Commission to actively engage in facilitating, promoting and geographically extending exchanges in the field of culture, audio-visual services and education within Europe and in third countries (...) in the framework of the Culture 2000, Youth and Socrates programmes after 2006 and in respect of all future programmes; (point 7)
- calls upon the Commission to actively engage in the promotion of cultural diversity within EC development and cooperation policies (...), in particular to develop the cultural expression capacity of developing countries; (point 8)
- calls upon the Commission to foster cultural dialogue with national, federal and regional Ministers of culture and education, associating civil society and civil servants; (point 9)
- requests the Commission to submit a Communication, based on Article 151(4) of the EC Treaty, on how to incorporate culture as a cross-cutting principle applicable to all policies in the European Union (...); (point 10)
- calls on the Commission to ensure that the growing trend towards concentration in the media does not lead to an oligopoly that threatens pluralism, cultural diversity and freedom of choice for consumers; (point 11)
- calls upon the Commission to fully integrate the concept of European cultural diversity in its communication strategy, to provide information about the World Day for Cultural Diversity, 21 May, and to present proposals as to how to participate in this event; (point 12)
- calls upon the Commission to improve mobility opportunities of artists, creative works and cultural products and services; (point 13)
- asks the Commission for a list of offers made in the recreational, educational and audiovisual sectors and possible consequences in these sectors; (point 25)
- requests the Commission to regularly and fully inform the European Parliament of its activities in international organisations; (point 26)

- calls upon the Commission to pay particular attention to the preservation and promotion of cultural and linguistic diversity in the accession countries; (point 37)
- calls on the Commission to submit a new Communication to the Council and the European Parliament setting out its position on the Convention on cultural diversity and on its purpose, objectives and operating methods and suggesting how it can tie in with other international instruments; (point 44).

**8. Reply to these requests and outlook regarding the action that the Commission has taken or intends to take:**

Following the adoption of Ms Zorba's report on cultural industries and Mr Ebner's on linguistic diversity, the Commission welcomes the opportunity given to the European Parliament by Ms Prets' initiative to look at the question of cultural diversity from a global perspective. This initiative comes at a very opportune moment, just as the international community has been invited to join in negotiations on an international convention on cultural diversity within the framework of UNESCO, following the UNESCO General Conference decision on 17 October 2003.

In this context, on 27 August 2003 the European Commission adopted a communication entitled: "*Towards an international instrument on cultural diversity*", intended to prepare the Community and its Member States' contribution on this project.

**Point 37:**

The Commission has taken good note of the various calls made on it concerning the respect and promotion of cultural diversity in Community policies and in the Community's external action, both in the current Member States and in the accession countries. It emphasises that considerable attention is already paid to preserving and promoting cultural diversity when drawing up and implementing these policies, on the basis of Article 151 of the EC Treaty.

**Points 12 and 26:**

The Commission undertakes to inform the European Parliament regularly of its activities in international organisations and to provide information about the World Day for Cultural Diversity on 21 May.

**Point 7:**

As concerns the new generation of Community programmes in the field of education and training after 2006, it is the Commission's intention that cooperation and mobility activity, notably in the field of school education, should continue to promote understanding among learners and educational staff of the diversity of European cultures and its value and that the scope and volume of such activity should be extended.

**Point 8:**

The Commission takes note of the call to actively engage in the promotion of cultural diversity within EC development and cooperation policies and will take due account of it when implementing and renewing the programmes and actions concerned.

**Point 10:**

Concerning this request in respect of a Communication based on Article 151(4), the Commission would point out that, in response to previous requests by the European Parliament, it has already produced a working paper on the use of the Structural Funds in the domain of culture, available at the Europa Internet site ([http://europa.eu.int/comm/culture/eac/sources\\_info/compolitics/fond\\_structuel\\_en.html](http://europa.eu.int/comm/culture/eac/sources_info/compolitics/fond_structuel_en.html)). However, compiling another report as general as the previous one in 1996 would require human resources that the Commission is unable to make available.

**Points 9 and 13:**

Concerning the calls to foster more intercultural dialogue and improve mobility opportunities of artists, creative works and cultural products and services, the Commission would point out that these objectives are very much at the centre of its current preparations for a new cultural programme to replace "Culture 2000". Moreover, the Commission has already outlined its plans for the future in the Communication "*Making citizenship work: fostering European culture and diversity through programmes for Youth, Culture, Audiovisual and Civic Participation*" of 9 March 2004.

**Point 11:**

The Commission shares the view that media pluralism is of the utmost importance and is at the heart of the way our democratic societies operate. While the protection of pluralism is a fundamental freedom recognized by the Union, it is not one of the tasks assigned to the Community under Article 2 of the founding Treaty. Whilst it is barred from tabling a proposal aiming specifically at the protection of pluralism *per se*, the Commission believes that, in the current situation, it will take the protection of pluralism into account when it comes forward with any new proposals in the field of media.

**Point 25:**

Concerning the request for a list of offers made in the context of GATS in the recreational, educational and audiovisual sectors and possible consequences in these sectors, the Commission would like to point out that the EC and its Member States' initial offer in the context of GATS has been sent to Parliament and contains no offers in the recreational, educational or audiovisual fields. Parliament will also be informed of subsequent offers, in the preparation of which the Commission will ensure that cultural diversity is preserved, in accordance with the Council conclusions of 26 October 1999.

**Point 44:**

With regard to the request for a new Commission communication on the future UNESCO international convention on cultural diversity and how it ties in with other international instruments, the Commission will follow developments in the negotiations within UNESCO closely. For the moment, only an informal group of experts has been convened by UNESCO on the subject, whose preliminary draft for the convention will not be distributed before mid-July 2004.

We must take advantage of the intervening period to examine in depth the various aspects likely to feature in the future convention and to sound out the various stakeholders, in particular culture and culture industry professionals. We must also join forces in deciding on the arrangements for cooperation with the successive EU Presidencies and with the Member States so that the European Union can present a united front in these negotiations and play a role which

fully reflects its contribution to a world order based on sustainable development, peaceful coexistence and intercultural dialogue.

Only when the preliminary draft convention is tabled for international negotiation proper will the Commission consider the appropriate institutional channels, including a Communication, for setting out its position on its contents. At all events, Parliament will be kept fully informed of these developments through the usual channels.

- However, in the Commission's view, the resolution omits two major considerations in respect of preserving and promoting cultural diversity:

- 1) The preponderant role of the protection afforded by copyright and related rights. It should be remembered that one of copyright's most essential functions is precisely to allow and promote creativity and investment. It therefore follows that it is a major instrument in safeguarding minority cultures without a significant market or media exposure in the Union as a whole (e.g. certain types of local music). Lack of protection of intellectual property would obviously lead to impoverishment and uniformity of cultural supply.

- 2) The draft resolution mentions the role of certain international organisations, and cites UNESCO and the WTO. It does not, however, mention the WIPO (World Intellectual Property Organisation), which is the only international organisation specialised in establishing rules on intellectual property. In view of its role, the WIPO and its work should be mentioned in the EP resolution.

**1.1.8. European Parliament resolution on the role of schools and school education in maximizing public access to culture**

- 1. Rapporteur:** Vasco Graça Moura
- 2. EP No:** A5-0080/2004
- 3. Date of adoption of the resolution:** 26 February 2004
- 4. Subject:**

This resolution addresses the role of school and education in access to culture. It devotes a great deal of attention to the content of the courses and programmes, and mentions the role of other programmes (Research, Media, Culture, Netd@ys) in access to culture for children.

**5. Parliamentary Committee responsible:**

Committee on Culture, Youth, Education, the Media and Sport

**6. Background:** own-initiative resolution

**7. / 8. Analysis of the text and Parliament's requests; reply to these requests and action which the Commission has taken or intends to take:**

Most of the requests in this resolution are very general and do not constitute specific requests. Several are addressed to the Member States and few requests concerning matters of culture, media or education are directly addressed to the Commission, calling for specific action. In general, the Culture and Media programmes and education programmes such as Socrates and Leonardo already take these into account. This resolution should therefore be considered instead as a discussion paper.

**European Parliament's request:**

- 5.** Calls on the Member States to provide continuous training for teachers in European integration to ensure that students from the various EU Member States are provided with a standard basic knowledge of the subject;
- 6.** Is of the opinion that projects promoting the teaching of European integration in schools should be funded not only by cultural and educational EU programmes but also by other relevant programmes;

**European Commission's response:**

**5 and 6**

The funding of projects involving continuous training for teachers on the subject of European affairs corresponds to an existing priority in Comenius Action 2.1 under the Socrates programme.

The emphasis to be placed on the European dimension in primary and secondary teacher training is one of the concerns of both the Commission and the Council.

In their joint Interim Report on the application of the detailed work programme on the follow-up to the objectives of education and training systems in Europe, the Commission and the Council call for the European dimension to be given a greater role in education.

**European Parliament's request:**

**8.** Points out that there is a need to raise awareness within the EU Member States of the history and culture of the countries of Central and Eastern Europe and vice versa;

**9.** Calls on the Commission and the Member States to ensure that in European research programmes encouragement is given to projects concerning the fundamentals of European civilisation such as fundamental legal principles, the history of institutions and education, the rules of coexistence, social and anthropological practices and artistic manifestations;

**10.** Believes that there is a need for European education systems to foster awareness of the cultures and ways of living of all European peoples and to raise awareness of common European values;

**11.** Underlines the contribution made within individual Member States for the respect and promotion of cultural and linguistic diversity;

**14.** Notes that access to Europe's cultural heritage is a fundamental precondition to the integration process and a force for the consolidation of a sense of European citizenship;

**European Commission's response:**

**8, 9, 10, 11 and 14**

One of the objectives of Community action, pursuant to Article 151 of the Treaty, is to promote the dissemination of the culture and history of European peoples, the ultimate goal being to create a common cultural area uniting Europeans while also preserving their national and regional diversity.

In the sixth framework programme for research, the thematic priority "Citizens and governance in a knowledge-based society" deals with some of these issues, such as the European approach to history and cultural dialogue both in Europe and between Europe and other regions of the world.

Moreover, in general, it is also worth mentioning the part played by research programmes in consolidating scientific culture, and by initiatives and activities in the fields of education and public information.

One of the aims of the Culture 2000 programme is to promote access to culture, and it supports many projects with this in mind. The MEDIA Plus programme is based on Article 157 (industrial policy) but it takes full account of Article 151 in its actions.

Firstly, audiovisual products are cultural works which are rooted in a national and/or regional context and in a language. The MEDIA programme plays a direct part in enriching European cultural diversity by making European films and the audiovisual industry more competitive and encouraging transnational projects.

In addition, a highly detailed study has been commissioned to identify best practices linking culture and education in the Member States, the candidate countries and the countries of the EEA, and this study should be completed by early 2005.

**European Parliament's request:**

**16.** Asks the Commission to draw up a text on the history of European culture (art, philosophy, science, etc.) which, after adoption by the Council and with due respect for the principle of subsidiarity, might become a standard subject on the school syllabus in the Member States;

**European Commission's response:**

**16.** It is not within the Commission's remit to propose the drafting of a school text on the history of European culture. According to Article 149 of the Treaty, the organisation of school education is the responsibility of the Member States. It is therefore up to Member States to take a step of this kind. There is also the Council Resolution of 28 October 1999 on integrating history into Community cultural activities.

**European Parliament's request:**

**19.** Notes that the Commission's action "Netd@ys Europe" associates European cinema and schools; believes that it would be advantageous in this connection to widen the scope of such projects so as to encourage cooperation, for example through school films, introductions to the media professions and invitations addressed to film directors to visit schools as 'guest speakers', etc. Further proposes that the MEDIA Plus programme should contribute to raising pupils' awareness and interest in European cinema; Points out that a Pan-European Children's Network would be an efficient way to disseminate and raise awareness of European films of high quality;

**European Commission's response:**

**19.** One of the aims of the MEDIA Plus programme is to promote access to culture for young people. In one of many activities in this sector, the Commission supports film festivals, giving priority to those which are intended to maximise access to European films and to allow children and young people to discover European cinema. In addition, the Europa Cinemas network, which is supported by the MEDIA programme, organises specific activities, particularly in schools, to raise young people's awareness of European films.

One of the programme's main objectives is to increase demand for films produced in Europe. With the help of the MEDIA programme, the percentage of European films distributed outside their country of origin rose from less than 14% in 1996 to more than 22% in 1999, and more than 60% of European films distributed in countries other than the country of production are supported by MEDIA.

**European Parliament's request:**

**22.** Emphasises that children's participation in artistic and cultural activities is an important factor in developing their creative skills and that the development of creative potential benefits their future personal and professional lives; stresses that cooperation between schools and homes can achieve a great deal in this area;



**European Commission's response:**

**22.** With regard to the request that the European Commission, when extending programmes, allow for an increase in funding for developing pupils' creativity and creative skills, it is important to emphasise that creativity cannot itself be given as one of the priority objectives of the new programmes. However, it is likely that these programmes, which focus on developing awareness of European identity, would do so by means of artistic creativity *inter alia*.

**European Parliament's request:**

**25.** Stresses the importance of pupil exchange schemes, class trips to other countries and language teaching in becoming acquainted with and experiencing European and non-European cultures and therefore calls on the Member State and European Union authorities to promote such initiatives to a greater degree;

**European Commission's response:**

**25.** As regards the importance of pupil exchange schemes, class trips to other countries and language teaching in becoming acquainted with and experiencing European and non-European cultures, and as regards the attention given to European cultures in the new programmes as of 2006, the Commission will propose that this type of activity be made a priority. Moreover, the conclusions of the external evaluation of the Comenius School Partnerships emphasise the fact that this type of activity has so far made a major impact on pupils.

**1.1.9. Report on new challenges for the circus as part of European culture (2004/2266(INI))**

1. **Rapporteur:** Doris Pack (PPE-DE/DE)
2. **EP reference No:** A6-0237/2005 / P6-TA-PROV(2005)0386
3. **Date of adoption of the Report:** 13 October 2005
4. **Subject:** New challenges for the circus as part of European culture (own-initiative report)
5. **Background of the Resolution:** General concern on the part of the European Parliament to take an integrated approach to problems facing the circus (education, training, standards, regulations, etc.)
6. **Analysis of the text and of Parliament's requests:**

The resolution contains a list of recommendations addressed to the Commission and the Member States for supporting the circus sector in Europe.

The Commission is called on to:

- 1) introduce specific measures to ensure that the circus is recognised as forming part of European culture (point 1 of the resolution);
- 2) draw up a study on the school education of children from travelling communities ... (point 3 of the resolution);
- 3) introduce mechanisms for the cooperation of the Member States in order to guarantee and promote an adequate education for the children of travelling communities regardless of the Member State in which they happen to be; ... (point 4 of the resolution);
- 4) make a commitment to improve the welcome extended to such families and to step up the dialogue with school establishments in order to raise their awareness of the need to enrol their children in school, with the latter appointing someone to take charge of this communication and monitoring (point 5 of the resolution);
- 5) in connection with the integrated action programme on life-long learning, to provide the necessary means inter alia for pilot projects to determine appropriate models for school education for children from travelling communities, notably as regards:
  - developing and supporting e-learning and distance learning projects as a component of a comprehensive education initiative for travelling communities;
  - developing concepts for independent/self-reliant learning;
  - developing concepts for school education notably through the introduction of pedagogical monitoring tools;
  - developing a teacher profile for tutoring children from travelling communities;
  - Europe-wide exchange of information and experience for teaching staff tutoring

travelling children;

- the introduction by the Member States working together with the Commission of a system for the regular assessment of scholastic attainment of the children of itinerant families;
  - the establishment of temporary measures to remedy the academic difficulties facing children of itinerant people (point 6 of the resolution);
- 6) provide support to enable a service point to be established which is able to build up a network linking all relevant bodies within the Union, in order to act as a point of contact for travelling communities seeking information on educational and vocational training requirements and opportunities (point 7 of the resolution);
- 7) carry out an information campaign to guarantee quality assurance in education and vocational training and to ensure that the education and vocational training of children from travelling communities are based on the standards applicable to conventional education and professional systems (point 8 of the resolution);
- 8) following consultations with the European circus community, to create a standardisation mandate for the European Committee for Standardisation (CEN) to prepare a comprehensive set of standards relevant to mobile circus facilities, including finalisation of current work on the Safety Standard for Temporary Structures (such as tents), to facilitate the movement of circuses among the Member States through harmonisation and thereby contribute to the conservation of the European classical circus and public safety (point 9 of the resolution);
- 9) carry out an analysis of the current visa and work permit issuing systems for peripatetic artists and on that basis to draw up a European regulation in this area; such a European regulation should:
- take account of current difficulties for obtaining a visa for issuing work permits and their current inconstancy;
  - eliminate existing conditions which are hard for artists with short-term contracts to meet (e.g. the requirement to prove that there is a lack of equally-qualified people within the EU);
  - provide the possibility of issuing short-term visas/residence permits valid for up to 12 months, taking due care to avoid any conceivable abuse of such a possibility in order to engage in human trafficking (point 11 of the resolution)

**7. Reply to these requests and outlook regarding the action that the Commission has taken or intends to take:**

**Recognition of the circus as forming part of European culture (point 1)**

The Commission stresses that it is not its business to decide what may or may not form part of European culture, but the circus has already been recognised in a very obvious and specific way: numerous cooperation projects in the circus sector receive support under Community programmes in the field of culture.

**Education of children from travelling communities (points 2 to 7):**

In relation to **point 4**, the Commission proposes to launch a study in 2006 in order to update the 1996 report on the steps taken by Member States to follow-up on the Resolution of the Council on 22 May 1989.

In relation to **point 5** and the invitation to the Commission to look at the development of responses to the special needs of this target public, we propose that the European Agency for Special Needs Education examine this as part of their work programme for 2006/2007.

The Commission recalls that the OECD has worked on Special Needs Education statistics since 1990s and come up with three categories of SEN pupils: a) pupils with disabilities b) pupils with learning difficulties and c) pupils with educational disadvantage due to social and/or economical circumstances, including travelling families. The policy conclusions and recommendations of OECD for better integration of SEN students into mainstream settings (see e.g. Education Policy Analysis 2003) have been reiterated by the European Agency for Development in Special Needs Education. One of its projects *Inclusive Education and Classroom Practice in Secondary Education* has recommended policy makers and schools to be open to all children and provide them with flexible learning settings - also for pupils from disadvantaged backgrounds.

In relation to **points 6-8**, the new Integrated Lifelong Learning Programme will include, inter alia, the following specific objectives designed to address the needs of learners (art 1.3):

- helping improve the quality, attractiveness and accessibility of lifelong learning opportunities within Member States;
- reinforcing the contribution of lifelong learning to personal fulfilment, social cohesion, active citizenship, gender equality and the participation of people with special needs.

The issues addressed in points 6-8 can be developed in the various actions of the actual Socrates and Leonardo programmes and this will continue in the new programme. The initiative to undertake projects should come from the organisations representing these groups and be in accordance with the rules and procedures of the programmes as described in the annual calls and the guidelines for applicants.

**Standardisation of circus facilities (point 8):**

The Commission has already mandated CEN, the European Committee for Standardisation, to establish a European standard for the safety of temporary structures, in particular tents. This European standard should be published by CEN in the months to come. Furthermore, CEN has launched a work programme at the request of interested parties, which includes European standards for spectator facilities.

The Commission would be ready to investigate the need for further European standards with the circus community and, should a need be confirmed, to consider giving mandate to CEN (and/or CENELEC, as appropriate). As standardisation is a voluntary and market-oriented tool, the circus community, together with other interested parties, should contribute to the work of the standardisation committees of CEN/CENELEC in such a way that the standards meet the needs of the circus companies. The circus community would voluntarily agree on requirements so as to provide the maximum of safety, fitness for use, inter-operability or any other suitable characteristics. The implementation of the future European Standards as national standards in all EU (and AELE) countries would contribute to the free circulation of circuses across Europe.

**Visas (point 9):**

As regards the employment and mobility of artists from non-member countries, the Commission regrets that Community legislation does not allow the issue of short-term visas for a period of 12 months, given that short stays are limited to three months in any six-month period. However, the Commission is aware of the difficulties being faced by artists in obtaining visas for periods of more than three months, and will bear these in mind in its deliberations on future immigration policy in relation to employment in Europe.



## **1.2. Non-legislative reports adopted in response to a Commission Communication**

### **1.2.1. Resolution on the report from the Commission on the implementation of Council Regulation (EEC) No 3911/92 on the export of cultural goods and Council Directive 93/7/EEC on the return of cultural objects unlawfully removed from the territory of a Member State**

- 1. Rapporteur :** Pedro Aparicio Sanchez
- 2. PE No:** A5-0122/2001
- 3. Date of adoption of the report:** 12 June 2001
- 4. Subject:**

To stress the importance attached by the EP to the problem of illegal trade in cultural goods and to ask the Commission to conduct a thorough study and launch appropriate actions

#### **5. Competent Parliamentary Committee:**

Committee on Culture, Youth, Education, the Media and Sport

#### **6. Background to the Resolution:**

The Commission report concluded that Regulation No 3911/92 and Directive 93/7 were useful, but it also highlighted operational shortcomings caused in particular by weaknesses in the area of administrative cooperation.

To remedy this, the Commission has launched, or is in the course of launching, initiatives such as asking the Advisory Committee on Cultural Goods to draw up guidelines on administrative cooperation, discussing the problem of illegal trade in cultural objects at the forum on the prevention of organised crime, studying improvements in the traceability of cultural objects, and financing a project for the electronic exchange of information between national authorities.

The Council is currently working on a draft resolution which welcomes the Commission report, takes note of these initiatives and urges the Member States to cooperate closely with the Commission and make use of the possibilities opened up by the development of police and judicial cooperation in criminal matters.

#### **7. Analysis of the text and of Parliament's requests:**

##### **Point 4 of the Resolution:**

Considers the provisions of Council Directive 93/7/EEC to be inadequate, particularly as regards the time limit placed on actions aimed at securing the return of a cultural object, and asks that this limit be extended to three years from the notification of the discovery of the cultural object.

Unlike the EP, the Commission and the vast majority of the Member States consider these provisions to be adequate. The limitation period seems long enough and the Member States have up until now opposed any change to it. The issue could however be raised again by the Commission within the Advisory Committee on Cultural Goods.

**Point 8 of the Resolution:**

Calls on the Commission to conduct a public awareness campaign in the Member States and the applicant countries.

The EP's request is reasonable and the Commission could act upon it, although it may come up against budgetary constraints. At this stage, the "culture" portal which is being developed by the Commission could provide an initial response to the EP's request.

**Point 9 of the Resolution:**

Calls on the Commission, and others, to ensure that a comprehensive and public catalogue is drawn up of cultural objects.

This EP request is more the concern of the Member States. Depending on the resources available, the Commission could, however, draw up a recommendation.

**Point 10 of the Resolution:**

Calls on the Commission to amend Regulation 3911/92, particularly by introducing a requirement for Member States to make the granting of export licences conditional on a preliminary application to the state of origin of the cultural object, and to introduce an accompanying document.

This issue will be raised by the Commission within the Advisory Committee on Cultural Goods.

**Point 12 of the Resolution:**

Calls on the Commission to draw up, by the end of the year 2001, a Green Paper or Communication on illegal trade in cultural objects.

This is a demanding request, which would be hard to achieve within the timescale indicated by the EP and could, moreover, delay initiatives which are already under way. Given these factors, the Commission will reconsider this suggestion once it has completed the current actions.

**Point 13 of the Resolution:**

Calls on the Commission, amongst others, to introduce as a matter of the utmost urgency policies aimed at combating the illegal trade in cultural objects, to step up police activity and coordination and to increase judicial cooperation.

As the fight against illegal trade falls within the competence of the Member States, the Commission can only play a supporting role. Initiatives are already under way, but other actions may be envisaged under the third pillar.

**Point 14 of the Resolution:**

Calls on the Commission and the Member States to set up a digital information network on cultural objects that are illegally appropriated and traded.

The initiative to finance the project for the electronic exchange of information already constitutes a form of response to the EP's request. With the latter demanding more, it should be pointed out that this project has not been successful and that several Member States have had reservations about these networks when the issue has been raised within the Advisory Committee on Cultural Goods. This matter has nonetheless been raised within the forum on the prevention of organised crime and the possibility of other initiatives in this field has not been ruled out.



- **Points 2, 3, 6 and 15 of the Resolution** are requests which do not concern the Commission.
- **Points 1, 5, 5, 7 and 11 of the Resolution** are vague requests which do not call for specific action.

**8. Response to these requests and outlook regarding action taken or planned by the Commission:**

- Generally speaking, the Commission shares the concerns expressed in the EP Resolution.
- With regard to points 4, 10 and 14 of the Resolution, the Commission intends to continue its examination with the Member States of the questions raised by the EP, with a view to presenting, if necessary, any amendments to the Community regulations which are felt to be required.
- Given that the main responsibility in the fight against illegal trade in cultural objects lies with the Member States and that the Community has limited competences in this field, and in view of the limited economic and human resources available to the Commission, the Commission cannot at present meet the other requests made by the EP.

The Commission would, however, draw the EP's attention to the initiatives which have been, or are being, launched to facilitate administrative cooperation between Member States and the traceability of cultural objects. In addition, the development of a "culture" portal on the web constitutes an initial response by the Commission to the request to raise public awareness about the problem of the illegal trade in cultural objects.

### 1.3. Non-legislative resolutions

#### 1.3.1. European Parliament resolution on working towards a Convention on the protection of the diversity of cultural content and artistic expressions

1. **Rapporteur:** Nikolaos Sifunakis (PSE-GR) on behalf of the Committee on Culture and Education in accordance with Rule 108(5) of Parliament's Rules of Procedure
2. **EP reference No:** B6-0216/2005 / P6-TA-PROV(2005)0135
3. **Date of adoption of the resolution:** 14 April 2005
4. **Subject:** Negotiations with a view to a UNESCO Convention on cultural diversity
5. **Background:**

The proposal for a resolution follows on from the *European Parliament's own-initiative report* and the *Resolution on preserving and promoting cultural diversity: the role of the European regions and international organisations such as UNESCO and the Council of Europe* (2002/2269(INI)), adopted respectively on 2 December 2003 and 14 January 2004 (rapporteur: Ms Christa PRETS).

Both texts had called on the European Commission to provide Parliament, and in particular the Committee on Culture, with regular information on the negotiations within UNESCO; the Commission had responded positively to this request in principle.

Under the timetable adopted by UNESCO for work on the future Convention, intergovernmental negotiations were begun only in September 2004, and they did not really begin work on the substance until December 2004, with the convocation of the Drafting Committee.

It should be noted that some weeks after the UNESCO Drafting Committee had completed its work, the Commission accepted the invitation to attend a mini hearing on the UNESCO negotiations on a Convention on the protection of cultural diversity. This meeting was held on 25 January 2005 with the MEPs from the Committee on Culture, chaired by Mr Schmitt (PPE/HU). It led to a worthwhile exchange of views with the Commission and the Luxembourg Presidency on the negotiation process under way.

The Commission is available to attend another information and discussion meeting on the current negotiation process.

The next intergovernmental meeting on the UNESCO negotiations will be held from 25 May to 4 June.

#### 6. Analysis of the text of Parliament's requests:

The Commission sees no particular problem in the text of the resolution, which largely sets out the views which the EU put forward to UNESCO. In any case, Parliament's requests and aspirations regarding the content of the future Convention are to be considered by the Commission with all appropriate reservations, as these are international negotiations.

The Resolution also calls on the Commission to keep Parliament informed of the progress of the negotiations.

**7. Reply to these requests and action which the Commission has taken or intends to take:**

The Commission is willing to fulfil its initial undertaking to keep Parliament informed of the negotiations under way in UNESCO.

Since the adoption of the Resolution, the Commission has attended a further hearing, organised by Parliament's Committee on Culture on 19 April. The *in camera* discussions provided MEPs with full information on the progress of the negotiations and the direction they were taking.

The Commission thanks Parliament, and in particular the Committee on Culture, for its constant support with regard to the UNESCO negotiations.



## 2. EDUCATION AND TRAINING

### 2.1. Own-initiative reports

#### 2.1.1. Report on the implementation of the Socrates Programme

1. **Rapporteur:** Doris Pack
2. **EP No:** A5-0021/2002
3. **Date of adoption of the resolution:** 28 February 2002
4. **Subject:** Socrates Programme
5. **Competent Parliamentary Committee:**

Committee on Culture, Youth, Education, the Media and Sport

6. **Background of the resolution:** Parliament's own-initiative report
7. **Analysis of the text and of Parliament's request:**

The resolution is constructive and written on a positive note. Thorough investigation went into the report which, on many points, reflects the Commission's point of view. It summarises the weaknesses of the past/present system of implementing the Socrates programme, which the Commission had already identified. Parliament recognises and welcomes the Commission's efforts to tackle these weaknesses. The resolution gives the Commission valuable political support in its endeavours to simplify programme management. Parliament is sympathetic with the difficulties the Commission meets to implement the programme to everybody's satisfaction striking the right balance between adequate financial control and simpler administrative procedures.

#### 8. **Reply to these requests and outlook regarding the action that the Commission has taken or intends to take:**

- **Monitoring and evaluation.** The Commission has launched a major evaluation programme for Socrates II, including national reports. It should be completed in 2004 and will form the background to the Commission's proposal for the successor actions to the Socrates programme.
- **Annual activity reports.** The programme Decision does not provide for a formal annual report, but the Commission will look at the best way of keeping the Parliament informed via the Culture Committee.
- **Relationship between the Commission and the National Agencies.** The Commission and the Member State authorities have invested much effort in structuring the National Agencies. The Commission continues to implement improvements, e.g. reducing the number of conventions and having prepared Operational Handbooks for all Actions of the programme.
- **Involvement of target groups in the future executive agencies.** Discussions about the concrete structure of the executive agencies are only just starting. It is thus too early to talk about this matter in detail.

- **Late issue of contracts and payments.** Every year the Commission seeks ways to advance the timetable and pay beneficiaries sooner. The Commission is confident that things will improve, because the new procedures are now in place, the Commission has brought forward key committee meetings and simplified the legal basis for funding the candidate countries.
- **SYMMETRY information management system.** The Commission is aware of the necessity and urgency to develop an information management system for the whole programme. 2002 and 2003 will see the development of SYMMETRY. The delivery date of SYMMETRY will be August 2003. In the meantime, the present SocLink systems continue to be up-dated and improved.
- **Encourage dialogue between students and the Commission.** The Commission entertains permanent professional relations with European students' associations which provide valuable feed-back on the programme. An electronic student feed-back tool is currently developed by the National Agencies.
- **Joint Actions.** The Commission is fully aware of the importance and potential of Joint Actions. 2001 was a preparatory year for a limited number of themes of common interest to Socrates/Leonardo/Youth. The 2002 Call for proposals, which will be published in spring 2002, covers more themes of common interest to the three programmes.
- **Simplification of administrative procedures.** The Commission is investing great efforts to make the administration of the programme simpler and less burdensome for beneficiaries, while preserving essential safeguards on the use of public money. There is a balance to be struck. That is why proportionality is just as important as simplification.
- **Amending the Socrates decision.** The Commission is presently suggesting to amend the modalities of cofinancing laid down in the Socrates Decision, as the resolution recommends, in order to prevent an increase in bureaucracy notably for schools participating in small projects (Comenius Action) and for small voluntary organisations participating in Grundtvig Action.
- **Abolishing the cofinancing requirement for small grants.** The Community's financial rules do not allow to award grants covering the total cost of a project. Cofinancing will always be required.

### **2.1.2. Universities and higher education in the European learning area**

- 1. Rapporteur:** Cristina Gutiérrez-Cortinez
- 2. EP No:** A5-0183/2002
- 3. Date of adoption of the resolution:** 5 September 2002
- 4. Subject:** Universities and higher education in the European learning area
- 5. Competent Parliamentary Committee:**

Culture, Youth, Education, the Media and Sport

**6. Background of the resolution:**

A strong university sector is a condition for a successful knowledge society and economy.

**7. Analysis of the text and of Parliament's requests:**

The Resolution is a welcome support to the efforts of the Commission to stimulate the university sector to play an active role in the Europe of knowledge. Most points of the Resolution are already taken on board by Commission policies and programmes or could be reinforced. The points in the Resolution address the Commission and/or the Members States and/or the university sector. Many of the points will be addressed in the upcoming Commission communication on the role of universities in the knowledge society and in the recent *Commission communication on investment in education and training*<sup>1</sup>.

**8. Reply to these requests and outlook regarding the action that the Commission has taken or intends to take:**

*Main Two Requests*

*Green paper (see point 25)*

The Commission is preparing a Communication on "The role of the universities in the Europe of knowledge" (adoption by Commission foreseen by February 2003), which will address the main issues raised in the EP resolution.

*European University Seat (see point 26)*

Universities in Europe today already have a series of platforms for information exchange: associations of a general nature (EAU and EURASHE), consortia (COIMBRA Group, Utrecht Group, Santander Group), Socrates-Erasmus Thematic Networks (per subject area or theme), specialised networks (European Network for Quality assurance in higher education ENQA) and web sites (for example on the Bologna Process). Also, a new portal on jobs and learning opportunities has been launched by the Commission (PLOTEUS)<sup>2</sup>.

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<sup>1</sup> "Investing efficiently in education and training an imperative for Europe" - COM(2002) 779 final of 10 January 2003.

<sup>2</sup> <http://www.ploteus.net>.

The Commission considers that **there is no need for a new body** for the exchange of information. Also speakers in Parliament were most critical on this point.

### ***Requests point by point***

1. *[EP] Maintains that to bring about a European higher education area, the Union must increase its support to universities and points out that such aid would be perfectly possible to provide without infringing subsidiarity;*

2. *Maintains that Europe must invest in education on a larger scale because knowledge is the key to Europe's competitiveness and economic and social development;*

Main funding will have to come from the Member States and the private sector. The Commission Communication on investment in education and training<sup>1</sup>, which addresses these concerns invites Member States and Applicant countries to look at their policies for investment and change in education and training, to focus investment funding on areas where it is most likely to produce quality, relevance and efficiency and to encourage more private funding as a complement to, not a substitute, for adequate public funding.

3. *Calls on the Commission to accord a more prominent place to universities in its programmes and policies and calls for universities to play a more active role in implementing the *acquis communautaire*;*

Support to universities has increased in the education, training and research programmes. The Commission also encourages universities to play their role in European integration, through its programmes in education and training or through the Action Jean Monnet. Furthermore, the Commission has proposed two new Community programmes from which universities will benefit: "Erasmus World"<sup>2</sup> and "eLearning"<sup>3</sup>.

5. *Believes that the Bologna Process should be accelerated and strengthened by boosting convergence and cohesion among universities without detracting in any way, however, from the diversity of teaching within the different branches of knowledge or from the specific character of universities;*

The Commission is supporting the universities to realise the European Higher Education Area (Bologna process) through a series of activities (Pilot projects, Seminars, Surveys). The project "Tuning Educational Structures in Europe", notably contributes to the necessary convergence, whilst respecting university autonomy and capacity to innovate.

### **Quality assessment**

7. *Believes that a culture of quality and effort should be fostered through transparent external assessment, which should be made accessible to citizens to assist them in their decision-taking and recommends that, when the Commission assesses the quality of the various national university systems, one of the determining factors should be the availability of funds for*

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<sup>1</sup> See footnote 1, previous page.

<sup>2</sup> Proposal for a European Parliament and Council Decision Establishing a programme for the enhancement of quality in higher education and the promotion of intercultural understanding through co-operation with third countries (Erasmus World) (2004-2008) - COM (2002) 401 final of 17 July 2002.

<sup>3</sup> Proposal for a European Parliament and Council Decision adopting a multi-annual programme (2004-2006) for the effective integration of Information and Communication Technologies (ICT) in education and training systems in Europe (eLearning Programme) - COM(2002) 751 final of 19 December 2002.



*study grants, hardship allowances, university residences and student health care; calls on the Union to make greater efforts to ensure that the availability of such funds in the different countries is brought into line with standard European criteria;*

The Commission supports both the promotion of an internal quality culture in universities and external quality evaluations. The Commission will also assess, together with the Member States, the quality of the various national education systems, in the framework of the "Detailed work programme on future objectives of education and training systems"<sup>1</sup>. Access to learning opportunities and funding will be an important issue to address in this exercise.

### **Mobility and recognition of qualifications**

8. *Calls on the Member States and universities to take steps to overcome the legal and administrative obstacles posing difficulties to mobility and to adopt rapid, flexible systems for processing and recognising diplomas, studies, and qualifications, including those that do not exist in a given country; recommends also that official status or teaching and research staff complements be made more flexible to encourage the recruitment of professionals and experts;*

Request addressed to Member States and universities. The European Parliament and the Council have adopted on 10 July 2001 a recommendation on mobility within the Community for students, persons undergoing training, volunteers, teachers and training<sup>2</sup>. The Council of Ministers has adopted on 14 December 2000 a Resolution concerning an Action Plan for mobility<sup>3</sup>. The Commission will report on the implementation of the Action Plan and the Recommendation in the framework of the "Objectives" exercise. Under the same exercise the Commission will identify which actions need to be reinforced in order to promote a more rapid recognition of diploma's (transparency instruments such as ECTS, Diploma Supplement, Europass, the NARIC recognition information network, reinforcing the link between quality assurance and recognition etc.).

### **Common networks and services**

11. *Affirms that common Europe-wide public networks and services need to be set up to facilitate access to scientific, technical, and bibliographic information, which by definition should be managed jointly;*

Cf. the forthcoming Commission Communication on "The role of the universities in the Europe of knowledge".

### **European master's degrees**

12. *Supports the proposals being put forward by the Commission to establish common studies and qualifications or European master's degrees in collaboration with all the universities of the European Union Member States;*

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<sup>1</sup> Detailed work programme on future objectives of education and training systems, adopted on 14 February 2002 (Council of the European Union 6365/02) based on the Report from the Commission - The concrete future objectives of education systems COM(2001) 59 final of 31 January 2001.

<sup>2</sup> OJ L 215, 09/08/2001 P. 30.

<sup>3</sup> OJ L 215, 23/12/2000 P.4.

The Commission indeed supports the creation of European Masters' degrees. At present through pilot projects and curriculum development in the framework of the Socrates-Erasmus programme. In future, also in the framework of the proposed programme "Erasmus World"<sup>1</sup>.

### **University and Sport**

14. *Stresses that it is important to increase and promote sporting activity at universities and to encourage university teams to take part in regional, national and international championships;*

Following a Commission proposal, the EP and Council adopted a Decision establishing year 2004 as the European Year of Education through Sport. Open calls for proposals will be launched in 2003. Any private and public educational organisation can apply in the respect of Council Decision.

15. *Points out to the authorities responsible for grants policy that the number of study and post-graduate training bursaries should be increased, mainly for those students wishing to study abroad; also suggests that post-graduate grants at least should be awarded on the basis of merit as well as household income;*

The Commission will call upon the Member States to increase the number and volume of mobility grants and to seek support from the private sector. In the field of post-graduate mobility with other continents, the Commission has proposed a new programme called "Erasmus World"<sup>2</sup>.

### **Research and postgraduate education**

16. *Calls on the Commission and the Member States to increase funding for and intensify the co-ordination strategies for universities for the purposes of postgraduate education and to encourage studies at doctoral and post-doctoral level, which generate critical mass and will form the bedrock of the future European research area;*

17. *Calls on the Commission and Member States to consider forging partnerships with public or private undertakings or local authorities so as to improve the funding of doctoral or post-doctoral studies;*

Cf. the forthcoming Commission Communication on "The role of the universities in the Europe of knowledge".

### **Lifelong learning**

21. *Calls on the Commission, the Member States, and social players to incorporate universities and higher education centres in lifelong learning, refresher training, and technology transfer programmes and to promote specific university programmes with the aim in particular of **providing professional skills** for those prematurely excluded from the labour market because of technological change or other economic factors;*

The Commission promotes the involvement of universities in lifelong learning activities through its programmes and notable the Grundtvig Action of the Socrates programme and the Leonardo

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<sup>1</sup> See footnote 1, p. 55.

<sup>2</sup> See footnote 1, p. 55.

da Vinci programme for vocational training. The Commission will also address this issue in the follow-up to the Communication, "Making a European Area of Lifelong Learning a Reality"<sup>1</sup>, of 21 November 2001, now part of the integrated approach of the "Objectives exercise".

### **Relations between university and society**

22. *Considers it important to develop strategies and incentives to increase the involvement of universities and research centres in regional, national and European problems and thus increase their role as a driving force behind the economic and social system;*

Cf. The forthcoming Commission Communication on "The role of the universities in the Europe of knowledge".

### **Private universities**

23. *Considers that private universities or higher education centres form part of the European education system and contribute to its development; takes the view, however, that these centres must continue to be managed transparently and the quality of their courses and performance must be assessed;*

Point addressed to the Member States. In the Commission's view quality assurance systems should cover both public and private education.

### **Artistic studies**

24. *Stresses that it would be useful to devise a flexible advanced level course of studies capable of providing artistic training at university level, with courses based essentially on practical studies, professional activity and merit;*

Point addressed to the Member States and the higher education sector. The Commission supports innovation in arts education through curriculum development and Thematic Networks in the framework of the Socrates-Erasmus programme.

### **Green paper**

25. *Calls on the Commission, without encroaching on the autonomy of the universities or the Member States or detracting from the distinctive nature of given institutions and studies, to propose to draw up a green paper on a future European higher education area, which, after study and discussion involving all sectors, should seek to:*

- assess the state of play regarding European universities, their roles, and the types of education that they provide;
- examine the various regulations and working conditions for teachers, research workers, administrative staff and students;
- establish a committee of experts to study and review the impact of universities on the learning and research systems, using assessment criteria in line with the suggestions put forward in this report;

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<sup>1</sup> Communication from the Commission - Making a European Area of Lifelong Learning a Reality COM(2001)678 final of 21 November 2001.

- identify the common programmes and public services that universities require as centres of instruction and research and which, if they were to be brought into being, would enable them to perform their tasks more easily;
- propose that universities play a more active part in disseminating the "acquis communautaire", revitalising learning, and applying it to the production system;

The forthcoming Commission Communication on "The role of the universities in the Europe of knowledge" will address a large number of the issues raised in this point.

### **European University Seat**

26. *Call on the Commission and Member States to promote the establishment of a European University Seat, essentially to:*

- act as a centre for meetings and exchange of experience, promoting the establishment of joint projects;
- supply and exchange information on common programmes, types of instruction, the introduction of quality assessment systems and their outcome, and postgraduate training;
- enable universities to be represented in European institutions and policy;
- inform students or citizens wishing to study at European universities of possibilities available, courses on offer, recognition of diplomas, etc.;
- promote convergence among and the competitiveness of universities at European and international level;
- encourage assessment along the lines proposed in this report;
- suggests that those represented in this centre should include the Commission, the Member States, Parliament, the European University Association (EUA), and European students' and researchers' organisations;

As mentioned earlier, the Commission considers that there is no need for a new body for the exchange of information.

27. *Calls on the Commission and Member States to support the establishment of a European University of Culture, devoted to the teaching of artistic, literary and philosophical disciplines and communication sciences so as to contribute to the creation of a European research area for these subjects and meet the need for intercultural dialogue with other regions of the world;*

The Commission and the Member States give support to the European University Institute in Florence, but this is an exception. The Commission prefers supporting co-operation between existing higher education institutions throughout Europe.

### **Funding**

28. *Points out that the Member States and regions with higher education responsibilities must ensure that public universities have the funding required to enable them to perform their*

*teaching and research roles to a sufficiently high standard; believes that, in return, universities, as public institutions, must continue to run their affairs openly and provide information on their areas of activity and the results achieved;*

As mentioned earlier, the Commission's Communication of 10 January 2003 on investment in education and training<sup>1</sup>, invites Member States and Applicant countries to look at their policies for investment and change in education and training and to focus investment funding on areas where it is most likely to produce quality, relevance and efficiency.

### **Universities and the media**

29. *Considers that academic activity and university research findings need to occupy a more prominent place in the mass media;*

Cf. the forthcoming Commission Communication on "The role of the universities of in the Europe of knowledge".

30. *Recommends that distance teaching universities be supported, new technologies used to provide training leading to qualifications, and teaching professionals, the most underprivileged groups, people with special needs and women placed in a position to gain access to knowledge and revitalise their skills in accordance with suitable rules and procedures;*

Distance learning, new technologies and access to learning are Commission priorities. They are supported by the existing programmes Socrates and Leonardo da Vinci. On 19 December 2002, the Commission has proposed a new Community programme "e-learning" aiming at combating digital illiteracy, promoting virtual campuses and virtual twinning of schools (2004-2006)<sup>2</sup>.

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<sup>1</sup> See footnote 1, p. 55.

<sup>2</sup> See footnote 2, p. 55.

### 2.1.3. European Parliament Resolution on options for developing the European Schools system

1. **Rapporteur:** Mary Honeyball (PSE/UK)
2. **EP reference number:** A6-0200/2005 / P6-TA-PROV(2005)0336
3. **Date of adoption of the Resolution:** 8 September 2005
4. **Subject:** European Schools System
5. **Brief analysis/assessment of the Resolution and requests made in it:**

The European Parliament's Resolution takes into account most of the current issues and challenges faced by the European School (ES) system such as enlargement, decentralisation policy for EU bodies, greater financial accountability, greater transparency. The Resolution also echoes many of the concerns voiced in the Commission's 2004 Communication on the European School system<sup>1</sup>: increased control for the Commission commensurate to its financial contribution, finding a solution for the Agencies in terms of multi-lingual education provision for the children of their staff, exploring alternative systems of financing, the expansion of the European Baccalaureate and cooperation of the ES with other schools, better management of resources, improved pedagogical services in terms of provision for Special Education Needs (SEN) children, reduction in class sizes and introduction of an alternative leaving certificate. There are however, a small number of requests directed to the Commission in the Resolution but which fall under the responsibility of the Board of governors of the European Schools as they are pedagogical in nature.

#### 6. **Response to requests and overview of action taken, or intended to be taken by the Commission:**

The Commission has already presented to the Board of Governors (BoG), in January 2004, a document incorporating the Code of Good Administrative Conduct<sup>2</sup>. It has also proposed the adoption of publicly available criteria for category 3 admissions and the increases to the category 3 fees. Furthermore, the Commission launched in August 2005 a study to analyse the situation of four small schools and propose potential solutions regarding their future. The results of the study should be available in summer 2006. Subsequently, they will be widely published as called upon in Parliament's Resolution. The Commission has increased the financial resources for the SEN programme according to the needs identified by the ES. The ES themselves are responsible for enhancing the human resources as this is an educational issue. After the Commission's proposal to examine the possibility of introducing an alternative leaving certificate to the European Baccalaureate, the BoG has created a new Working Group (WG) to study this matter. The Commission is a member of this WG and will follow the matter closely.

Some requests in the Resolution (developing coefficients for SEN children and producing reliable statistics for the requirements for SEN) have a pedagogical nature and the Commission is not competent in this area. It will, however, continue to follow these issues closely and ask for information from the ES and the office of the Secretary-General of the ES.

<sup>1</sup> Communication from the Commission to the Council and the Parliament – Consultation on Options for developing the European Schools System, COM(2004) 519, 20.07.2004.

<sup>2</sup> 2004-D-94-en-1.

Regarding the establishment of ES in the new Member States, the Commission will of course examine this possibility if and when the conditions set by the BoG warrant the creation of a ES there. The Commission will produce its own report on the functioning of the ES for the European Parliament once a year. The first of these annual reports will be sent this month.

#### **2.1.4. European Parliament Resolution on integrating immigrants in Europe through schools and multilingual education**

- 1. Rapporteur:** Miguel Portas (GUE/NGL/PT)
- 2. EP reference number:** A6-0243/2005 / P6-TA-PROV(2005)0385
- 3. Date of adoption of the Resolution:** 13 October 2005
- 4. Subject:** Immigrants integration in the European Union through multilingual education for their children.
- 5. Background of the Resolution:**

Article 3 of Council Directive 77/486/EEC of 25 July 1977 on the education of the children of migrant workers<sup>1</sup> states that Member States shall, in accordance with their national circumstances and legal systems, and in cooperation with States of origin, take appropriate measures to promote, in coordination with normal education, teaching of the mother tongue and culture of the country of origin for the children of migrant workers.

The Resolution considers that Directive 77/486/EEC does not address the current problems of migrant's children education. Migration has increased significantly since 1977 and has created new challenges in terms of identity and made integration policies one of the priorities for the EU, the Member States, and regional and local authorities.

The Resolution underlines that multilingual education helps to foster integration and to combat discrimination in the EU. The Resolution highlights the Commission's policy to promote the teaching and the learning of two languages in addition to the mother tongue since a very early age.

The Resolution asks the Commission to allocate funds under the proposed integrated Life Long Learning Programme 2007-2013 with a view to providing support to:

- the setting-up of a European network of schools employing different methods to promote integration through multilingualism such as the Content and Language Integrated Learning (CLIL) method;
- specific training of teachers, including natives of immigrants' countries of origin, in different methods of promoting integration through multilingualism.

#### **6. Analysis of the text and of Parliament's requests:**

The Resolution stresses that school-age children of immigrants (including second and third generation) have a right to state education and that their entitlement extends to learning of the language of their host country, without prejudice to their right to learn their mother tongue and to familiarise themselves with the culture of their country of origin.

The Resolution makes it clear that the right to multilingual education applies to all children and teenagers living in the EU, no matter where they were born, where their parents and grandparents came from or what particular laws apply to them. The Resolution urges Member States to take

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<sup>1</sup> OJ L 199, 6.8.1977, p. 32.



measures in order to integrate immigrant children in the school system also by providing educational support when children are not proficient in the language of their host country.

The Resolution reminds the call by the Barcelona European Council (March 2002) for at least two foreign languages to be taught from the earliest possible age. It quotes Commission communications of 24 July 2003 « Promoting Language Learning and Linguistic Diversity: An Action Plan 2004-2006 » (COM(2003) 0449) and of 3 June 2003 on immigration, integration and employment (COM(2003) 0336).

The Resolution refers to the conclusions of the symposium on « The changing European classrooms – the potential of plurilingual education », held on 10 and 11 March 2005 under the auspices of the Luxembourg EU Presidency and to the fact that European institutions are seeking to capitalise on the experience in Content and Language Integrated Learning (CLIL/EMILE) method with a view to promoting integration through multilingual education.

***The Resolution notes that:***

A. Migration has increased significantly since 1977, the year of adoption of the directive establishing the right of immigrants from within the Community to be taught the language of their host country and the language and culture of their country of origin,

B. Migration has created new challenges in terms of identity and made integration policies one of the priorities for the EU, the Member States, and regional and local authorities,

C. Europe has, at different times, seen periods in which minorities have been persecuted and this chapter of European history, which, it is to be hoped, has been closed for good, highlights the importance of policies to combat discrimination in the Union area,

D. The body of decisions taken by the European institutions seeks to establish equal rights as regards education for children and teenagers living in the EU, no matter where they were born, where their parents and grandparents came from, or what particular laws might apply to them,

E. The European Council decisions of 23-24 March 2000 (whereby the number of 18-to 24-year-olds educated only up to lower secondary level is to be halved by 2010) imply that education needs to be made generally accessible to the sons and daughters of immigrants and schools have to be ready to promote their integration without any form of discrimination,

F. As well as finding it difficult to learn when their families communicate in a language other than the one used at school, the pupils concerned are often affected by material, social, and psychological circumstances that militate against normal school achievement,

G. The linguistic separation of the family and school environments aggravates the tendency for pupils to drop out of school and for families to become isolated from the community, and linguistic integration therefore needs to start early, at preschool age; the measures to be promoted to that end should enable immigrant children on the one hand to continue to develop their mother-tongue language skills – since this is crucial for their future progress at school – and secondly to learn the languages of their respective host countries,

H. Multilingual education is helping to foster understanding of differences from a cross-cultural perspective at a time when more and more young second- and third-generation immigrants are experiencing difficulties in coping with the many and varied dimensions that determine the make-up of their identity,

I. The widespread use of a lingua franca in education systems sometimes dispenses pupils from the obligation of learning their mother tongue and studying their native culture once they have started compulsory schooling,

J. The European institutions are seeking to capitalise on the experiments in Content and Language Integrated Learning (CLIL),

K. One means of translating education objectives for immigrant communities into practice might be bilateral agreements, which, however, are generally subject to severe constraints of a budgetary nature, if not related to actual political will,

L. EU action has been brought to bear mainly in the areas of teacher training, youth exchanges, and the organisation of seminars and studies; this is nowhere near the sum total of measures that could serve to develop good practice and enable it to be applied across the board.

***Stressing the role of the European Union in promoting good practice, the Resolution:***

**Point 8:** Supports the Commission's advocacy of education systems enabling pupils to learn two languages in addition to their mother tongue at an early age;

**Point 9:** Takes note of the need to make use of different methods of promoting integration through multilingualism, such as the CLIL method ("Content and Language Integrated Learning"), which is proven to be quite efficient both for learning the language and for the intercultural integration of children of different origins;

**Point 10:** Calls on the Commission to increase its support for specific training to enable teachers, including natives of immigrants' countries of origin, to specialise in different methods of promoting integration through multilingualism (e.g. CLIL or multilingual or mother-tongue literacy skills teaching), and, under the Leonardo da Vinci, Youth, and Socrates programmes (Comenius and Grundtvig projects), to widen the range of target languages to cover immigrants' mother tongues, bringing particular attention to bear on activities involving the sons and daughters of immigrants and the trainers and instructors who work with immigrant communities;

**Point 11:** Maintains that support should be channelled towards educational projects which, over and above curriculum requirements, teach the languages and cultures of host countries to immigrants not of school age and towards bridge-building projects to foster dialogue between the culture and history of host regions and the culture and history of immigrant communities; maintains also that consideration should be given especially to projects seeking to include parents or guardians as well and mothers in particular;

**Point 12:** Maintains that if the above policy is to be translated into reality, the Union must, for example, provide support with a view to setting up a European network of schools employing different methods to promote integration through multilingualism; believes that schools could apply to join the network, in agreement with the authorities of the Member States, if they wished to implement educational and community projects to meet the learning, socialisation, and cultural needs referred to above;

**Point 13:** Recommends to the Commission that, under the horizontal lifelong learning programme, the 2007-2013 budget allocations be used to further the above initiatives;

**Point 14:** Maintains that the dissemination, originating not least from the education systems of host countries, of cultural works from immigrants' countries of origin must be a focus of special Union attention, whether to further foreign policy aims and the neighbourhood strategy or under Community programmes in the spheres of culture, education, youth, or the media.

**7 Reply to these requests and outlook regarding the action that the Commission has taken or intends to take:**

A. The situation in Europe has substantially changed since the adoption of the Directive 77/486/EEC on the education of children of migrant workers. Since 1977, the number of migrant workers and the range of migrant spoken languages in the European Union have considerably increased. Often children mother tongues are not European languages and those are not included in the curriculum in the EU.

Moreover, the assumption that migrants and their children would return to their countries of origin is not valid anymore: migrants stay in the host countries. The teaching needs of migrant children are different and more complex, now covering second and third generations.

B. Commission's Communication "A Common Agenda for Integration - Framework for the Integration of Third-Country Nationals in the European Union" (COM(2005)389 final) contains Commission's first response to the invitation of the European Council to establish a coherent European framework for integration. The cornerstones of such a framework are proposals for concrete measures to put the common base principals into practice, together with a series of supportive EU mechanisms. Taking into account existing EU policy frameworks, the Communication provides new suggestions for action both at EU and national level. Member States are encouraged to strengthen their efforts with a perspective to developing comprehensive national integration strategies, while new ways of ensuring consistency between actions taken at EU and national level are being proposed.

C. Non-discrimination on the basis of membership to a national minority is one of the founding principles of the Union (see Article 6 of the Treaty on the European Union). Article 13 of the Treaty establishing the European Community constitutes the legal basis for the Community to take appropriate action to combat discrimination based, among others, on ethnic origin. Based on Article 13 the Council has namely adopted in 2000 two Directives<sup>1</sup> aiming to assure to all persons living in the EU a legal protection against discrimination.

D. Directive 2000/43/EC lays down a principle of non-discrimination on grounds of racial or ethnic origin in the field of education. This legislation applies to all persons living in Europe and confers a legal protection against unfair racial or ethnic discrimination. In addition, Directive 2000/78/EC prohibits discrimination among other things on grounds of religion or beliefs in the field of employment and vocational training.

E. With the transposition of Directives 2000/43/EC and Directive 2000/78/EC, people are now conferred legal protection against discrimination in education or vocational training on the grounds of their racial or ethnic origin or religion or beliefs. Consequently, relevant educational systems should ensure that no person is excluded on account of such personal characteristics.

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<sup>1</sup> Council Directive 2000/43/EC of 29 June 2000 implementing the principle of equal treatment between persons irrespective of racial or ethnic origin (OJ L 180 of 19.7.2000) and Council Directive 2000/78/EC of 27 November 2000 establishing a general framework for equal treatment in employment and occupation (OJ L 303 of 2.12.2000).

The detailed work programme on the objectives of education and training systems in Europe adopted by the Commission and the Council<sup>1</sup> sets out how the open method of co-ordination will be applied using European reference levels or benchmarks to meet the goals of the Lisbon Strategy (European Council of March 2000). In this context, the general objective of improving active citizenship, equal opportunities and social cohesion, covers issues such as access of immigrants and their children to education and training.

F. National, regional and local authorities bear prime responsibility for combating social exclusion and poverty. Under the Community Action Programme to combat social exclusion (2002-2006)<sup>2</sup> several studies (e.g. on housing conditions for immigrants and ethnic minorities), statistical work (e.g. the feasibility of collecting data pertaining to the specific income and living conditions of immigrants and ethnic minorities in the framework of the new EU Survey on Income and Living Conditions) and a large number of trans-national projects will be carried out on the integration of immigrants, which contribute directly to improving knowledge and promoting exchange of experience.

G. On the basis of a Commission's Communication<sup>3</sup> adopted by the Council on 5 May 2003, European benchmarks or "reference levels of European average performance" are to be achieved by 2010. Three out of the five European reference levels are particularly relevant in the context of promoting integration and employment of the immigrant population:

- the benchmark on early school leavers (EU average rate of no more than 10% of early school leavers);
- the benchmark on education attainment levels (at least 85% of 22 year-olds in the EU should have completed upper secondary school);
- the benchmark on reading literacy (the % of low achieving 15 year-olds in reading and literacy in the EU should have decreased by at least 20% compared to 2000).

H. The Commission adopted in July 2003 an Action Plan "Promote Language Learning and Linguistic Diversity – 2004-2006". In the context of the Action Plan, 45 measures will be taken at European Union level with a view to creating a more language-friendly environment. In this document, the Commission underlines that promoting linguistic diversity means actively encouraging the teaching and learning of the widest possible range of languages in schools, universities, adult education centres and enterprises. The range of languages on offer should include migrant languages.

I. In the above-mentioned Action Plan, the Commission further recommends that pupils should have a wide range of languages on offer. As a specific measure, Socrates programme's Lingua 2 action funds transnational projects for the development and dissemination of new, specific methodologies for teaching subjects through languages than "lingua franca" languages.

J. The symposium on «The changing European classrooms – the potential of plurilingual education», held on 10 and 11 March 2005 under the Luxembourg Presidency with the

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<sup>1</sup> OJ C 142, 4.6.2002.

<sup>2</sup> Decision n° 50/2002/EC of the European Parliament and of the Council of 7 December 2001 establishing a programme of Community action to encourage co-operation between Member States to combat social exclusion.

<sup>3</sup> COM(2002)629 final.

contribution of the Commission (the symposium is one of the 45 measures of the Action Plan), stressed the major contribution of the CLIL method for language learning.

In conclusions adopted by the Education Council of 24 May 2005<sup>1</sup>, it is underlined that the promotion of CLIL could lead to increasing student and workforce mobility and that a wide range of languages should be promoted as a medium for CLIL initiatives.

L. The Commission also develops good practices, for example on the occasion of the European Day of Languages. One of the measures of the Action Plan provides that the Commission will create in 2006 a web portal on the “Europa” server providing information for the general public (about languages spoken in Europe, reasons to learn languages and good practices in language learning) and for language professionals (on-line teaching resources and teacher-training modules).

### **The role of the Union in promoting good practice**

#### **Point 8:**

The Commission is to act within the powers conferred by the Treaty. Member States’ authorities bear the prime responsibility for implementing the new approach in favour of the teaching and learning of two foreign languages plus mother tongue since the earliest age.

The Action Plan “Promoting Language Learning and Linguistic Diversity – 2004-2006” is the Commission’s response to the request of Education Council (February 2002) for drawing up measures in these fields. The plan proposes a series of actions to be taken at European level with the aim of supporting actions taken by local, regional and national authorities.

The working group on languages established in the framework of the "Education and Training 2010" programme, which is composed of experts nominated by Member States, has recommended, among other things, that "*The provision for teaching regional, minority, migrant and neighbouring languages should be part of mainstream education and training policy*".

Through its funding programmes, namely Socrates and Leonardo da Vinci, the Commission finances a considerable number of language projects. For the period 2007-2013, it is planned that one of the specific objectives of the future Integrated Life Long Learning Programme should be the promotion of language learning and linguistic diversity.

#### **Point 9:**

In the Action Plan, the Commission supports CLIL as a major contribution to the Union’s language learning goals. CLIL provides exposure to the language without requiring extra time in the curriculum and can be used as a way to promote a wide range of languages including migrant languages.

#### **Point 10:**

Member States have exclusive responsibility for teacher training. They can use EU Structural Funds for that purpose, including for specific training of teachers coming from immigrants’ countries of origin.

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<sup>1</sup> EDUC 69 – 8392/05.

Through Socrates/Comenius action 1, support can be given to schools wishing to introduce a CLIL approach. In particular, extended exchanges of teachers between partner schools will be encouraged. Socrates-Comenius also supports projects for class exchanges in which pupils' foreign language skills are further improved.

EU funding programmes in the fields of education, training, culture and youth are already largely accessible to speakers of all languages including migrant languages. The new integrated Life Long Learning programme (2007-2013) will have as a specific objective the promotion of linguistic diversity.

**Point 11:**

Socrates-Grundtvig (adult education) already gives high priority to projects for the teaching and learning of foreign languages for adults, including migrant languages. Similarly, the Commission's Action Plan "Promoting Language Learning and Linguistic Diversity – 2004-2006" attaches particular importance to parents' involvement in the pupils' choice of languages. The Commission will disseminate information about the benefits of early foreign language learning and linguistic diversity and also about the criteria that should inform the choice of children's first foreign language.

**Point 12:**

Through Socrates-Comenius, the Commission funds language learning networks. In the context of the new Life Long Learning Programme (2007-2013), a transversal action is planned to support networks in the field of language learning and linguistic diversity.

A network of schools promoting CLIL or another method to promote integration through multilingualism could be supported by the programme.

**Point 13:**

The role of the Community is to encourage co-operation between Member States and cannot replace action by Member States. However, a European network of schools using CLIL or similar methods to promote integration through multilingualism could be supported by the new horizontal lifelong learning programme. Funding could also be made available on a multi-annual basis in order to allow continuity and stability.

**Point 14:**

The Culture 2000 programme encourages intercultural dialogue and exchanges between European and non-European cultures. This dimension will be reinforced in Culture 2007 programme. The Commission has also proposed to declare 2008 the European Year of Intercultural Dialogue.

**2.1.5. Education as the cornerstone of the Lisbon process**

- 1. Rapporteur:** Guy Bono (PSE/FR)
- 2. EP reference number:** A6-0245/2005 / P6-TA-PROV(2005)0384
- 3. Date of adoption of the Resolution:** 13 October 2005
- 4. Subject:** Report on education as the cornerstone of the Lisbon process
- 5. Background of the Resolution:**

In the context of the mid-term review of the Lisbon strategy, the Parliament takes the opportunity to give its views on the strengthening of the implementation of the strategy in the education field.

**6. Analysis of the text and of Parliament's requests:**

The Resolution attaches great importance to the role of education and training in the Lisbon strategy, for the creation of jobs and growth, for the promotion of social inclusion, and for the further development of the European Social model in the knowledge society and economy.

The Resolution underlines that, against the background of mixed results in terms of the indicators used to measure progress, lifelong learning must have a key role. It expresses the need for suitable funding available for education and training measures at EU level (financial perspectives) as well as at national level. It stresses the importance of implementing the Education and Training 2010 work programme. It also underlines the need to support specific target groups such as young apprentices and job-seekers in order to improve their access to education and training and the labour market.

It requests in particular to:

- 1) implement the 'Education and Training 2010' work programme (addressed to Member States);
- 2) focus on target groups such as young people, job-seekers and those in search of training;
- 3) reduce administrative obstacles in order to speed up the mobility of students, trainees, workers and their families and researchers as well as the mutual recognition of qualifications and to ensure access to education and training for underprivileged young people;
- 4) take suitable measures to reduce the high number of young people leaving school prematurely (addressed to Member States);
- 5) launch an information campaign to promote technical trades and remedy their often negative social image;
- 6) create a pilot project aimed at framing an Erasmus-type programme for apprentices;

- 7) take appropriate measures to ensure a 15% increase in the number of science graduates between now and 2010 while at the same time correcting the imbalance between men and women;
  - 8) increase the number of teachers and to put in place initial and continuous teacher training;
  - 9) make a major effort to reach the objective of teaching everyone at least two foreign languages;
  - 10) strengthen the open method of coordination and the exchange of good practice in the field of education and training;
  - 11) boost the capacity for statistical analysis in the field of lifelong training;
  - 12) guarantee sufficient methods of funding for the new integrated action programme;
  - 13) provide an appropriate budgetary allocation in the next financial perspective for all measures relating to lifelong education and training;
  - 14) ensure that their national Lisbon programmes contain a detailed account of the measures planned to raise educational performance (addressed to Member States);
  - 15) support the crucial role of universities in creating and spreading knowledge and urges that their importance be reinforced by strengthening synergies.
- 7. Reply to these requests and outlook regarding the action that the Commission has taken or intends to take:**

Actions being implemented or planned in relation to these 15 points:

- 1) The Commission adopted on 9 November 2005 its contribution to the 2006 Draft Joint Report on progress made in the implementation of the “Education and Training 2010” work programme, based on reports provided by the Member States. Adoption by the Council is foreseen for February 2006.
- 2) These are important target groups whose needs should be addressed, in particular, in the framework of the implementation of the European Youth Pact and the Copenhagen declaration. The guiding principle of the “Education and Training 2010” work programme being lifelong learning, the aim is however to improve skills and competences at all age levels, and in particular for the less-advantaged groups, as underlined in the 2004 Joint Interim Report. The Commission adopted on 9 November 2005 a draft recommendation on key competences for lifelong learning.
- 3) The Commission adopted on 23 September 2005 a Draft Recommendation for a Quality Charter for educational mobility. The new Directive on the Recognition of professional qualification for regulated professions and the planned European Qualifications Framework (currently in a consultation phase) will help to improve the recognition and the transfer of qualifications. The Commission plans to present a Communication on the equity and efficiency of education and training systems in 2006.



- 4) This is indeed one of the five adopted *benchmarks* where insufficient progress is being made as underlined in the Commission draft 2006 Joint Report on the implementation of the Education & Training 2010 work programme. A lack of progress is also noted in relation to two other *benchmark* areas which are also crucial for the participation in the knowledge society (completion of upper-secondary education and reading competences of the 15-year olds). These are aspects which are closely monitored by the Commission in its annual report on indicators and benchmarks and which are a priority in the biennial reporting on the implementation of the work programme.
- 5) One of the objectives of the Maastricht Communiqué adopted by Ministers in charge of vocational education and training (VET), the social partners and the Commission in December 2004 is to improve the image and attractiveness of the vocational route for employers and individuals, in order to increase participation in VET. This is also an aspect which is closely followed up by the Commission through the biennial reporting on the implementation of the E&T 2010 work programme.
- 6) The Commission intends to promote the mobility of apprentices and other young people in initial vocational training under the new integrated “Lifelong learning” programme. Concerning the new budget heading “Pilot projects: Erasmus-style programme for apprentices”, studies divided into five separate and complementary strands are planned. The first strand involves a study of the obstacles to apprentice mobility, particularly those stemming from the status of apprentices, in order to identify them clearly and put forward solutions. The second strand relates essentially to devising a credit system tailored to the needs of the users, i.e. primarily apprentices, whereby units can be accumulated and transferred. These studies have been launched in 2005 and will continue throughout 2006.
- 7) Based on the 2004 Eurostat figures, the quantitative objective concerning the increase in the number of MST graduates is already reached by the Union. There are improvements in the correction of the imbalance between men and women but further progress is needed in this respect.
- 8) The Commission plans to propose a Draft Recommendation on the quality of teacher education in the first quarter of 2006.
- 9) Languages will be an important part of the new lifelong learning programme, and the Commission has proposed a programme objective to support the learning of a second foreign language in schools. The Commission adopted a Communication on a European Indicator of Language Competence on 1 August 2005 (COM(2005)356).
- 10) In the framework of the implementation of the “Education and Training 2010” work programme, the Commission is supporting the development of clusters of Member States sharing common concerns and priorities for reforms. These clusters are organising concrete peer learning activities in key areas of the E&T 2010 work programme. The intention of the Commission is to further strengthen such a programme of peer learning activities.
- 11) Following the adoption of Council conclusions on the development of new indicators in May 2005, the Commission plans to come forward with a Communication on establishing a coherent framework of indicators and benchmarks in the field of education and training following up the Lisbon Objectives in 2006.

- 12) In the discussions on the new integrated lifelong learning programme, the European Parliament has supported the Commission's efforts for simplification of the administrative processes. Speeding up processes in order to reduce the time taken to inform applicants whether they have been successful are important points for the Commission also in its discussion with the Council.
- 13) The integrated lifelong learning programme is important for bringing the EU closer to the citizens and for advancing the Lisbon goals. It will be important that the final budgetary envelope for the programme is close to the level proposed by the Commission.
- 14) National Lisbon reform programmes should reflect the national reports on progress made in the implementation of the Education and Training 2010 work programme.
- 15) The Commission adopted in April 2005 a Communication on enabling higher education to make its full contribution to the Lisbon Strategy which identifies the attractiveness, governance and funding issues as priority areas for action.

## **2.2. Non-legislative reports adopted in response to a Commission Communication**

### **2.2.1. Socio-economic background of Erasmus students**

- 1. Rapporteur:** Christopher Heaton Harris
- 2. EP No:** A5-0199/2000
- 3. Date of adoption of the report:** 6.09.2000
- 4. Subject:**

European Parliament resolution on the report from the Commission – ‘Survey into the socio-economic background of Erasmus students’ COM (2000) 4 – C5-0146/2000 – 2000/2089(COS)

**5. Competent parliamentary committee:**

Committee on Culture, Youth, Education, the Media and Sport

**6. Background of the resolution:**

In the framework of the negotiations for a budget revision of the first phase of the SOCRATES programme in 1998, the European Parliament called on the Commission for a report on the economic and social situation of the students that benefit from an Erasmus mobility grant.

This report, finalised in January 2000, was based on the results of a survey carried out among more than 20,000 students that participated in Erasmus during the academic year 1997/1998 and on complementary statistics from DG EAC and from Eurostat. For the preparation of the report the Commission was assisted by a directive committee consisting of representatives from the Member State authorities, higher education institutions and students.

**7. Analysis of the text and of Parliament’s requests:**

The European Parliament welcomed the high quality of the Commission report and the fact that 90 % of the Erasmus students were very satisfied with the period they spent abroad, both from the educational and the socio-cultural point of view. In order to further promote socio-economic diversity of Erasmus students, the European Parliament called on the Commission to:

- establish administrative structures to obtain qualitative and quantitative information on Erasmus;
- submit a report on the reasons why many students do not participate in Erasmus;
- take the socio-economic factor better into account in the grant allocation to students;
- organise targeted information campaigns involving student organisations;
- launch a public debate on how Erasmus students could represent a broader spectrum of cultural backgrounds;
- set up Web based consultation for Erasmus students with "helplines" or counsellors, the rights and obligations of the Erasmus students (including university engagement);

- promote other forms of indirect financing, such as loan systems, reduction in travel and housing costs;
- implement targeted information and promotion structures to promote mobility.

**8. Reply to these requests and the outlook regarding actions that the Commission has taken or intends to take:**

The Commission is engaged in ongoing work to improve the socio-economic situation of the Erasmus students. Some actions requested by the European Parliament have been undertaken by the Commission, among these to explore the possibilities to set up a loan system to support student mobility – contacts have been taken with the European Investment Bank, a feasibility study has been made and a consultant will be engaged for further exploration. Targeted information on the web for students has been improved, in addition to the elaboration of a new database and search engines.

- The Commission is improving the informatics system of information flows by setting up databases on both quantitative and qualitative statistics on student mobility. Databases are also set up on student reports. Final implementation will be done during the 2001/2002 academic year.
- Due to lack of resources it has not been possible to realise a study on the reasons why many students do not participate in Erasmus. However, the obstacles on mobility have been discussed in working groups in the Sub Committee on Higher Education and in formal meetings with the SOCRATES/ERASMUS National Agencies.
- The Commission is insisting on the socio-economic factor in the assessment of the National Action Plans on mobility as well as in discussions with the National Agencies in the meetings with National Agencies.
- Socrates on the Move II has been launched after a successful first round, involving the major student associations in Europe.
- Due to insufficient resources, the Commission has not launched a public debate on the cultural background of Erasmus student. However, the Commission has started planning a major conference or promotion event in favour of mobility in relation to the “One million Erasmus student celebration” (academic year 2001/2002 or 2002/2003 statistically).
- A new web site for Erasmus students and teachers is under development for the Europa server. Links are included to information on rights and obligations, on recognition and on institutional engagements.
- A feasibility study has been finalised on the possible set up of a European student loan system for mobility. Further to discussions with the Sub Committee on Higher Education, the Commission will study the legal and institutional aspects of this initiative further and engage an expert consultant to study the current student loan systems at national level. Provisional contacts have been established with the EIB, which is in principle agreeable to continued discussions with the Commission on this concept as a way of promoting investment in human capital development.
- The Commission is working on the implementation of a European Gateway, a portal for mobility with several targeted information tools and data banks. As a first step a feasibility

Follow-up of non-legislative resolutions  
study has been launched to study a European search engine on learning opportunities  
(including higher education course offers).

## **2.2.2. European Year of Lifelong Learning (1996)**

- 1. Rapporteur :** Cristina Gutierrez Cortines
- 2. EP No:** A5-0200/2000
- 3. Date of adoption of the report:** 8.9.2000
- 4. Subject:**

European Parliament resolution on the Commission report to the Council, the European Parliament, the Economic and Social Committee and the Committee of the Regions on the implementation, results and overall assessment of the European Year of Lifelong Learning (1996) submitted pursuant to Article 8 of European Parliament and Council Decision 2493/95/EC (COM(1999) 447 - C5-0205/1999 - 1999/2163(COS))

### **5. Competent parliamentary committee:**

Culture, Youth, Education, the Media and Sport (Committee on Employment and Social Affairs associated)

### **6. Background of the resolution:**

Under the decision of the Parliament and the Council establishing 1996 as the European Year of Lifelong Learning, the Commission was required to report to the Parliament, the Council, the Economic and Social Committee and the Committee of the Regions on the implementation, results and overall assessment of the Year. The resolution sets out the Parliament's reactions to that report.

### **7. Analysis of the text and of Parliament's requests:**

The remarks and requests in the resolution can be grouped under two main headings: the role of lifelong learning (LLL) and the lessons to be learnt regarding the administration and evaluation of initiatives such as the European Year.

Regarding the role of lifelong learning the resolution stresses the need for a balanced view of LLL, reconciling labour-market and competitiveness aspects with issues of personal development, citizenship and social cohesion, and invites the Commission to define the concept in greater detail. It also calls on the Commission and the Member States to promote better linkages between education and training systems and to help to identify key skills.

Regarding the administrative and evaluation questions, the resolution invites the Commission to accelerate its internal procedures so as to avoid delays in the effective launching of initiatives and programmes; to give more detailed guidance for potential project promoters; to establish a compendium of projects and disseminate information on good practice throughout Europe; and to improve its evaluation reports by including more qualitative information and descriptions of good practice.

**8. Reply to these requests and outlook regarding the action that the Commission has taken or intends to take:**

A number of initiatives taken by the Commission as part of the “follow-up to Lisbon” represent a substantial response to many of the issues of substance raised in the resolution. Regarding lifelong learning in particular, the Commission’s *Memorandum on Lifelong Learning* (October 2000) is generating a profound and structured debate across the whole European Union and the associated and European economic area countries on the meaning of lifelong learning and its application to particular situations. This debate involves both public bodies at national and regional level and bodies representative of the social partners and civil society. The objective is to develop a Community policy on LLL and to help the Member States and other key actors to develop coherent strategies to make it a reality. This wide-ranging consultation process, which includes collection and dissemination of examples of good practice, will be completed in the coming weeks. Its results will be summarised in a communication which the Commission will issue later this year accompanied by a draft Plan of Action at Community and Member State level. Some of the issues identified in the resolution are also dealt with in the *Report on the concrete objectives of education and training systems*, which was adopted by the Education Council in May 2001, and in the follow-up report which the Commission is preparing for the European Council in spring 2002.

Collection and dissemination of comparable data and of examples of good practice has continued on several fronts. Eurydice and Cedefop published a report in 2000, updated by a second publication in 2001, on national actions to implement LLL in Europe. Within the framework of the open method of co-ordination, several expert groups have been set up such as the expert group on quality indicators of LLL which will be developed and maintained as part of the Luxembourg process. An analysis of adult education projects in the Socrates programme (1995-1999) has been carried out and the results published in May 2001. Cases of particularly good practice identified in this analysis will be disseminated widely throughout the EU.

With regard to the procedural or technical issues raised in the resolution, it should be recalled that the decision on the 1996 the European Year was one of the first legal texts adopted under co-decision. The Commission is endeavouring to ensure that measures adopted under that procedure are put into effect as quickly as possible after their adoption, but would remind readers that there are limits to the preparatory action which it can take while the legislature is still deliberating on the legal basis. We are also constantly seeking to improve the guidance given to prospective applicants, and the call for projects for the current European Year of Languages took account of the comments made in the resolution. We are also developing a more systematic culture of evaluation, and this is reflected for example in the preparations already being made for the evaluation of the Year of Languages, as well as in the evaluation arrangements currently under discussion on the second phase of the major Community programmes in the education and training field.

### 2.2.3. Teaching and learning – Towards the learning society

1. **Rapporteur:** Roy Perry
2. **EP No:** A5-0302/2000
3. **Date of adoption of the report:** 15 May 2001
4. **Subject:**

European Parliament resolution on the Commission report: Implementation of the White Paper “Teaching and learning – Towards the learning society” (COM(1999) 750 – C5-0145/2000 – 2000/2088(COS))

5. **Competent Parliamentary Committee:**

Culture, Youth, Education, the Media and Sport.

6. **Background to the resolution:**

The Commission’s White Paper on education and training: “Teaching and learning – Towards the learning society”.

7. **Analysis of the text and of Parliament’s requests:**

In recital F, Parliament expressly calls for a connection between the implementation of the White Paper and lifelong learning. In **point 3**, Parliament regrets that the Commission’s interim report does not take into account the contribution of the ESF to lifelong learning and provides no information about progress made regarding the incorporation of lifelong learning into policies and practice at Member State and regional government level.

In **point 7**, Parliament emphasises that information-technology skills must not be a one-off affair, but must be updated, in particular when such training concerns trainers and teachers.

In **points 10, 11 and 12**, Parliament supports the measures taken under Objective III to combat social exclusion, but requests further data to demonstrate their "European added value". It also calls on the Commission to provide further details on the funding of the Second Chance Schools, whilst emphasising that the Second Chance Schools should assist the reintegration of young people into mainstream education.

In **point 13**, Parliament reiterates its conviction that language learning is important as a practical competence as well as a means of accessing cultures. Parliament considers that the Member States should attach a higher priority to language learning in their education systems. In **point 14**, it requests information on the number of projects targeting the least widely used and taught languages for which funding has been requested, and the number funded.

In **point 14**, Parliament asks the Commission to provide businesses with advice concerning Objective V (treating capital investment and investment in training on an equal basis).

In **point 17**, Parliament calls for an examination of the exchange of information between guidance services, which should make it easier for citizens to be informed and take advantage of career opportunities in various Member States.



In **point 20**, Parliament stresses how important education and training are in securing work and social inclusion for disadvantaged persons.

In **point 26**, Parliament calls for a removal of obstacles hindering the recognition of educational qualifications.

**8. Reply to these requests and outlook regarding the action that the Commission has taken or intends to take:**

In response to **point 3, third indent**, the Commission wishes to point out that the Memorandum on Lifelong Learning has given rise to discussions in the Member States on how to go about achieving the Europe of knowledge. The national responses to the six key messages of the Memorandum, currently being examined by the Commission departments, indicate that lifelong learning is now deemed vital to the political and social dimensions of integration in Europe. The national responses will provide a basis for the action plan which the Commission intends to present in autumn 2001.

In response to **points 10, 11, 12 and 20**, the Commission can inform the European Parliament as follows, regarding the progress achieved with the setting up of the "Second Chance Schools" pilot projects within the framework of Objective III of the White Paper:

1. The Commission has undertaken an external evaluation of the "Second Chance Schools" pilot projects and has published its (generally positive) results on the Internet (<[http://europa.eu.int/comm/education/2chance/evaluation\\_en.html](http://europa.eu.int/comm/education/2chance/evaluation_en.html)>).
2. On the basis of the findings, the Commission has adopted a final report on these projects; it organised a European conference on 10-11 May 2001 to disseminate the results, in which the European Parliament participated. The final report of the Commission as well as the proceedings of this conference have been published on the Internet (<<http://europa.eu.int/comm/education/2chance/homeen.html>>). The European Parliament will soon receive the hard copy of the Commission's final report.
3. The purpose of the Second Chance School was to lead young people at risk of social exclusion back towards employment and integration into society. The target group of these pilot projects were young people who have passed the age of compulsory education. This minimum age was set in order not to dilute the message that mainstream education remains responsible for those young people who still come under the schooling obligation. Depending on the national institutional arrangements, some of the Second Chance School pupils could be led back to mainstream education, but for most of the participants this was no longer an option. The purpose of the Second Chance Schools was to provide opportunities for the acquisition of skills and qualifications by young people who had effectively dropped out of education and who could no longer turn back.
4. Based on the results of the external evaluation, the following figures demonstrate the relative success of the 13 pilot projects, launched over the course of four years from 1996 to 2000. Total numbers of pupils integrated: 3 503; total still following courses: 1 936 (55 %); total who have completed: 959 (27 %); total who have been redirected to other education and training courses: 390 (11 %); total who have dropped out without completing: 218 (6 %). The retainment rate of 94 % of the pupils is high compared to other national schemes dealing with the same target group, where drop-out rates tend to vary between 25 and 50 %.

5. Indicative calculations demonstrate that the cost per pupil in a Second Chance School is €7 901, compared with €4 696 in mainstream secondary education. Second Chance Schools mobilise important educational resources. It is estimated that they have a ratio of 5.9 pupils per teacher/tutor (between 12.1 and 14.5 in mainstream secondary) and 3.9 pupils per computer ( 27.7 in mainstream).
6. The Commission believes that the higher investment is justified by the good results of a retainment of 94 % of the pupils. The funding for Second Chance Schools comes from a variety of sources, mainly local and national. Only two schools have more than 50 % from European sources. In four others, more than half comes from national sources, in three it is local. The final report provides more detail on the sources of funding.
7. The Commission believes that the European dimension has played an important role in the success of the scheme, offering a platform for joint learning between the projects. It has also been a motivating element for the teachers and pupils, who often come from very deprived backgrounds in which Europe is a distant concept.

Concerning **point 13**, the Commission would like to give some further information on the figures resulting from an opinion poll, namely: that it is not aware of any Eurostat survey in this field. However, in December 2000, in the context of the European Year of Languages 2001, the Commission ordered a ‘Eurobarometer’ opinion survey amongst a representative sample of European citizens (<<http://europa.eu.int/comm/education/languages.html>>). This showed, *inter alia*, that 53% of respondents can speak at least one language in addition to their mother tongue (and that 26% can speak two other languages). The differences amongst the different age groups are as follows:

Age group	15 - 24	25 - 39	40 - 54	55 +
Percentage speaking at least one other language	78 %	64 %	52 %	31 %

The report published by the European Eurydice Unit in February 2001, ‘Foreign Language Teaching in Schools in Europe’ (ISBN 2-87116-311-1) shows that, in most countries, for pupils aged 16, the percentage of school time allocated to foreign language teaching ranges from 10% to 26%, which is higher than or equal to the amount of time allocated to either mathematics or the mother tongue.

Data published by Eurostat (‘Foreign Language Teaching in Schools in Europe’, ISSN 1024-4352, April 2001) shows that on average across the European Union, half of children in primary school learn a foreign language, and that the mean number of languages learned in secondary school is 1.3. Over 41% of the Union’s primary, and over 90% of secondary, pupils are studying English.

Concerning **point 14**, the Commission can provide some additional information. An analysis of the figures on the action under Socrates/Lingua, aiming at the development of tools for language learning and for the evaluation of language competencies, shows that the less widely used and taught languages are well represented (more details can be found in the annexed tables).

The Commission would also like to draw attention to the European Year of Languages 2001, organised in cooperation with the Council of Europe, which seeks to raise awareness about linguistic and cultural diversity, to encourage plurilingualism and to promote lifelong language

learning. Equally, it is important to mention that several research projects have been launched to promote the use of ICT for language learning.

The European Year involves the organisation of a Europe-wide information campaign, as well as the funding of a number of projects. The initiative targets all languages. Although the activities are not meant to be language-specific, many do target the less widely used and taught languages.

The material produced in the context of the European Year has been disseminated very widely. Specific mention should be made of the Guide for Language Learners, of which 500 000 copies has been produced and which covers the reasons for learning different languages as well as possible approaches to learning languages (see annex).

**In response to points 3, 7, 14, 17 and 26**, the Commission can inform the European Parliament that the Commission Staff Working Paper “Memorandum on Lifelong Learning” [SEC(2000) 1832] deals with those issues indicated below. The Memorandum was followed by wide consultation among policy makers, the social partners and civil society, at both Community and national level.

The contributions stemming from this consultation process are being analysed and will form the basis of an Action Plan on Lifelong Learning, whereby the Commission will deal with the above-mentioned points by proposing concrete measures at all levels to implement lifelong learning.

Other activities and projects carried out by the Commission concern, in particular, **point 17**.

More specifically, the Commission can inform the European Parliament that:

1. In section 2, “Lifelong learning – time to take action”, the Memorandum constitutes a further element in a consistent series of policy papers leading towards lifelong learning, including the 1995 White Paper and the European Year of Lifelong Learning. The Memorandum and the future Action Plan ensure the connection between the implementation of the White Paper and lifelong learning advocated by Parliament.
2. The contribution of the ESF to lifelong learning is taken into full account in the Memorandum, in particular in section 5, “Mobilising resources for lifelong learning”, and expressly mentions the opportunity for stronger links between Youth, Socrates, Leonardo da Vinci and EQUAL on the one hand, and the Structural Funds on the other. The ESF Committee has discussed the Memorandum and adopted an opinion on it.
3. The incorporation of lifelong learning into policies and practice at Member State and regional government level is an issue dealt with throughout the Memorandum. In particular, Key Message 6: Bringing learning closer to home, stresses the importance of regional and local involvement, through inclusive partnerships, in making lifelong learning a reality.
4. The crucial role of ICT skills is frequently addressed (in particular, Key Message 1: New basic skills for all). ICTs are also considered very important for their learning potential (in particular, Key Message 3: Innovation in teaching and learning, and Key Message 6: Bringing learning closer to home). Avoiding creating a “digital divide”, through equal access to ICT skills for all citizens, is one important objective mentioned in the Memorandum.

5. The importance of investment in training is specifically dealt with under Key Message 2: More investment in human resources, where examples of actions are given. Under this message, the Memorandum also discusses how to create incentives for individuals' and enterprises' investment in learning, and how to provide time for learning through flexible organisation of work.
6. Key Message 5: Rethinking guidance and counselling, examines the need to provide citizens with easy access to good quality information and advice throughout Europe and throughout their lives.

Concerning this issue, the Commission can also inform the European Parliament that:

- exchange of information towards a European dimension in counselling is the main aim of a network of resource centres for vocational guidance (the Euroguidance network) funded within the Leonardo da Vinci programme, and will be the purpose of a joint action project in collaboration with the Socrates and Youth programmes;
  - a European portal on learning opportunities is being developed, that will be part and parcel of the one-stop European mobility information site, aimed at providing citizens with access to information on learning and career opportunities throughout Europe.
7. The need to improve recognition is addressed in Key Message 4: Valuing learning, which tackles the broader issue of recognising learning in all its forms: educational and vocational formal learning, as well as non-formal learning.

***Comparisons regarding the number of applications for projects covering the least widely used and taught languages***

The two tables below contain figures in respect of the Socrates / Lingua D Action for the years 1996 to 2000, during which the least widely used and taught languages constituted a clear priority, geared to developing language teaching and learning materials.

**Socrates Lingua D: Projects submitted**

Total number of projects submitted					Number of projects targeting the least widely used languages					% of projects targeting the least widely used languages in relation to the total projects submitted				
1996	1997	1998	1999	2000	1996	1997	1998	1999	2000	1996	1997	1998	1999	2000
111	93	76	95	50	31	39	33	40	29	<b>28%</b>	<b>42%</b>	<b>43%</b>	<b>42%</b>	<b>58%</b>

The above percentages indicate a fairly steady rise in applications targeting the least widely used and taught languages.

**Socrates Lingua D: Projects accepted**

Total number of projects accepted					Number of projects targeting the least widely used languages					% of projects targeting the least widely used languages in relation to the total projects accepted				
1996	1997	1998	1999	2000	1996	1997	1998	1999	2000	1996	1997	1998	1999	2000
43	41	31	41	31	35	18	16	23	20	<b>81%</b>	<b>44%</b>	<b>52%</b>	<b>56%</b>	<b>65%</b>

As regards applications accepted, the rate for the least widely used and taught languages varies between 44% and 81% of the total projects accepted.

#### **2.2.4. New technologies for education and training**

- 1. Reporter:** Alexandros Alavanos
- 2. EP No:** A5-0299/2000
- 3. Date of adoption of the resolution:** 15.05.2001
- 4. Subject:**

"Designing tomorrow's education, promoting innovation with new technologies" COM(2000) 23 - C5 - 0147/2000 - 2000/2090(COS)

**5. Competent Parliamentary Committee:**

Committee on Culture, Youth, Education, Media and Sport

**6. Background of the resolution:**

In the framework of the Action Plan eLearning in the Information Society (COM (1996)471) the Commission was asked to produce a report on the situation of new technologies for education and training in the European Union.

This report, finalised in December 1999, identified some major points of concern such as the lack of adequate equipment in schools, the lack of adequate training for teachers, and a generalised deficit in matters of technological innovation. It concluded on the need for co-ordinated and sustained action, in co-operation with Member States and with European stakeholders in education and training.

**7. Analysis of the text and of Parliament's requests:**

The Parliament welcomed the Commission's report and the subsequent eLearning initiative, took note of the main problems identified by the report, and urged further action and the extension of these considerations and measures into the areas of adult education and informal learning.

In order to develop action in this field further, the European Parliament called upon the Commission to:

- support measures to provide access to ICT to all pupils, inside and outside schools
- encourage exchange of information and knowledge
- pay particular attention to special education needs
- support and reinforce Member States' actions in the field, respecting the principle of subsidiarity
- draft an action plan.

**8. Reply to these requests and outlook regarding the action that the Commission has taken or intends to take:**

The Commission welcomes the Parliament's report, which fully endorses its work on the promotion of the use of new technologies to improve the quality of European education systems and to improve social cohesion and equality of opportunity.

All the recommendations and proposals of the European Parliament have been taken into account in the eEurope and eLearning Action Plans, which have effectively extended the measures and proposals of the report to all levels and types of education and training, and to the establishment of better links between education and culture in the field of new technologies.

In the framework of the eEurope benchmarking, a set of indicators in relation to the action line "youth in the digital age". Two Eurobarometer surveys were carried out in this context between February and May 2001. The main aim of *Eurobarometer Flash 101* was to determine the level and quality of computer equipment and Internet connections in EU schools. The survey focused exclusively on computers actually used for education. As for *Eurobarometer Flash 102*, it aimed to determine the main usages teachers make of computers and the Internet, and their degree of familiarity. The results are available on the eEurope Web site (<[europa.eu.int/europe](http://europa.eu.int/europe)>) and will be the object of a Commission staff working document. The survey will be repeated on a yearly basis.

Research projects have been launched within the FP5 – IST Programme - to ensure educational resources on the Internet, building new and advanced e-learning platforms, collecting best practices and multilingual digital learning materials. These projects cover systems, services and applications for schools, universities and training settings (including lifelong and non-formal learning). Several projects are related to people with special educational needs.

An Open Consultation process has been launched inviting all actors and stakeholders in the field of learning technologies and applications (organisations, networks, companies, universities, individuals, etc.) to contribute to the definition of the priorities of e-learning in the FP6 by presenting their visions, ideas, recommendations on strategies and content.

### **2.2.5. eLearning - Designing tomorrow's education**

- 1. Rapporteur:** Mario Mauro
- 2. EP No:** A5-0152/2001
- 3. Date of adoption of the resolution:** 15.05.2001
- 4. Subject:**

Integration of new technologies in education and training [COM(2000)318 - C5-0741/2000 et COM(2001)172 - C5-0151/2001 - 2000/2337(COS)]

**5. Competent Parliamentary Committee:**

Committee on Culture, Youth, Education, Media and Sport.

**6. Background of the resolution:**

The report "Designing tomorrow's education" (COM(2000)23) concluded on the need for sustained and co-ordinated action on this subject. The report of the European Parliament called upon the Commission to draft an action plan to make the best possible use of public investment in ICT. The Council of Lisbon called for a joint effort of European Institutions and Member States for the adaptation of education systems to the knowledge society.

**7. Analysis of the text and of Parliament's requests:**

The European Parliament has carried out a detailed analysis of the Commission's eLearning initiative, and of the Action Plan developing it. This analysis has also taken into account the global political and economic context, and the new dynamic for open co-operation in the European Union triggered by the Lisbon European Council.

The report calls on the Commission, the Council and Member States, to take into account the following requirements:

- providing generalised access for all citizens to the skills and competences required for living, for working and for personal fulfilment in the information society
- going beyond simple technological considerations in order to provide quality content and adequate training
- acting energetically against the digital divide and in favour of disadvantaged groups
- adopting priority measures aiming at reducing the technological development deficit in the EU and in candidate countries
- promoting collaboration between the public and the private sectors.



## 8. Reply to these requests and overview regarding the action that the Commission has taken or intends to take

The Commission has effectively launched, with the adoption of the eLearning Action Plan, an ambitious European policy for the development of quality contents and services, adapted to education and training needs;

- the establishment of the fora required for effective co-operation between education and industry;
- the integration of new technologies in schools' programmes;
- the support of European networks, such as the European Schoolnet;
- the effective implementation of the eLearning initiative, making use of all existing programmes and instruments;
- the promotion, together with the Member States, of quality standards and of general evaluation rules;
- the establishment of indicators for the monitoring of the eLearning initiative;
- the encouragement of public-private partnerships for bridging the digital divide;
- the development of virtual campuses and the networking of schools, universities and learning centres;
- the launching of research projects for the development of new e-learning systems and applications for schools, universities, training settings and lifelong learning in general, addressing pedagogical, socio-economic and technological dimension of new ICT-mediated approaches and including the support to the dissemination of best practices and research results.

Furthermore, in the framework of the eEurope benchmarking, a set of indicators in relation to the action line “youth in the digital age”. Two Eurobarometer surveys were carried out in this context between February and May 2001. The main aim of *Eurobarometer Flash 101* was to determine the level and quality of computer equipment and Internet connections in EU schools. The survey focused exclusively on computers actually used for education. As for *Eurobarometer Flash 102*, it aimed to determine the main usages teachers make of computers and the Internet, and their degree of familiarity. The results are available on the eEurope Web site (<[europa.eu.int/eeurope](http://europa.eu.int/eeurope)>) and will be the object of a Commission staff working document. The surveys will be repeated on a yearly basis.

**2.2.6. Detailed work programme for the follow-up of the report on the concrete objectives of education and training systems**

1. **Rapporteur:** Maria Martens
2. **PE No:** A5-0017/2002
3. **Date of adoption:** 6 February 2002
4. **Subject:**

Report on the Commission Communication on the draft detailed work programme for the follow-up of the report on the concrete objectives of education and training systems (COM(2001) 501 – C5-0601/2001 – 2001/2251(COS))

**5. Parliamentary Committee responsible:**

Committee on Culture, Youth, Education, the Media and Sport

**6. Background:**

The Resolution was adopted by the European Parliament a few days before the joint adoption of the "Detailed work programme for the follow-up of the report on the concrete objectives of education and training systems" by the (Education) Council and the Commission on 14 February 2002.

The comments made in the Resolution relate to the preparatory work undertaken at the request of the Stockholm European Council of May 2001, which adopted the report on the "concrete future objectives of education and training systems" and called for a work programme to be drawn up for the implementation of this report.

The Commission would like to point out that when the European Parliament adopted the Resolution, there had not yet been any proper experience in the actual use of the "open method of coordination" in the field of education and training, as the "Detailed work programme for the follow-up of the report on the concrete objectives of education and training systems" was its first application.

**7. Analysis of the text and of Parliament's requests:**

***Parliament:***

1. regrets that it was unable to comment on the original Commission report on 'The concrete future objective of education systems'; and that it has, therefore, in effect been invited to comment on detailed proposals for the implementation of a more general plan the content of which it was unable to influence;
2. calls on the Commission to negotiate an interinstitutional agreement with Parliament with a view to the latter's full involvement in the open coordination method;

9. calls on the Commission to supplement the indicators for Objective 1.2 (developing skills for the knowledge-based society) with an assessment of the learning levels attained;
- 10-11. calls for measures to be taken to increase the numbers of young people of both sexes choosing the field of science and technology, and highlights the importance of these subjects in achieving the Lisbon objectives;
13. urges the Commission to bear in mind that, in the interests of improved labour mobility across the Union, careers and vocational guidance programmes should inform students of the opportunities presented within the Union for the free movement of labour;
14. calls on the Commission to develop indicators for educational objectives such as awareness of citizenship, social skills and cultural understanding;
15. calls on the Commission to develop and promote education for active citizenship;
16. calls for the inclusion of a mobility indicator to measure the scale of contact between schools, pupils and students in different countries and also within Community programmes;
17. urges the Commission to provide greater incentives to promote mobility among teachers who are native speakers;
18. calls on the Commission to keep Parliament, those involved in the educational sector and the social partners fully informed about the advice offered by, and discussions within, the working group and sub-groups of experts referred to in paragraphs 69-72 of the Communication by making public the minutes of the meetings of these groups;
19. calls on the Commission to ensure that the views of those involved in the education and training sector, including teachers, and of the social partners at European level are incorporated in the work of the Commission.

**8. Reply to these requests and action which the Commission has taken or intends to take:**

The Commission has taken note of the support expressed by the European Parliament for the "Detailed work programme on the objectives of education and training systems", both in terms of its intentions and in terms of the actions it has planned. It also notes that all of the points mentioned in the report are being monitored as part of the implementation of the detailed work programme on the concrete objectives of education and training systems and the Communication on lifelong learning. Most of the activities are covered by the eight thematic monitoring groups, which were set up (or are in the final stages of being set up) to pursue the 13 objectives, and by the working group on indicators and benchmarks, which has been operational since July 2002.

**Educational objectives (points 14 and 15)**

Like the European Parliament's report, the work programme on the objectives adopted jointly by the (Education) Council and the Commission strongly emphasises the importance of not confining education to professional aspects and instead developing the social and personal aspects and awareness of citizenship. So there is agreement on this point. The Commission believes it must be possible on this basis to highlight the attention given to aspects related to employability and entry into the knowledge-based economy – and thus the knowledge-based

society – without needing to systematically point out that employability is not education's only goal. These broader aspects, including those related to citizenship, are covered in particular by the monitoring group for Objectives 2.1 and 2.3.

### **European Parliament involvement in the open method of coordination (points 1 and 2)**

This question is raised in particular in points 1 and 2 of the report. Application of the open method of coordination has not been strictly introduced into interinstitutional procedures. In the areas of education, training and culture, the Commission attaches great importance to providing Parliament with regular information, as seen in the addresses given by Mrs Reding, the Director-General of DG EAC and the Director in charge of education. In any event, as Mrs Reding announced at a meeting of the European Parliament's Committee on Culture on 28 November, the Commission will forward to the European Parliament the documents drawn up using the open method of coordination.

In this regard, the Commission stresses that a strategic evaluation of the open method of coordination was launched by the Secretary-General following the Annual Strategy Policy decision for 2003. It will relate to all sectors in which the method is applied and should in particular allow an examination of the opportunities for organised dialogue with Parliament and civil society.

### **Involvement of civil society (points 18 and 19)**

The Commission shares Parliament's views regarding the part which teachers, the educational community and civil society will play in the success of the Objectives process as a whole. At European level, a series of meetings is to be held for each of the eight sets of objectives, and one of these meetings (which may be held in any Member State interested in hosting it) is to include the principal stakeholders. In addition, the Commission has invited all participating countries to hold national or regional information meetings at the end of 2002 or beginning of 2003, not only to disseminate information concerning the work programme (the issues, actions taken, methods used) but also to promote a climate of lasting support from interested parties. These information meetings, for which dates have already been set in many countries, may receive financial assistance from the Commission. The Commission is also currently publishing brochures, in the eleven languages, relating to the work programme on the objectives. These brochures, which are almost complete, are to be distributed in participating countries, for example at the information sessions organised there.

### **Organisation of monitoring (points 9, 10-11, 13, 16 and 17)**

The aspects raised in the above points are broadly covered in the work done by the eight thematic monitoring groups organised by the Commission in implementing the work programme on the objectives and the Communication on lifelong learning. The Commission will make every effort to ensure that the various working groups give greater consideration to the points raised in the European Parliament Resolution:

- point 9 is concerned with taking account of the levels of basic skills achieved by pupils, when defining indicators, and directly involves the working group on indicators and benchmarks;
- points 10 and 11 are dealt with by the working group set up specifically for Objective 1.4, including encouraging more women to go into science and technology and make a career in this field;

- point 13 relates to the European dimension of vocational guidance, which is a priority of the EURES (European jobs database) action, the European network of national vocational guidance agencies (“Euroguidance”), the Internet portal on training opportunities in Europe (PLOTEUS) and the expert group on lifelong guidance, in collaboration with the working groups relating to Objectives 2.1 and 2.2 of the work programme on the objectives;
- the Commission will submit the suggestion in point 16, which relates to both mobility and cooperation, to the monitoring group dealing with these two dimensions (Objectives 3.4 and 3.5) and to the working group on indicators;
- point 17 relates to the mobility of language teachers and directly concerns the special working group (already operational) on the promotion of language learning (Objective 3.3).

### **2.2.7. Co-operation with third countries in the field of higher education**

- 1. Rapporteur:** Marielle de Sarnez
- 2. EP No:** A5-0035/2002
- 3. Date of adoption of the report:** 11/4/2002
- 4. Subject:**

Report on the Communication from the Commission to the European Parliament and the Council on strengthening co-operation with third countries in the field of higher education.

**5. Competent Parliamentary Committee:**

Committee on Culture, Youth, Education, the Media and Sport.

**6. Background of the resolution:**

The report follows from the Communication on strengthening co-operation with third countries in the field of higher education adopted by the Commission on 18/7/2002 (COM(2001) 385 final).

**7. Analysis of the text and of Parliament's requests:**

The text of the report welcomes the Commission's initiative and recognises the need for a debate and deeper analysis of issues linked to international co-operation in the field of higher education.

The Parliament requests/recommendations can be grouped in six categories as indicated below. Within these the Parliament requests/recommends the Commission (or the Commission and Member States) to:

**Joint courses and quality label**

- (1) Promote the establishment of joint courses between universities in the Member States leading to joint diplomas; introduce a European quality label covering transnational teaching modules, quality higher education teaching and services for third country students; set up a group of independent international experts which will award such label to higher education establishments; look into the possibility of EU funding for such establishments to back up national funding;

**Information and promotional activities**

- (2) Provide more information on opportunities for study in third countries and encourage co-ordination between Member States in disseminating information concerning higher education in Europe; monitor misleading advertisement of for-profit education services; promote ECTS;

### **Further study and convergence**

- (3) Conduct a study on students' preferences and needs regarding countries and languages so that co-operation activities focus on demand; bring definitions and indicators in higher education sector closer together;

### **New co-operation programmes**

- (4) Propose new programmes of international co-operation in the field of higher education; launch a student exchange programme with third countries in different parts of the worlds which champions values of tolerance and the free exchange of ideas and knowledge; include e-learning in the co-operation with third countries in higher education;

### **Developing countries**

- (5) Involve developing countries in closer co-operation with third countries in the field of higher education; make provision in its programmes for reconstruction and development assistance for joint training programmes, students exchanges and scholarships, and grants for those who intend to return to their country of origin as a means of brain drain prevention;

### **Candidate countries**

- (6) Include, within the scope of its pre-accession assistance and programmes, funding for developing cultural partnerships between member States and candidate countries.

## **8. Reply to these requests and outlook regarding the action that the Commission has taken or intends to take:**

The Commission shares, to a very large extent, the Parliaments views as to the line of action to be taken with a view to strengthening co-operation with third countries in the field for higher education.

These requests and recommendations will be taken into account, as appropriate, in the context of existing Community action programmes dealing with higher education.

The requests and recommendations regarding joint programmes and quality labels, information and promotional activities as well as further study and convergence, however, can only be implemented to their full potential under a new Community action programme, which the European Parliament itself requests. This programme would be open to developing and developed third countries, and would contain provisions to avoid brain-drain. The Commission is currently considering the possibility of proposing such an action programme for co-operation with third countries.

**2.2.8. Resolution on the Commission's Communication on  
"Making a European Area of Lifelong Learning a Reality"<sup>1</sup>**

1. **Rapporteur:** Kathleen Van Brempt
2. **EP No:** A5-0224/2002
3. **Date of adoption of the resolution:** 5 September 2002
4. **Subject:**

Commission Communication on "Making a European Area of Lifelong Learning a Reality"

**5. Competent Parliamentary Committee:**

Committee on Culture, Youth, Education, the Media and Sport

**6. Background of the resolution:**

Commission's Memorandum on Lifelong Learning, of November 2000. Communication of the Commission "Making a European Area of Lifelong Learning a Reality" of November 2001.

**7. Analysis of the text and of Parliament's requests:**

The Resolution is a welcome support to the Commission's Communication on Lifelong Learning. The Commission shares some of the concerns expressed in the Resolution, namely the need to establish specific targets for lifelong learning, the development of clearly defined and adequately funded lifelong learning strategies, to devise common guidelines for validation systems in order to facilitate mutual recognition, to develop further mechanisms for credit transfers, etc.. Most of these points and others raised in the Resolution have been taken forward by the Commission in recently launched initiatives which can contribute to the goals set up in the Lisbon European Council of March 2000 and also to the objectives stated in the Resolution.

In order to give more coherence and impact to initiatives to promote lifelong learning and better quality educational and training systems, Commission has decided to adopt an "integrated approach" as a general framework for policy initiatives in the field of education and training. This approach will be mostly based on the *Report on the Concrete Future Objectives of Education and Training Systems* and its *detailed work programme*<sup>2</sup>. The thirteen objectives identified cover the main areas where actions are needed, at a European or Member State level. To streamline the implementation, eight working groups composed of representatives from Member States, candidate countries and the Commission are working closely in eight domains covering the main areas referred to in the Resolution. First results are expected for July 2003. A global report will be put forward to Education Council of November 2003.

**The Parliament requests:**

10. calls on the Commission, in close collaboration with the Member States, to establish specific targets for lifelong learning, aimed in particular at those who have not completed upper

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<sup>1</sup> COM (2001) 678 final of 21 November 2001.

<sup>2</sup> Detailed work programme on future objectives of education and training systems, adopted on 14 February 2002 (Council of the European Union 6365/02) based on the Report from the Commission - The concrete future objectives of education systems COM(2001) 59 final of 31 January 2001.



secondary level education, at the unskilled, the functionally illiterate, the unemployed, individuals with special needs, individuals with learning difficulties, citizens who are more than 50 years old; immigrants and women following maternity leave; calls, further, on the Commission and the Member States to co-operate on the drafting of national strategies for lifelong learning in the Member States which do not have any such strategies, and also to co-operate closely with OECD to establish indicators to measure progress towards attaining these targets;

11. agrees with the Commission objective of promoting investments, but deplores the fact that the steps the Commission suggests are not very concrete and therefore asks the Commission to better explore in which ways private investments have to be encouraged and to come up with concrete proposal as far as the role of local and regional education centres is concerned, as well as about the ways to support them;

14. calls on the Commission, acting in close collaboration with the Member States, to develop a European framework of basic skills to be acquired by all pupils before they leave compulsory school education; underlines that mastery of such skills by all pupils is necessary if they are to have equal access to further study and professional training;

17. calls for the competent public authorities and the Commission, in line with the affirmations made in Lisbon and Stockholm, to devise common guidelines for skills plans and validation systems which can be used to facilitate mutual recognition of certificates, diplomas and degrees and to compare the combined efforts of the Member States in the areas of training and skills development;

19. calls on the Commission to develop a network of lifelong learning centres in the Member States in order to facilitate both increased exchanges of information and experience and the identification and dissemination of good practice and experience;

20. urges the Commission to develop, in co-operation with Member States, further mechanisms for credit transfers (including in vocational and professional education and training) and accumulation of qualifications;

27. believes that there is a direct link between quality of work and lifelong learning, and therefore calls on the Commission to devise strategies on how lifelong learning, quality of work and the organisation of work can be made mutually supportive;

31. calls on the Commission to ensure that each Member State takes the legal steps necessary to offer and provide access to lifelong learning for all employees or jobseekers;

34. believes that 'individual learning accounts' and similar instruments, which combine expenditure and personal engagement, are an important means of promoting lifelong learning; underlines the role that these could play in advancing equality of educational opportunity; believes, however, where enrolment on courses is to be supported through lifelong learning accounts, these courses must be subject to quality control and accreditation; urges the Commission to gather and disseminate best practice in this area;

37. welcomes the European Investment Bank i2i initiative which widens the mandate of the EIB to include lending to support education; calls on the Commission and Member States to facilitate EIB lending for lifelong learning;

38. calls on the Commission and the Council to ensure that the lifelong learning programmes take full account of women's specific needs, emphasising consultation and professional guidance, financial incentives (scholarships, grants, etc.), research into women's professional development, their participation in decision-making processes, equal representation of both genders in the sciences and the new technologies and combating the gender-based divisions in the employment market.

**8. Reply to these requests and outlook regarding the action that the Commission has taken or intends to take:**

**a) Specific targets and indicators (see point 10)**

The Commission adopted a Communication on "**European Benchmarks in Education and Training: follow-up to the Lisbon European Council**"<sup>1</sup>, in which it invites the Council to adopt the following benchmarks:

- By 2010, all member states should at least halve the rate of early school leavers, in reference to the rate recorded in the year 2000, in order to achieve an EU-average rate of 9% or less.
- By 2010, all member states will have at least halved the level of gender imbalance among graduates in mathematics, science and technology, whilst securing an overall significant increase of the total number of graduates compared to the year 2000.
- By 2010, member states should ensure that the average percentage of 25-59 years olds in the EU with at least upper secondary education reaches 80% or more.
- By 2010, the percentage of low-achieving 15 year olds in reading, mathematical and scientific literacy will be at least halved in each member state.
- By 2010, the EU-average level of participation in lifelong learning should be at least 15% of the adult working age population (25-64 age group) and in no country should it be lower than 10%.

A coherent approach to monitoring and evaluating strategies was also identified as an essential element of the follow-up to the Communication. A European Report on Quality Indicators of Lifelong Learning<sup>2</sup>, based on the work of the Working Group on Quality Indicators (with the participation of several European Countries, including candidate and EEA countries) was published in June, 2002. It identifies fifteen quality indicators.

**b) Investment (see point 11)**

In 10 January 2003, the Commission adopted a new Communication on "**Investing efficiently in education and training: an imperative for Europe**"<sup>3</sup> concerning the efficient use of resources in the field of education and training. In this Communication, the Commission recalls the commitment taken in Lisbon by all Member States to increase investment in human resources, as a way of preparing the new knowledge-based society and economy.

The Commission invites Member States and Applicant Countries, depending on their specific situation:

<sup>1</sup> COM (2002) 629 final of 20.11.2002.

<sup>2</sup> This report can be consulted on request to DG Education and Culture services.

<sup>3</sup> COM (2002) 779 final of 10 January 2003.

- **To review public investment**, increasing it in a targeted way where necessary, including by re-directing existing investments to the development of human resources throughout the life cycle.
- **To put in place policies and incentives to encourage more private investment** in education and training as a complement to, not as a substitute for adequate public expenditure.
- To target investment on the long term efficiency of systems, i.e. to focus funding on areas where it is most likely to produce more quality, relevance, efficiency and access possibilities.
- To create the conditions for maximum efficiency of investments, by undertaking the **kind of curricular renovation, quality assurance and qualification recognition** called for by the new European context in the field of education and training as well as employment.

**c) Basic Skills (see point 14)**

The Commission agrees that there is still no firm agreement about what basic skills are. The new needs deriving from the new knowledge-based economy should be taken in consideration in defining basic skills. The Experts Group on "Basic Skills", set up by the Commission in the framework of the "*Detailed Work Programme on future objectives of education and training systems*"<sup>1</sup>, has suggested that it would be preferable to refer to "*key competencies*" rather than to "*basic skills*". The work report provides an initial platform to converge further and develop the views in different Member States with the objective of achieving a common European approach despite the fact that the definition of "*key competencies*" should not be separated from the context in which they are taught, learned and acquired. The Commission is examining the possibility of launching in 2003 a Platform of NGO on "Basic skills and citizenship" for exchange of good practice on this issue and other areas to be identified

**d) Valuing all forms of learning (see points 17 and 20)**

This is an essential part of the efforts to promote lifelong learning. The 'valuing learning' elements of the Commission's Communication on lifelong learning are being followed up concretely in the context of the follow up to the Copenhagen Declaration on the "*Promotion of enhanced co-operation in vocational education and training*" (30 November 2002). The Declaration, passed by Ministers of EU Member States, EEA countries, candidate countries and the European Social Partners, follows a Resolution of the Education Council on the same subject (12 November 2002)<sup>2</sup>. The aim of the Declaration is to increase voluntary co-operation in this domain, in order to promote mutual trust, transparency and recognition of competences and qualifications, thereby establishing a basis for increasing mobility and facilitating access to lifelong learning, as well as raising the overall quality and attractiveness of vocational education and training. Co-operation between the member states, EEA countries, candidate countries, the social partners and the Commission has begun through concrete work on the following issues:

- *Transparency, information and guidance*

A single framework for Transparency of qualifications and competences is being developed, integrating existing instruments such as the European CV, Europass-Training, and the certificate

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<sup>1</sup> See footnote 2, p. 96.

<sup>2</sup> Council of the European Union 14 343/02 , (EDUC144 - SOC 521).

supplements, in order to make it easier for citizens to find and make use of them. The Commission will come forward with a concrete proposal in Autumn 2003. This priority takes forward the commitment in the Communication on lifelong learning to develop a 'portfolio system'.

Work is also underway on strengthening policies, systems and practices that support information, guidance and counselling in the Member States. This includes strengthening the European dimension to guidance. The following concrete elements will be developed: a handbook for policymakers in Europe covering policy development for the provision of lifelong guidance, illustrated by examples of good practice in policymaking in education, training and employment; a European symposium on lifelong guidance policy issues in 2004 bringing together key policymakers from education, training and employment.

– *Recognition of competence and qualifications*

The lifelong learning Communication indicated that a systematic exchange of experience and good practice in the field of validation of non-formal learning would lead to the establishment of an inventory of methodologies, systems and standards for validation. This inventory will be available by the end of 2003. It will be used as a basis for developing common principles and criteria for validation to act as guidelines and 'navigation points' in this field, and stimulate the development of high quality assessment methodologies and standards at European, national and sectoral levels.

Common reference levels and a credit transfer system for VET are being developed, building on the experience of the ECTS in higher education. This takes forward the commitment in the lifelong learning Communication to develop a 'modular system' for the accumulation of qualifications.

– *Quality assurance*

The aim here is to "*promote cooperation in quality assurance with particular focus on exchange of models and methods, as well as common criteria and principles for quality in vocational education and training.*" Work has begun on the following concrete issues: 1. To examine existing national and international standards and norms, 2. To identify common criteria for quality management at systems and provider level (quality assurance and development), 3. To identify a coherent set of quality indicators at systems level; 4. To develop an operational approach, with practical tools; 5. To implement a co-operation framework.

The mandate in the Declaration to "*give attention to the learning needs of teachers and trainers within all forms of vocational education and training.*" will be taken forward through the "Detailed work program on the objectives of education and training systems.

**e) Support to lifelong learning networks (see point 19)**

The Commission launched, in July 2002, the initiative "Regional networks for Life-Long Learning - R3L", a pilot initiative funded on budget line B3-1000, with the purpose of: (i) helping the development of good practice on issues relating to "learning regions"; (ii) encouraging a fruitful transnational sharing and exchange of these experiences; and (iii) promoting European networks between learning regions as a means of placing European co-operation in lifelong learning on a more durable and sustainable footing. The closing date for applications (single stage selection) was 15 October 2002. 30 proposals were considered eligible

with a notional total budget cost of € 6,609,133 (average €220,304 per project), of which € 4,119,588 (62.33%) was requested from the Commission. A sum of up to €2,095,000 was agreed from the 2002 budget for this initiative (budget heading "Regional networks" within line B3-1000). 17 projects have been selected to receive a community grant.

**f) Link between lifelong learning, quality of work and organisation of work (see point 27)**

The Commission agrees that there is a strong link between lifelong learning, quality of work and organisation of work and considers that support to lifelong learning is an essential basis for developing European competitiveness, according to the conclusions of the Lisbon European. In this context, the Commission intends to develop the dialogue between all partners involved according to the principles set out in its Communication.

**g) Ensure access to lifelong learning for all citizens (see point 31)**

It is not in the Commission competences to ensure that each Member State takes the legal steps necessary to offer and provide access to lifelong learning. However, the Council adopted, on 27 June 2002, a *Resolution on Lifelong Learning*<sup>1</sup>, in which it invites Member States in particular to develop and implement lifelong learning strategies according to the principles laid out in the Commission Communication of November 2001. An essential point of these strategies is to ensure access to lifelong learning for all citizens.

**h) "Individual learning accounts" (see point 34)**

In the framework of the *"Detailed work programme on future objectives of education and training"*<sup>2</sup> the working group on *"Increasing resources in education and training"* will collect some examples of good practice in this area. The development of a pilot project involving several countries is foreseen for 2003.

**i) i2i Initiative (see point 37)**

The Commission considers that both the Structural Funds, as the financial arm of the European Employment Strategy, with €60 billion available in current programmes (2000-2006) from the European Social Fund alone, and the EIB, through its *i2i initiative*, have an important role to play in supporting the improvement of policies and systems and the special effort needed to address the problems of regions lagging behind.

**j) Lifelong learning programmes should take full account of women's specific needs (see point 38)**

The Decisions establishing Socrates, Leonardo da Vinci and Youth programmes consider the promotion of equal opportunities as a transversal objective. Socrates has in addition a specific objective on gender equality. An analysis on gender impact of Socrates has been conducted recently. Young women counted for 61% of Erasmus mobility in 200/2001, however in engineering, mathematics and informatics this percentage is just about 30%. As mentioned earlier, the communication on *"Benchmarks"*<sup>3</sup>, sets that, by 2010, Member States will have at

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<sup>1</sup> Council of the European Union 9596 /02 (EDUC 79 - SOC 289).

<sup>2</sup> See footnote 2, p. 96.

<sup>3</sup> See footnote 1, p. 98.

least halved the level of gender imbalance among graduates in mathematics, science and technology.

### **3. AUDIOVISUAL AND MEDIA POLICY**

#### **3.1. Non-legislative reports**

##### **3.3.1. New frontiers in book production: electronic publishing and printing on demand**

- 1. Rapporteur:** Barbara O'Toole
- 2. EP No:** A5-0005/2001
- 3. Date of adoption of the resolution:** 1/2/2001
- 4. Subject:**

European Parliament resolution on new frontiers in book production: electronic publishing and printing on demand (2000/2037(INI))

**5. Competent parliamentary committee:**

Committee on Culture, Youth, Education, the Media and Sport

**6. Background to the resolution:**

Changes in the technical means and technologies in the area of reading and publishing. The resolution attempts to summarise the important aspects of these changes, the issues at stake, the challenges they pose and the huge possibilities they open up.

**7. Analysis of text and of Parliament's requests:**

The EP resolution:

1. calls on the Commission to propose a legislative framework for electronic publishing;
2. calls on the Commission to support technological developments to improve authenticity protection and the rights of right-holders, in particular the right of authors to be informed and cited when their works are used, in order to take maximum advantage of electronic publishing and the opportunities it provides;
3. calls on the Commission to ensure that this framework respects the freedom of each Member State in its policy on books and reading to choose whether it wants to adopt a national book price system in legislative or contractual form;
4. calls on the Commission to ensure that this framework is sufficiently flexible with regard to permitted methods of remunerating authors, in order that the greatest variety of books may be published and to encourage, and adequately finance, emerging authors;
5. calls on the Commission to ensure that, when e-publishing is well established within the Union, funds should be made available to encourage the publishing of e-books in addition to supporting traditional forms of publishing, and to safeguard a competitive market structure so that the additional costs of new technologies are not too onerous for small publishers;

6. calls on the Commission to include in its follow-up programmes to "Info 2000" and "Multilingualism in the Information Society" and in its "e-content" programme measures to foster creative European content in e-publishing in all languages;
  7. calls on the Commission to coordinate and stimulate cultural policies to combat illiteracy and functional illiteracy and help create a world of engaged readers at ease with both electronic and paper means of publication;
  8. calls on the Commission to designate 2003 a 'European Year of Books and Literacy' in order to step up the fight against illiteracy and functional illiteracy and to increase public awareness of the importance of books and electronic publishing in the knowledge-based economy;
  9. calls on the Commission to designate, for instance, April 23 the "European Day of Reading" as part of an ongoing campaign against illiteracy and in order to increase public awareness of the importance of books and electronic publishing in the knowledge-based economy;
  10. calls on the Commission and the Member States, as part of education policies, to facilitate access to reading and encourage young people, who represent the future of the European Union, to read;
  11. calls on the Commission to ensure that EU vocational training programmes and provisions for EU-supported training schemes address the need to offer opportunities to workers in the publishing and book-retailing industries as well as to authors, to adapt their skills to new technologies, while ensuring that traditional publishing skills and occupations are not forgotten.
- 8. Reply to these requests and outlook regarding the action that the Commission has taken or intends to take:**

**Point 1**

The Commission notes that a legislative framework already applies to electronic publishing and accordingly does not intend to proceed with a specific legislative proposal in relation to this matter.

**Point 2**

The Commission also notes that the Community framework on copyright and related rights already applies to the new electronic environment and electronic publishing in particular. In this context, Council Directive 2001/29/EC on the harmonisation of certain aspects of copyright and related rights in the Information Society is of particular importance. The new Directive takes due account of the legitimate rights of authors and other right-holders, including as regards their right of citation when their works are being used.

**Point 3**

The freedom for each Member State to establish a legal regime for the price of books is preserved subject to compliance with Community law.



**Point 4**

The answer given under point 3 also applies to point 4.

**Point 5**

As regards stimulating e-publishing and the question of its content and specificity, the Commission indicated its intention of supporting five projects involving authors and publishers under the call for proposals for the "Culture 2000" programme in the year 2001. These projects were to have explored the potential of the new technologies in the area of literary creativity (on-line creation, e-books, e-publishing, electronic book fair) and multilingual distribution. They should also have considered the subject of administering copyright. However, the European Commission found that no proposals were presented for this sector for the year 2001 and consequently it was not possible to subsidise any project in this field. Under the call for proposals for 2000 under the "Culture 2000" programme the Commission has once again stated its intention of supporting five projects involving publishers and authors and aimed at developing the field of electronic books, e-publishing, multilingual distribution and the administration of copyright.

**Point 6**

The eContent programme supports the supply of digital content on the global networks by European players. The programme is articulated through three action lines that address high value added aspects of content production in Europe.

The first action line is concerned with the economic exploitation of digital information held by the public sector. The aim of this line is to promote public-private partnerships to allow the creation of high added value products and services. Six projects in this area are being negotiated by the Commission services as a result of the first call for proposals of the eContent programme (closing date 15 June 2001) with a tentative starting date of 1 January 2002. In keeping with the eContent support actions, the Commission has also adopted a Communication on 23 October 2001 on the exploitation of public sector information, with a view to proposing additional measures for opening the markets.

The production of content in a multilingual and multicultural environment is the second major theme of the programme. This area has attracted the largest number of proposals so far. Twelve projects in that domain are subject to negotiations and contractual arrangements are being finalised. It should be noted that the first call for proposals of the programme has proved highly successful, attracting many demands for financing which far exceed the financial appropriations available to the programme (in excess of €124 million requested with an available budget of around €20 million for the year 2000).

The second call for proposals (Budget 2002) was published on schedule on 1 November 2001 with a closing date of 1 February 2002. In addition to the two lines above the second call asks for proposals in the field of trading multimedia rights (an essential component of electronic publishing) and in the field of facilitating access to capital for SMEs active in the production of digital content.

**Points 7 and 10**

The report on the specific objectives of education and training systems adopted by the Stockholm European Council in March 2001 identified universal access to basic skills, such as

the ability to read and write, as a priority for all educational systems in the European Union. The Commission and the Council are currently negotiating the text of a work programme to implement this report, which should be adopted by the European Council in Barcelona in March 2002.

**Point 8**

It should be noted that the procedure is already under way (since May 2001) to have 2003 declared European Year of the Disabled.

**Point 9**

The Commission has noted the proposal to designate a "European Day of Reading" and will inform the EP of its conclusions on the subject.

**Point 11**

The LdV programme, inspired by the principles of Lifelong Learning, encourages and supports training for all workers in traditional occupations, making greater use of new technologies and offering them specialised training in the new technologies. This is an essential feature that is given priority in various calls for proposals, precisely with a view to enhancing the employability and retraining of workers of all kinds.

### 3.1.2. Report on achieving better circulation of European films in the internal market and the candidate countries

1. **Rapporteur:** Luckas Vander Taelen
2. **EP No:** A5-0351/2001
3. **Date of adoption of the resolution:** 13 November 2001
4. **Subject:**

Circulation of European films in the internal market and the candidate countries.

#### 5. **Competent Parliamentary Committee:**

The Committee on Culture, Youth, Education, the Media and Sport

#### 6. **Background of the resolution:**

At the sitting of 28 February 2001 the President of Parliament announced that the Committee on Culture, Youth, Education, the Media and Sport had been authorised to draw up an own-initiative report, pursuant to Rule 163 of the Rules of Procedure, on achieving better circulation of European films in the internal market and the candidate countries

#### 7. **Analysis of the text and of Parliament's requests, reply to these requests and outlook regarding the action that the Commission has taken or intends to take :**

**In general**, the Commission welcomes this own initiative Resolution, which is both timely and contains many useful ideas that merit further study by the Commission. It would like to make certain points in response to the actions asked for by the Parliament.

**Considérants A, C et J de la résolution:** *“Whereas the market share of European films in cinemas within the EU has reached an all-time low, averaging 22.5% in 2000 as against 73.7% for films from the USA, whereas in the mid-1960s the European share was still around 60%;[...] whereas, on average, in the year 2000 European films secured only 26% of their box office takings from sources outside their country of origin; [...] whereas the existing Community instruments and the support measures of the Member States and regions have not been sufficiently able to curb this adverse trend, [...]”*

Bien que les chiffres cités soient exacts, ils doivent être relativisés. Si l'année 2000 a été une année exceptionnellement mauvaise, la tendance observée sur les cinq dernières années, marquées par une croissance significative des entrées en salles, montre que la part de marché des films européens est en moyenne de 26 % (32 % en 1997, 21,75 % en 1998, 29,26 % en 1999 et 22,3 % en 2000).

L'année 2001, excellente pour le cinéma européen, a largement inversé la tendance de l'année 2000 en atteignant les résultats de 1997, ce qui permet de nuancer le caractère « insuffisant » des instruments communautaires.

**Considérant K de la résolution:** *whereas the European Union's MEDIA Programme, despite the appropriateness of its methods, does not have enough funding to attain its ambition with*

*regard to creating a sustainable and competitive audiovisual industry, its budget being only € 400 m spread over 5 years, [...].*

La Commission considère comme sévère et pour le moins prématurée la considération selon laquelle «le programme MEDIA Plus ne dispose pas des moyens financiers suffisants pour réaliser son ambition de créer une industrie audiovisuelle compétitive et durable », d'autant plus que le budget a été augmenté de plus de 30% par rapport à MEDIA II (400 M € contre 310 M € auparavant).

**Point 1 de la résolution:** *Calls on the Commission and the Council urgently to adopt an ambitious, efficient and integrated multiannual plan to render the European film industry competitive and the choice of films pluralist; for this purpose calls for the funds made available for the film industry within the appropriations for the audiovisual industry in the Community budget to be increased; this plan should take into account the diversity of national circumstances and take measures to complement national and regional policies;*

Le rapport semble méconnaître la portée du programme pluriannuel MEDIA Plus (2001-2005) ainsi que l'initiative conjointe de la Commission et de la BEI « i2i Audiovisuel ». Il convient de rappeler le caractère récent de ces initiatives (entrée en vigueur de MEDIA plus au 1er janvier 2001) et de faire état du calendrier d'action de la Commission prévu par la communication sur le cinéma (étude sur la classification, protection du patrimoine, questions fiscales, cinéma électronique, établissement d'un groupe d'experts...). Il faut en outre préciser que nombre d'actions prévues par la communication de 1999 sur « les principes et lignes directrices de la politique audiovisuelle de la Communauté à l'ère numérique » sont en cours de réalisation.

**Point 2 de la résolution:**

*Calls on the Commission to pursue a consistent Community policy on the film industry, particularly as regards its cultural/industrial incentive policy, on the one hand, and its approach to State aid to the industry under its competition policy, which should take into account the specific nature of the sector, on the other hand, with the aim both of improving the European audiovisual industry's competitiveness and of safeguarding cultural diversity;*

The Cinema Communication (Communication from the Commission to the Council, the European Parliament, the Economic and Social Committee and the Committee of the Regions on certain legal aspects relating to cinematographic and other audiovisual works – COM(2001)534 final) explains the Commission's approach with respect to national aid for the cinema: this national aid has an essential role to play in the development of audio-visual production in Europe, i.e. for the development of diversity and of the richness of European cultures. In accordance with the Treaty, the Commission has to check that this aid is not incompatible with the fundamental principles of the EC Treaty. National aid has to strengthen diversity and the richness of European cultures. It should not weaken audiovisual production by walling off national markets, which would be harmful for the European audiovisual sector with respect to the need for competitiveness with the immense single US market. The double economic and cultural nature is fully taken into account in the Communication, and close attention is paid to the concept of difficult small budget films and to those films from countries with a limited cultural or linguistic influence.

**Point 3 de la résolution:**

*Calls on the Commission, the European Investment Bank and the European Investment Fund, in implementing the i2i initiative, which was launched following the Lisbon Summit in March 2000, to devote particular attention to:*

- (a) the financing of transnational distribution structures for European films,*
- (b) the infrastructure requirements of smaller, independent cinemas which show many European films,*
- (c) the structural needs of European SMEs which produce independent films and are generally undercapitalised,*
- (d) structural needs of European cinema festivals whose programming is essentially European.*

In December 2000 the EIB Group launched the i2i Audio-visual Initiative. The Initiative has a significant budget of €500 to 600 million (2001-2003). This Initiative is intended to promote a pan-European Audio-visual industry, to strengthen the financial stability of large and small European AV firms, to catalyse support from the banking and financial sector as well as to encourage European content and to speed-up European AV industry's adaptation to new technologies. The European Commission, who shares these objectives, is currently studying a new scheme under the Preparatory Action "Growth and Audio-visual: i2i Audio-visual". The new scheme is intended to help European independent production companies to access debt finance.

***EIB I2I Audio-visual Initiative: State of the art – June 2002***

Regarding the audio-visual industry, the EIB Group implements three main types of financing:

- **direct investments in large project** (€20 to 50 million). The typical beneficiaries are public and/or private broadcasters, film producers, distribution companies, studios, creative enterprises. The loans are intended to finance new infrastructures and/or their upgrading (studio and post-production facilities, broadcasting stations), to finance the production of « film packages » as well as to finance distribution (digital networks, digitalisation of catalogues, distribution groups, theatre networks). So far the EIB has signed two major operations for a total amount of €178,7 million.
- **indirect investments for Audio-visual SMEs.** The EIB negotiates "Global Loans" (credit lines) to commercial banks or banking groups specialised in SMEs and entertainment industry in order to co-finance AV companies involved in production, creative technologies development and/or utilisation, as well as theatres. Some global loans include profit & risk-sharing elements (two operations signed for a total of €40 million) while others are typical global loans (two operations for €130 million).
- **investments in Audio-visual and high-tech Venture Capital Funds.** Those investments are intended to strengthen the financial stability of small and medium sized audio-visual companies. So far the European Investment Fund, which is the venture capital specialist of the EIB Group, has managed to finance 6 Venture Capital Funds for a total investment of €83.5 million.

**Point 4 de la résolution:** *Calls on the Commission, in implementing MEDIA Plus, to aim for administrative and financial management systems which are efficient and as appropriate as possible to the patterns and constraints that invariably characterise the industry;*

La Commission rappelle que la Décision du Conseil 2000/821/CE établissant le programme MEDIA Plus prévoit déjà cette disposition (annexe 2.2.3). Par ailleurs, une évaluation intermédiaire du programme MEDIA Plus est prévue après les deux premières années de mise en œuvre (2001-2002).

**Points 5 and 6:** *Draws attention to the major importance of the Europa Cinemas network of cinemas, and the interesting work that is being done by the European Coordination of Film Festivals, which are supported by the MEDIA programme, for the distribution respectively promotion of European films and considers that these networks should be further expanded; draws the attention of the Commission, the Council, the Member States, the applicant countries and the regions to the pressing need to create and foster European film stars of international standing and notes in particular the importance of the 'Shooting Stars' initiative of the organisation European Film Promotion, supported by MEDIA, which very much deserves to be expanded;*

Tout en reconnaissant la grande valeur des projets cités dans le document, qui bénéficient d'un soutien communautaire depuis plusieurs années dans le cadre du programme MEDIA, la Commission rappelle que la mise en œuvre des actions du programme MEDIA fait l'objet d'appels à propositions et répond donc au principe de mise en concurrence et de sélection des projets selon une procédure transparente, au regard des objectifs du programme. On ne saurait donc préjuger des résultats de ces procédures pour les années à venir.

**Point 7 de la résolution:**

*Calls on the Commission, when revising the directive on Television Without Frontiers as a whole, to draw up provisions which must take into account, in addition to issues strictly connected with radio and television broadcasting, regulation of the new broadcasting media and to investigate inter alia the desirability and feasibility of: (a) introducing a framework for television broadcasters to devote a minimum proportion of their transmission time to promoting European films, (b) introducing a framework for a minimum transmission of non-national, European works, (c) introducing a framework for television broadcasters to invest a share of their annual turnover in the European film industry (either through global contributions to national/regional film funds or through individual coproductions and cofinancing), an approach which is being applied successfully in certain Member States;*

There is a general consensus on the need to promote the production and distribution of European works. The film industry, in particular, needs support for pan-European distribution. However, opinions diverge sometimes on the means: regulatory measures, support measures or a combination of both.

The Commission will soon publish its fifth report on the application of Articles 4 and 5 of the TVWF Directive (1999-2000 period). This will give us an additional input to feed into our reflections in the framework of the review of the Directive.

The Commission will adopt a report on the application of the Television without Frontiers Directive together with a work programme to examine the need for a future revision of the

directive before the end of the year. This will cover the issue of Articles 4 and 5 together with other issues raised in this context.

**Point 9 de la résolution:** *Calls on the Commission, within the 6<sup>th</sup> Framework Programme of Research and Technological Development, to devote attention to research relating to digital film distribution and projection techniques (e-Cinema);*

Digital film distribution and projection techniques are no longer a research domain. The MEDIA Plus Programme is already engaged in their commercial exploitation and in technology transfer towards all aspects of the audio-visual sector (distribution, promotion...etc.).

**Point 10 de la résolution:** *Welcomes initiatives such as the setting-up of the European Digital Cinema Forum and experimental projects such as the Cyber Cinema in Babelsberg, and calls on the Commission and the Council to remain alert to developments in the field of e-cinema;*

The European Commission has an observatory status in the European Digital Cinema Forum. But the Commission is not only alert to the developments of digital cinema, it is actively engaged in all issues related to it, since a call for proposals has been published by the MEDIA Plus Programme to support the implementation of pilot projects in the field of digital technologies. The results of the Call will be known later in the year.

**Point 12 de la résolution:** *Calls on the Commission, via the European Audiovisual Observatory, to commission a thorough analysis of European cinema audiences and the way in which they approach American and European films*

The Commission wishes to point out that in 2001 the attendance of EU films on both national and other EU markets has considerably increased. It considers the issue raised by the Parliament of great interest and has checked with the Observatory on the feasibility of such a study. Unfortunately, the Observatory, for organisational reasons, is not in the position to carry out such a study in the short term. The Commission services will evaluate the possibility to launch a tender to commission the study by independent consultants. However, in consideration of the administrative and budgetary rules to be applied in the case of Commission's tenders a detailed assessment of the legal bases and funds availability has to be carried out before launching any initiative.

**Point 15 de la résolution:** *Calls on the European Union to set up a European school to provide training in film-making so as to offer proper preparation for European citizens wishing to exercise this kind of occupation;*

Si l'Union Européenne ne dispose pas de compétences lui permettant de créer une école européenne de cinéma, il faut rappeler que le Programme MEDIA-Formation cofinance de nombreuses actions de formation (continue) destinées aux professionnels européens de l'audiovisuel. The European Union for example can and does foster and support cooperation and exchanges between cinema schools, including exchanges of staff and students, mutual recognition, and joint analysis and studies on education and training on film-making in Europe. In all these, special attention will be paid to the impact of new technologies for film production and dissemination.

**Point 16 de la résolution:** *Urges the Member States, applicant countries and regions, in their educational curricula, particularly for primary and secondary schools, to devote sufficient attention to developing the visual faculty, so that young people learn to adopt a more critical*

*approach to material in the visual media and are more open to a wide diversity of film cultures; further calls on the Commission to draw up a programme for visual education;*

The Commission is looking into the matter. Six reports, covering the whole of the EU, on educational curricula in moving images, media literacy, and related areas, have been commissioned and are now being assessed. A synthesis document of these reports, including recommendations for European-wide actions, will be presented in the autumn.

**Point 17 de la résolution:** *Draws the attention of the Member States to the fact that art cinemas can play an important part in developing the visual faculty, both at school and by means of extracurricular activities; notes in this connection the educational function which a Pan-European Children's Network, to broadcast quality children's films in the various Member States and the applicant countries, could have;*

Il faut rappeler que, dans le cadre du réseau de salles actuellement soutenu par MEDIA Plus, un certain nombre de séances sont dévolues aux programmes pour enfants et/ou aux animations à l'intention du jeune public.

**Points 18-22:** *Calls on the Commission to promote the restoration and protection of the European film heritage inter alia by means of incentives to digitalise and classify those works; calls on the Commission, together with the Member States and all parties concerned, in the interests of cinema education, to promote the establishment of a catalogue of old films that are representative of Europe's heritage and can be made available to European schools; calls on the Member States to encourage and practice the legal registration of cinema and audiovisual works and introduce a register open to the public; calls on the European Union to provide a budget heading for the restoration of film works which are of great social and artistic significance and represent a valuable heritage for the European Union; calls on the Commission and the Member States to promote the setting-up of a European Cinematic Heritage Foundation whose purposes should in particular include organising a cinematic heritage network and establishing links between those concerned by this (setting-up of databases, organisation of seminars of international standing, etc.), training in the professional skills of film conservation and restoration, promotion of key European films and circulation of catalogues (compilation of thematic catalogues and broadcasting on television channels, creation of DVD collections of films which form part of the European heritage, cultivating awareness of the European cinematic heritage, particularly at schools, etc.);*

La Commission européenne est bien entendu consciente de la valeur du patrimoine cinématographique européen et de l'importance de le sauvegarder, de le cataloguer et de le diffuser. Plusieurs initiatives de la Commission européenne vont dans ce sens. Tout d'abord, dans le cadre du programme MEDIA Plus, des projets pilotes sont prévus dans deux domaines directement liés au patrimoine:

- la mise en place et coordination d'un catalogue régulièrement mis à jour, accessible en ligne, de tous les contenus audiovisuels européens produits ;
- la création de services numériques permettant l'accès aux archives audiovisuelles et de moyens permettant leur consultation au niveau paneuropéen pour les marchés interentreprises ou entreprises-consommateurs.



Ensuite, du 14 au 24 novembre 2002, la Commission organise pour la première fois une Semaine européenne du Patrimoine parallèlement aux Netdays, mêlant ainsi les dimensions patrimoniale et pédagogique puisque les Netdays mettront cette année l'accent sur l'éducation au cinéma dans les écoles. Les cinémathèques sont étroitement associées à cette action via l'Association des cinémathèques d'Europe (ACE). Pour rappel, c'est également l'ACE qui coordonne la formation Archimedia (soutenue par MEDIA) sur l'archivage, la restauration et la conservation des films.

Enfin, comme annoncé dans sa Communication concernant certains aspects juridiques liés aux œuvres cinématographiques et autres œuvres audiovisuelles, la Commission organise en ce moment une enquête sur le dépôt légal d'œuvres audiovisuelles et la création d'un système d'enregistrement.

**Point 26 de la résolution:** *Calls on the Commission to perform a feasibility study of the possibility of 'interconnecting' the existing automatic support funds of the Member States and regions, including a simulation of the compensation which would need to be paid to the Member States for the financial loss;*

Le lancement d'une telle étude de faisabilité ne paraît pas opportun. Il convient de rappeler qu'une évaluation effectuée par les services de la Commission en 1998 avait abouti aux conclusions suivantes:

- le mécanisme proposé excluait en fait nombre d'Etats membres qui n'ont pas de système de soutien automatique à la production (ou fonds de soutien);
- la valeur ajoutée européenne de l'initiative est trop faible pour justifier une action à ce niveau;
- cette mesure aurait en fait pour conséquence de drainer les fonds de soutien automatique des plus petits pays vers les pays les plus performants en termes commerciaux (*i.e.* les producteurs français et britanniques, dont les films sont commercialement plus performants, attireraient la grande partie des fonds).

**Point 27 de la résolution:** *Calls on the Commission to perform a feasibility study of the possibility of setting up a European Promotion Fund to improve the opportunities for marketing European films with a transnational dimension and sufficiently large potential audiences, and in this context to investigate the possibility of formal cooperation with the European Film Academy;*

La Décision du Conseil 2000/821/CE établissant le programme MEDIA Plus prévoit dans son volet « promotion » le soutien à des activités promotionnelles en faveur de la création européenne, dans l'objectif de favoriser la mise en place par les professionnels, en étroite collaboration avec les États membres, d'activités promotionnelles destinées au grand public en faveur de la création cinématographique et audiovisuelle européenne. Par ailleurs, la réalisation d'études de faisabilité ne peut être financée sur la partie opérationnelle du budget MEDIA (ou alors sur la partie BA). Enfin, la Commission s'interroge sur l'idée même d'un fonds européen de promotion et privilégie l'idée d'une initiative professionnelle dans ce domaine.

**Point 31 de la résolution:** *Calls on the Commission to ensure that, in the current round of WTO negotiations, existing measures relating to the audiovisual content industry remain in force and the right is preserved to extend these measures to new services in order to attain the policy*

*objectives of the EU and the Member States, which remain unchanged since the Uruguay Round in 1994;*

Trade negotiations in the WTO framework, in particular services negotiations, are crucial as their outcome will determine the ability of the Community and its Member States to maintain and develop audiovisual policies in the coming years. There would be no scope for debating European policy orientations such as those developed in the present Report if the Community proved unable to maintain its freedom to act to promote European audiovisual works and cultural diversity.

The industry consultation process to prepare this position has been extensive, and resulted in two exercises, in 1999 and 2000, as well as in a hearing in 2002. A strong consensus emerged on the AV services and in the film industry in particular, on the need to preserve a room for manoeuvre for existing and future measures.

At the end of the Uruguay Round negotiations, the EC and its Member states did not take any commitments in AV services in GATS. The vast majority of WTO members have taken a similar stance. In order to preserve the margin for manoeuvre necessary for the AV services, the EC has also taken Most Favoured Nation exemptions, covering national and EC measures. The combination of absence of commitments on audiovisual services and Most Favoured Nation exemptions covers all forms of audiovisual services, including "broadcasting or other forms of transmission to the public".

Such position, allowing for the preservation of existing as well as future measures, has been confirmed in 1999 by the EU Council in its conclusions: "During the forthcoming WTO negotiations, the Union will ensure, as in the Uruguay Round, that the Community and its Member States maintain the possibility to preserve and develop their capacity to define and implement their cultural and audiovisual policies for the purpose of preserving their cultural diversity." These conclusions have been validated also as a negotiating mandate for the current Doha Development Agenda negotiations.

**Points 33 and 34:** *Calls on the Commission, further to its planned communication on certain legal aspects relating to cinematographic and other audiovisual works, to investigate to what extent introducing specific regulations on the film industry could help the applicant countries to develop their national film industries better and encourage the distribution of European films within their territory; calls on the Commission to investigate whether and to what extent the incorporation in the Treaty of a separate specific provision or protocol concerning the film and audiovisual industry and the cultural sector in general could take account of the specific nature of the industry;*

The Commission has launched the creation of two expert groups composed respectively of representatives of professionals and of the Member States, in order to investigate whether further actions could be developed by the European Union to develop film creation in Europe, taking into account the specific nature of this industry.

### 3.1.3. European Parliament resolution on Television without Frontiers

1. **Rapporteur:** Roy Perry
  2. **EP No:** A5 – 0251/2003
  3. **Date of adoption of the report:** 25 June 2003
- and **Date of adoption of the resolution:** 4 September 2003
4. **Subject:** Television without Frontiers
  5. **Competent Parliamentary Committee:**

Committee on Culture, Youth, Education, the Media and Sport

#### 6. **Background of the resolution:**

The 'Television without Frontiers' Directive (adopted in 1989 but substantially revised in 1997) is the cornerstone of the European Community's audiovisual policy. Its main objective is to promote the free movement of European television programmes within the internal market. It is based on the principle of regulation in the country of origin. This means that, except in very limited circumstances (such as broadcasts which may be harmful to minors), a Member State may not create obstacles to the reception or retransmission of broadcasts originating elsewhere in the European Community. It also seeks to safeguard important public interest objectives such as cultural diversity and the right of reply and to promote the development of the European audiovisual industry.

The Commission submitted its 4<sup>th</sup> report (COM(2002)778 final) to the Council, the European Parliament, the European Economic and Social Committee and the Committee of the Regions on the application of Directive 89/552/EEC "Television without Frontiers" the 6 January 2003. The Committee on Culture, Youth, Education, the Media and Sport was authorised to make an own-initiative report on the subject, pursuant to rules 47(2) and 163 and the Committee on Legal Affairs and the Internal Market was asked to give its opinion.

In its report the Commission concludes that the Directive has now been satisfactorily transposed into national law by all Member States. It functions well as a means of ensuring freedom to provide TV services in the Community. Independent national regulatory authorities have been set up, and most Member States have allocated adequate resources to them so as to ensure the effective implementation of the Directive. A separate report on Articles 4 and 5 shows that, generally speaking, channels are meeting the targets set for broadcasting European works and the work of independent producers.

The Annex to the fourth report on the application of the "Television without Frontiers" Directive<sup>1</sup> sets out the work programme for 2003 for the review of the Directive. The work programme announced a public consultation with the aim of providing the Commission with the information necessary to assess whether there is a need to update or adapt the Directive.

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<sup>1</sup> COM(2002) 778 final.

The consultation was based on discussion papers published on the Commission's website<sup>1</sup>. Two series of public hearings were organised in Brussels, on 2-4 April and 23-25 June 2003. Interested parties were also invited to transmit their written contributions by 15 July 2003. The Commission received more than 150 submissions (around 1 350 pages). All relevant parties (private and public broadcasters, regulators, producers, rights holders, artists) and most Member States made contributions. Most submissions agree that the Directive has provided a flexible and adequate framework for regulation by Member States and support the Commission's pragmatic approach. Overall, the Directive has made a positive contribution to enabling free movement of broadcasting services within the EU, but the contributions also highlighted where further thinking is needed.

The results of this public consultation (written comments and public hearings) were discussed with the members of the Contact Committee established by the TVWF Directive and with the national regulatory authorities.

## **7. Analysis of the text and of Parliament's requests in the responsible report, reply to these requests and outlook regarding the action that the Commission has taken or intends to take:**

### ***Scope of the Directive***

*12. Calls on the Commission to publish as a set the initiatives for Community policies which it considers to be connected to this sector, such as the Commission's strategy for the audiovisual sector, the commercial communications policy, consumer protection policy and the internal market strategy for the services sector;*

*13. Urges that a revision of the Directive or a Content Framework Package be based on the principles which underlie the current Directive (free movement of European television programmes, free access to events of major importance, the promotion of European and recently-produced independent works, protection of minors and public order, protection of consumers through clear identification and transparency in advertising, and the right of reply);*

The Commission will by the end of the year publish a Communication on the future of European regulatory audiovisual policy. This Communication will outline the short and medium term perspectives for regulatory action.

### ***Principles underlying the Directive***

*19. Urges the Commission to support the establishment of a working group of national regulators, including representatives of private and public broadcasting systems, for the exchange of best practice in all forms of regulation including self- and co-regulation in the area of advertising and consumer protection;*

The Commission will, as has been the case in the past, invite industry representatives on an occasional basis when the subjects on the agenda recommend their presence, but does not consider it appropriate to have broadcasters represented on a permanent basis. The Commission will continue its practice of inviting the chairmen and directors of national regulatory authorities to meetings on an ad hoc basis. Two such meetings took place in 2003. If experience with these meetings continues to be as satisfying in the future as it has been in the past, the Commission will consider establishing a permanent "European regulators group for audiovisual services" in

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<sup>1</sup> [http://europa.eu.int/comm/avpolicy/regul/review-twff2003/consult\\_en.htm](http://europa.eu.int/comm/avpolicy/regul/review-twff2003/consult_en.htm)

the second half of 2004. A possible Commission decision to that effect would clearly state that the tasks of the regulators' committee are confined to exchange of views on operational and technical issues, whereas the Contact Committee remains the committee responsible under the provisions of the Directive.

*20. Calls on the Commission to publish a full picture of the self-regulatory measures taken to date, stating in which sectors these mainly apply, the success of these measures and their consistency with public interest objectives, as well as how far the interests of small bodies or new competitors have been taken into account; finally, with regard to consultations, believes that conditions should be laid down to guarantee the representativeness of the participating bodies and the effective expression of all divergent interests;*

The Commission intends to launch in 2004 a study of co-regulatory models in the media sector. This analysis should provide the full picture of co-regulatory measures taken to date in Member States and acceding countries, as well as of research already done. The study should state in which sectors these measures mainly apply, their effect and their consistency with public interest objectives.

### ***Cultural diversity and European awareness***

*24. Notes that there have been some cases of inappropriate application of Articles 4 and 5; calls on the Commission, therefore, to establish a clearer definition of the terms 'European work' and 'independent producer' so as to ensure proper application of such articles;*

*26. Calls on the Commission to establish a clear definition of specialist channels and to establish clearly categories of specialist broadcasting where 'impracticability' would merit a reduction or elimination of requirements for compliance with Articles 4 and 5;*

The public hearings and the contributions to the review process showed that chapter III of the Directive represents a well-balanced compromise in promoting a diverse European audiovisual landscape. Therefore, the Commission does at this stage not intend to propose amendments to the relevant provisions. The Commission will further monitor its application in the light of the study provided for in Article 25a of the TVWF Directive.

*27. Believes that television helps to shape the way in which children see the world; invites the Commission to encourage broadcasters to draw as fully as possible on high-quality and non-violent European works in their programmes aimed at children; supports the concept of a Pan-European Children's Network involving broadcasters from Member States and the applicant countries with the aim of broadcasting high-quality European works Europe-wide;*

The Commission supports actively the objective to have high-quality and non-violent programme offers for children, but it should be recalled that this is a shared responsibility with Member States. Chapter V of the TVWF Directive and the Recommendation on the protection of minors and human dignity are relevant Community instruments in this respect.

*28. Invites the Commission to take steps to encourage broadcasters to make channels which have a pan-European dimension (such as ARTE and EURONEWS) as widely available as possible and in as many languages as possible and to encourage Europe-wide broadcasts of major European cultural events (such as the Austrian New Year Concert); calls on the Commission to conclude the feasibility study on a European cable channel ('C-SPAN'/ Channel*

*Europe/ Network) to provide the general public with relevant news and information on European Union affairs;*

The Commission has always encouraged broadcasters to make channels with a pan-European dimension. In this context it should be noted that Europe by Satellite (EbS), the European Union's TV news agency, provides EU-related information for professionals working in television and radio and for other European institutions. EbS transmits via satellite a 'free to air' signal. It can be received in the European Union, as well as the Mediterranean region and Central and Eastern Europe. For the rest of the world (Asia, Africa, Latin America, southern region of the USA and north Australia), EbS provides an hour-long selection from our daily transmissions in collaboration with Canal France International (CFI).

Concerning a European cable channel, a report of the Commission services is prepared following the adoption of the Perry report in September 2003. DG PRESS is closely working on this report together with the audiovisual services of the European Parliament. Following a survey in France, Germany, Belgium and Poland, a questionnaire for all AVS and Parliamentary channels was prepared. The results are foreseen by end of November. The final report should be concluded by the end of December. It will deal notably with: 1) an inventory in EU-25 (concerning audiovisual services or channels, statutes, political composition of Parliaments, budgets, organisation, etc); 2) synthesis of various aspects including diffusion, audience, programming, foreseen activities, international cooperation, European information, etc.; 3) analysis of positions on increasing cooperation and possible solutions. The conclusion should envisage a series of recommendations and proposals for action.

*30. Urges the Commission, in conjunction with all stakeholders, to ensure that the spirit of the measures for listed events of major importance for society is upheld by all parties;*

The majority of contributions the Commission received in the consultation process consider Article 3a of the Directive to be useful, necessary, effective and proportionate. The Commission also in future will monitor on the correct application of this provision.

*31. Invites the Commission to consider whether greater legal certainty would also be achieved by the introduction of a brief European minimum list of events of major importance for society (i.e. the Olympic Games, the World Cup and the European Nations Championship), which may be complemented by national lists;*

The Commission considers that the concept of European lists would have no value-added as the present concept of the Directive leaves it to the Member States to designate events of major importance owing to national and regional cultural and societal specificities. A radical overturning of this concept to oblige Member States to designate events of major importance for society could not be seen to be in conformity with the principle of subsidiarity.

### **Access**

*32. Urges the Commission to continue to promote interoperability so that full viewer access to digital television is made available as widely as possible;*

The Commission defined a mandate for the European standardization bodies ETSI and CENELEC to promote digital television and its interactive service, in this framework interoperability could be an issue. Based on a public consultation on interoperability the Commission will take a final position whether an intervention is necessary in mid-2004. There

are two main aspects of interoperability namely the aspect seen by the viewer, who wants to have unlimited access to the service providers and the aspect seen by the service providers, who want to address a large as possible clientele. For the future interactive services based on digital TV the European DVB group has developed the MHP middleware to cover the first aspect. For the service providers that want to broadcast to multiple platforms DVB is developing the Common Content Format.

*33. Notes that the granting of exclusive rights, and the absence of a harmonised right to access newsworthy events, could restrict the free movement of information and inhibit the reporting of popular events by a majority of the media; calls on the Commission, therefore, to consider whether measures should be introduced at Community level to guarantee news access for the media to short extracts of events of general interest so as to guarantee the general public's right to information;*

The Commission considers that the issue of right to access to newsworthy events needs further attention<sup>1</sup> and will invite further discussion in a focus group. The issues at stake have to be dealt with in conjunction with copyright regulation. Three main questions have to be answered: to what extent does the copyright Directive provide an adequate solution through its “fair dealing” provision? Do the general policy objectives at stake (pluralism of information sources, etc.) require the statutory definition of a “right to access” for broadcasters and news agencies? What type of intervention should be provided for?

*34. Notes that levels of sub-titling and sign language interpretation and presentation of programmes in sign language for those with hearing difficulties, and of audiovisual description for the visually impaired, vary quite widely from Member State to Member State; recalls the Commission's commitment given to Parliament in June 2002 to raise this issue in the present report; notes that the Commission has not done so; calls once again on the Commission to address the problem of improving access to the broadcast media for those suffering from sensory impairment; calls on the Commission, in its work programme, to include an annual benchmarking report on the progress in all EU Member States on making digital TV accessible for people with disabilities; believes that this report should be based on National Action Plans on 'Improving disabled people's access to digital TV' submitted to the Commission by each of the EU Member States;*

Although the issue of access to television for people with a disability does not fall within the remit of the TVWF Directive, the Commission will promote accessibility matters with Member States to co-ordinate and complement national actions and measures in the Contact Committee established by the TVWF Directive. In particular, enriching content with audio description, audio subtitling, subtitling and sign language will be further discussed. A first discussion with Member States and Acceding Countries in the Contact Committee established by the TVWF Directive took place on 21 October.

### ***Media concentration***

*37. Calls on the Commission to enshrine in its revised Television Directive the principle that it is essential for an appropriate balance to be struck between, on the one hand, commercial interests and, on the other, the public interest of free access and cross-border flow of information;*

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<sup>1</sup> See also Petition Nr. 1358/2002 to the European Parliament.

*41. Calls on the Commission to monitor levels of media concentration in Europe and to draw up an updated Green Paper on this issue by the beginning of 2004;*

Measures to ensure media pluralism typically limit maximum holdings in media companies and prevent cumulative control or participation in several media companies at the same time. Further to such rules, a wide number of other measures - ranging from competition policy to measures promoting culturally and linguistically diversified content - can contribute to media pluralism. The aim of all measures in favour of media pluralism is to protect freedom of expression and to ensure that the media reflect a spectrum of views and opinions characteristic of a democratic society. In the Commission's Green Paper on services of general interest<sup>1</sup> dated 21 May 2003, it was noted that the protection of media pluralism is primarily a task for the Member States. At present, secondary Community legislation does not contain any provisions specifically aimed at safeguarding the pluralism of the media. But Community law allows the application of national safeguards with regard to media pluralism. However, a number of existing Community law instruments contribute directly or indirectly to the aim of preserving media pluralism. Whilst the primary objective of Community competition law is an economic one, i. e. to ensure a workable competition between market operators,<sup>2</sup> it also helps preventing a degree of cumulative control or participation in media companies which might endanger the existence of a wide spectrum of views and opinions in the media markets. The "television without frontiers" Directive contributes to the safeguarding of media pluralism through a number of content related provisions, in particular through its provisions on the promotion of European works, and of works by independent producers.

Contact person: Harald TRETTEBREIN, EAC/C1 ☎ 84955

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<sup>1</sup> COM(2003) 270 final.

<sup>2</sup> See also the specific Protocol on the system of public broadcasting in the Member States appended to the Amsterdam Treaty.



**3.1.4. European Parliament Resolution on the application of Articles 4 and 5 of Directive 89/552/EEC ("Television without Frontiers"), as amended by Directive 97/36/EC, for the period 2001-2002**

1. **Rapporteur:** Henri Weber (PSE/FR)
2. **EP reference number:** A6-0202/2005 / P6-TA-PROV(2005)0322
3. **Date of adoption of the Resolution:** 6 September 2005
4. **Subjects:**
  - Application of Articles 4 and 5 of Directive 89/552/EEC ("Television without Frontiers"), for the period 2001-2002;
  - Revision of the "Television without Frontiers" Directive;
  - Media pluralism.
5. **Brief analysis of the Resolution and requests made in it:**

The Resolution supports in principle the general approach of a flexible two-tier regulation for linear ("broadcasting") and non-linear (such as "video-on-demand") services which is reflected in the "Issues Papers". The Resolution calls for an adaptation of the existing "Television without Frontiers" Directive to the structural changes and technological developments while fully respecting its underlying principles which remain valid:

- free circulation of European audiovisual programmes on and between all platforms, irrespective of the means of transmission,
- free access to events of major importance,
- promotion of European works, independent productions and cultural diversity,
- minimum standards for protection of viewers against surreptitious advertising, the integrity of audiovisual works, particularly feature films, and
- protection of minors and human dignity, and right of reply.

**6. Response to requests and overview of action taken, or intended to be taken by the Commission:**

The Commission intends to submit, by end 2005, a proposal for a modern and flexible regulatory framework for audiovisual content services. The Commission will take into account the outcome of the public consultation in drafting its proposal. The European Parliament will be fully associated in all stages of the decision-taking process on the new audiovisual Directive through the co-decision procedure.



### **3.2. Non-legislative reports adopted in response to a Commission Communication**

#### **3.2.1. Audiovisual policy in the digital age**

- 1. Rapporteur:** Valter Veltroni
- 2. EP No:** A5-0209/00
- 3. Date of adoption of the resolution:** 6 September 2000
- 4. Subject:**

Commission Communication on the principles and guidelines for the Community's audiovisual Policy in the Digital Age (COM (1999) 657)

**5. Competent Parliamentary Committee:**

Culture, Youth, Education the Media and Sport

**6. Background of the resolution:**

Adopted in response to a Commission Communication.

**7. Analysis of the text and of Parliament's requests:**

The main elements of the draft report:

- (1) call for a revision of the regulatory framework for the sector, in the light of technological and market developments, in particular with regard to the TVWF Directive, and agree with the timetable proposed by the Commission (1.b)). The Report also fully supports the regulatory approach outlined in the Communication, in particular the separation of transmission and content for the purposes of regulation;
- (2) call for the TVWF Directive to be amended to require broadcasters to invest a certain portion of their net income in European programmes (1.e));
- (3) call on the Commission (again) to assess whether it would be appropriate to put forward a proposal in regard to pluralism and media ownership and to pay particular attention to the emergence of dominant positions, in particular with regard to vertical mergers (1.s). However, contradicting itself somewhat, the Report also asserts that "competition policy must be able to constitute an appropriate, effective instrument for preventing the emergence of dominant positions ..... and the safeguarding of pluralism"(Recital G);
- (4) "agree" with the Commission that the legislation on advertising needs to be revised as a result of digital technology. [This is incorrect, since the Communication merely points to certain advertising techniques which become possible as a result of digitisation and announces its intention to carry out a study on these by June 2002, in order to provide input for the Review of the Directive.] Call on the Commission and Council to ensure that the principle of demarcating between advertising and editorial content is safeguarded;

- (5) strongly support the Commission's proposal for a new MEDIA Plus Programme; in addition, call for the Commission to encourage additional financing for European cinema, including a guarantee fund (1.bb));
- (6) call for the proposal for a Directive on copyright and associated rights in the information society to be speedily adopted;
- (7) stress that public service broadcasters will continue to play an important role in the digital future, reiterates that it is for the Member States to define the tasks of public service broadcasting as well as to determine how public service broadcasting is funded (sections 1v), w), x)).
- (8) call on the Commission and the Member States to support the creation of a European consultative forum to discuss aspects relating to audiovisual and multimedia content (cinema, television, Internet, video games, webcasting, etc.) (1.q));
- (9) emphasise the importance of cultural and linguistic diversity;
- (10) in regard to international negotiations, call for the Community to distinguish between the regulation of transmission and the regulation of content in order to avoid that content is subject to the same rules as telecommunications and electronic commerce (1.ii)).

**8. Reply to these requests and outlook regarding the action that the Commission has taken or intends to take:**

The Commission **welcomes the Parliament's support for the regulatory principles** outlined in the Communication.

**Points 1-4 and 8-9**

The Commission has launched a Review of **the Television Without Frontiers Directive** including a series of studies into the audiovisual sector to be carried out this year and a wide public consultation in 2002. Any necessary revisions to the Television Without Frontiers Directive will be proposed in a Communication before the end of 2002. At this stage, before the necessary research and consultation have been carried out, it would be unwise to speculate as to what changes, if any, might be necessary and appropriate. The Commission takes note of the Parliament's comments on the Directive and will certainly take account of these when conducting the review foreseen for the end of 2002. On a point of detail, the Commission did not, in its Communication, assert that legislation on advertising had to be revised in order to take account of new digital techniques: it stated that it would carry out a study into these techniques in order to ascertain whether a revision was necessary. The Commission agrees with the Parliament that the principle of a clear separation between editorial content and advertising should be upheld.

With regard to upholding **media pluralism**, it should be noted here that digital technology and in particular the Internet presents unprecedented possibilities for the creation and development of a pluralistic society. Digital technology allows, for example, a huge increase in the number of television channels and therefore reduces access barriers for content providers. The Internet potentially allows each citizen to become themselves a content provider: it creates the possibility of a world-wide forum where all can participate. This changes the question of media pluralism, making it more complex: the barriers to pluralism in the digital world include poverty

and lack of education, which exclude citizens from participation in the digital age. With regard to digital media operators, for the time being, the application of competition law would seem to constitute an effective means of ensuring pluralism. However, further action could of course be taken in the light of experience in the digital era. **The Commission will consult on the matter in the course of its review of the TVWF Directive.**

With regard to the call for a **European forum to discuss aspects relating to all kinds of audiovisual content**, this is an interesting proposal which the Commission will reflect on and discuss with interested parties during the review of the TVWF Directive. It should be noted that the current Directive established a “Contact Committee” to discuss all aspects of audiovisual policy related to the Directive with representatives of the Member States.

With regard to **cultural and linguistic diversity**, these are extremely important considerations which will also be analysed in the context of the review of the Directive.

### **Point 5**

With the support of the Parliament, the Commission’s proposal for a **MEDIA Plus programme** was adopted at the beginning of the year. The digital revolution will open up many new ways of exploiting audiovisual works – Video on Demand over the Internet for example – and Europe’s industry must be in a position to take advantage of this. However, the European industry is still, in comparison with its American competitor, fragmented and weak. The last ten years have seen an improvement – for example, in almost all Member States now the most successful television programmes are national productions, not American ones, and even in the cinema there has been a notable increase in the number of European successes. The aim of the MEDIA Plus programme is to build on this, to provide the necessary training and to assist the European audiovisual industry in taking advantage of the single market. It operates at the European level only and is therefore complementary to national schemes.

With regard to certain proposals in the Parliament’s report relating to **cinema**, the Commission adopted a staff working document on certain legal aspects relating to cinematographic and other audiovisual works on 11 April 2001. It will address, inter alia, questions of the definition of a European work and state aid to cinema production. Public consultation on this document, including a public hearing on 15 June, will take place until 11 July. The Communication may also consider such possibilities as the creation of a European guarantee fund for cinema production (though this was already attempted, without success) and a new Directive on cinema. At this stage, the Commission takes note of the Parliament’s remarks but cannot commit yet itself to any particular approach. This said, it should be made clear that the **Commission fully recognises the role of public funding in audiovisual production and recognises the need for a specific treatment in this area.**

### **Point 6**

The Directive in question has been adopted.

### **Point 7**

With regard to **public service broadcasting**, this is a complex and delicate issue. The Commission has made its position clear on numerous occasions, not least in this Communication. Public service broadcasting plays a vital cultural and social role in the Member States, and must be allowed to continue this role. In the light of technological, social and market

developments, this role may indeed change, but this is a matter for Member States. As the Amsterdam Protocol made clear, **it is for Member States to define the public service broadcasting remit and to decide the system of financing therefore.** However, the Commission has a duty under the Treaty to ensure that the funding system does not affect trading conditions and competition in the Community to an extent which would be contrary to the common interest.

In order to achieve clarity in this area, the Commission intends to adopt a **Communication on the application of state aid rules to public service broadcasting** during the second half of 2001. It should also be noted that the Commission recently adopted a revision of the so-called transparency directive. This will require public service broadcasters to operate separate accounting for public service activities and other activities. It does not apply to public service broadcasters which do not engage in activities outside the services of general economic interest.

### **Points 9-10**

With regard to **international trade negotiations in the audiovisual sector**, the Commission has on several occasions made clear its position, namely that the Community should retain the freedom achieved under the Uruguay round to develop and implement both financial and regulatory measures in the audiovisual sector, notably in order to safeguard cultural diversity. The Council, in its conclusions of 26 October 1999, gave a mandate to the Commission, for the forthcoming services negotiations, which confirms this line<sup>1</sup>.

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<sup>1</sup> “During the forthcoming WTO negotiations, the Union will ensure, as in the Uruguay Round, that the Community and its Member States maintain the possibility to preserve and develop their capacity to define and implement their cultural and audiovisual policies for the purpose of preserving their cultural diversity.”

### **3.2.2. Study on Parental Control of Television Broadcasting**

- 1. Rapporteur:** Roberta Angelilli
- 2. PE No:** A5-0258/00
- 3. Date of adoption of the report:** 5.10.2000
- 4. Subject:**

European Parliament Resolution on the Commission communication "Study on parental control of television broadcasting"

**5. Competent Parliamentary Committee:**

Committee on Culture, Youth, Education, the Media and Sport

**6. Analysis of the text and of Parliament's wishes:**

The EP welcomes the fact that the Commission has sponsored a study on parental control of television broadcasting and calls on the Commission to continue its research in this area.

**7. Response to these wishes and action taken or planned by the Commission:**

The study on parental control of television is not the only document relating to the protection of minors; early in the year, the Commission adopted a report on the application of the Recommendation on the protection of minors and human dignity, the results of which are encouraging.

The results of the study and of the report will be taken into account as part of the review of the Television Without Frontiers Directive. The results of Parliament's report on the study will also be taken into account in the Commission's Internet Action Plan and when considering a possible follow-up.

### **3.2.3. Application of Directive 89/552/EEC “Television without Frontiers”**

- 1. Rapporteur:** Ruth Hieronymi
- 2. EP No:** A5-0286/2001
- 3. Date of adoption of the resolution:** 4 October 2001
- 4. Subject:**

European Parliament resolution on the third report of the Commission to the Council, the European Parliament and the Economic and Social Committee on the application of Directive 89/552/EEC “Television without Frontiers” (COM(2001) 9 – C5-0190/2001 – 2001/2086 (COS))

#### **5. Competent Parliamentary Committee:**

Committee on Culture, Youth, Education, the Media and Sport

#### **6. Background:**

With a letter dated 16 January 2001, the Commission forwarded to Parliament, on the basis of Article 26, its third report on the application of Council Directive 89/552/EEC on the coordination of certain provisions laid down by law, regulation or administrative action in Member States concerning the pursuit of television broadcasting activities, as amended by Directive 97/36/EC of the European Parliament and of the Council.

#### **7. Analysis of the text and of Parliament’s requests:**

##### **The EP resolution:**

1. “calls on the Commission, the Council and the Member States to take account of the following points:
  - a) welcomes the Commission's generally careful assessment of the way in which the 'Television without Frontiers' Directive, which constitutes the legal basis for the development of the European audiovisual sector, is currently being applied;
  - b) regrets that the remit of this report, as specified in the Directive, did not allow the Commission to look beyond the mere application of the Directive and also give an albeit interim assessment of the achievement of the underlying policy objectives;
  - c) regrets the lack of analytical conclusions in some parts of the report, for example the commonplace description of vertical and horizontal integration in the audiovisual sector without a summarising assessment of the overall level of concentration and its implications;
  - d) notes the information given by the Commission concerning the implementation of Article 3a on events of major importance for society, the implementation of Articles 4 and 5 and the rules on advertising laid down in Articles 10 to 20 and the provisions on the protection of minors and parental control laid down in Articles 22 to 22b of the 'Television without Frontiers' Directive;



- e) regrets that the Commission has only included scant and long-available information on the candidate countries' efforts to implement the acquis in the audiovisual field, and that it has not dwelt on the need for their stepping up of these efforts;
- f) desires that all Member States and countries applying for accession step up their efforts as regards the process of adjustment in connection with applying the 'Television without Frontiers' Directive, and at the same time prepare for the new operational phase of the Directive due to take place after 2002;
- g) supports the Commission in its intention to submit proposals concerning a formal review of the 'Television without Frontiers' Directive; calls however for the target date (end of 2002) to be brought forward as much as possible;
- h) stresses the urgent need to amend the 'Television without Frontiers' Directive in tandem with revision of the 1999 communications and the electronic commerce directive, in order to ensure a consistent approach towards all communications services, promote the competitiveness of the European audiovisual market in the new environment and create quality products and interactive services;
- i) considers, to that end, a structured, effective dialogue with the audiovisual sector, national institutions, broadcasters and users continues to be essential;
- j) notes with concern the continuing imbalance between material produced in Europe and that imported from the United States for the European market;
- k) welcomes the wide preliminary work conducted by the Commission in connection with the public dialogue on the results of the application of the Directive in all the Member States;
- l) welcomes, in particular, the fact that the Commission has commissioned three major studies on new advertising techniques, promoting European works and technological and commercial developments in the audiovisual sector;
- m) considers therefore that, in conjunction with the Commission's planned review of the 'Television without Frontiers' Directive, a comprehensive analysis should also be made of the outcome of Article 3a concerning Member States' right to take national measures to exploit TV rights for events of particular importance to the community;
- n) awaits with interest the results of the studies, and welcomes the fact that the Commission is inviting discussion of these studies via a series of workshops as part of a transparent, informed, Community-wide dialogue;
- o) hopes that the results of these studies and the informed dialogue in this area will not only be helpful for the review of the 'Television without Frontiers' Directive, but will also serve as a model for introducing for the whole of the audiovisual sector a transparent procedure for analysing the effectiveness of national and Community legal bases;
- p) considers it premature, therefore, to anticipate the results of the debate on the future system for the audiovisual sector, but emphasises the importance of a wide debate with a view to adopting a consistent, united position as regards balancing the safeguarding of European cultural diversity and the demands of the global market;

- q) recalls the importance of conformity with the Directive as an element in the accession negotiations with the candidate countries, so that it shall have universal application in an enlarged European Union;
- r) welcomes the continuing cooperation with the European Platform of Regulation Authorities (EPRA) and the Council of Europe;
- s) regards the Commission's approach to the protection of minors, emphasising the powers of the Member States, as the right one, and welcomes the presentation of the study undertaken at the request of the Commission on the impact of television advertising and teleshopping on minors in all Member States (99/139-102855);
- t) calls, on that basis, on the Member States to step up dialogue and cooperation with regard to the protection of minors in order to find common solutions and, as far as possible, to make the current complex system of rules and practices in the European audiovisual field less heterogeneous, whilst maintaining Member States' independence with regard to national restrictions on protection of children;
- u) considers it necessary, in anticipation of the review of the 'Television without Frontiers' Directive, that the Member States and the Commission should uphold within the various international bodies the principle of the special cultural and democratic importance of the audiovisual sector, having regard to the growth in worldwide trade and technological progress; and should conduct a study to ascertain the extent and implications of vertical and horizontal integration of the media that already exists within Europe;
- v) considers, therefore, that in reviewing the 'Television without Frontiers' Directive, its scope should be broadened to cover the new audiovisual services;
- w) calls on the Commission to take account, in its review, of new developments in the sector, such as:
  - webcasting on the Internet;
  - video streaming;
  - decoders/Internet protocols (MHP);
  - electronic programme guides (EPG);
  - interfaces (API);
  - intellectual property (i.e. digital private copying and caching);
- x) considers that the Commission, together with the Member States, should facilitate the transition to digital technology both for audiovisual companies and for individuals; this should be done by making it a requirement to have MHP-compatible technologies after a suitable transitional period and common interfaces for the different conditional access systems;
- y) urges those Member States which have not yet done so to incorporate the amended "Television without Frontiers" Directive into their national legislation;

- z) strongly recommends that the Commission proceed with its effective monitoring of compliance with the Directive so as to guarantee free transmission within the European Union, the broadcasting of European works and limits on advertising;
- aa) believes that the protection of minors and public order cannot justify the need for national measures restricting free transmission, provided that the Union's common principles and values are not undermined;
- bb) recommends that the Commission analyse in particular the alignment of legislation in the candidate countries as regards the legislation on television without frontiers.”

## **8. Response to these requests and forecast of action taken or planned by the Commission:**

The Commission welcomes the European Parliament's resolution urging the continued effective monitoring of the application of the “Television without Frontiers” Directive. It will take account of the comments and requests made by Parliament. In this connection, it wishes to clarify certain points, as follows:

### **Implementation of the Directive and adoption of the Community *acquis* in the candidate countries (points 1e), 1q), 1z) and 1)bb))**

The Commission's first concern is to apply the Directive correctly and to take action against any failure on the part of Member States to comply with and implement its provisions.

The Commission wishes to point out that its report to the Council, the European Parliament and the Economic and Social Committee on application of the “Television without Frontiers” Directive 89/552/EEC does not constitute an appropriate framework for detailed assessment of the progress made by the candidate countries in adopting the Community *acquis*.

The lack of detailed information on this subject in the report does not therefore mean that the Commission is not fully assuming its responsibilities within the enlargement process. On the contrary, the Commission points out that it is continuously monitoring and systematically analysing the legislative progress of the candidate countries in the television broadcasting sector with a view to evaluating the extent of alignment with the Community *acquis*, particularly as regards the “Television without Frontiers” Directive.

Most of the candidate countries have made significant progress in aligning their legislation to the *acquis*, with nine countries having adopted new legislation bringing them closely into line with the Community *acquis* (Bulgaria, Cyprus, Estonia, Latvia, Lithuania, Malta, Czech Republic, Slovakia, Slovenia). Moreover, Poland has already made an initial series of amendments to its legislation and has embarked on a legislative process to finalise alignment with the *acquis*. Legislative processes have also been initiated in Hungary and Romania, aimed at alignment with the Community *acquis*. A draft law is also being finalised in Turkey.

This progress is also reflected in the accession negotiations, with the “culture and audiovisual policy” chapter (Chapter 20) having been provisionally concluded with ten candidate countries. This has been brought to Parliament's attention.

In addition to such aspects concerning adoption of the Community *acquis*, with a view to the development of audiovisual policy in an enlarged Union, the Commission wishes to inform

Parliament that it will launch, in 2002, a study of the audiovisual scene and of public policies in the audiovisual sector in the candidate countries.

**Review of the “Television without Frontiers” Directive (points 1b), c), g), h), i), k), m), n), o), v), w))**

As stated by Parliament in its resolution, in preparation for the review of the “Television without Frontiers” Directive, the Commission has launched the following three major independent studies, which are now being finalised:

- The first study (contractor: Uyttendaele, Gérard et Doutrelepont) will assess the impact of measures geared to promoting distribution and production of European television programmes, focusing mainly on the effectiveness of these measures at Community and national levels.
- The second study (contractor: Arthur Andersen) will analyse recent technological and market developments in this sector, seeking to identify cause and effect relationships. It will provide the Commission with a number of possible scenarios for the future development of the market.
- The third study (contractor: Bird & Bird) will focus on new advertising techniques (separate-screen advertising, virtual advertising, interactive advertising), looking in particular at ways of separating advertising from other types of content, especially editorial content.

The Commission wishes to inform Parliament that these studies will be made public in the first half of 2002, and will constitute an important element in reviewing the Directive. They have, moreover, given rise to a series of six public seminars permitting the involvement of all interested parties.

As regards the scope of the review, the Commission wishes to point out that, in line with Parliament’s wishes, this exercise will not be merely a review of the provisions relating to television. There will be a wider remit in terms of technological and market development, with particular emphasis on the convergence of telecommunications, media and information technologies sectors. A more detailed analysis will be available at the end of 2002.

At this stage, however, the Commission wants to make it clear that it is not possible to prejudge the results of the current review (particularly on the question of any extension of its scope). In accordance with Article 26, the Commission’s report on the application of the “Television without Frontiers” Directive, including any necessary further proposals to amend it, will be submitted to the European Parliament, the Council and the Economic and Social Committee at the end of 2002.

### **Upholding the principle of the special cultural and democratic importance of the audiovisual sector (point 1u)**

The Commission is committed to ensuring that the specific social and cultural aspects of the audiovisual sector are taken into consideration within international bodies. The Commission’s active role in this regard was recently reflected in unanimous support for the Universal Declaration on Cultural Diversity and the related action plan adopted by UNESCO in November 2001, and affirmation of the European Union’s determination to ensure, during the current WTO negotiations, that the Community and its Member States have the opportunity to retain and

develop their capacity to define and implement cultural and audiovisual policies for the preservation of cultural diversity.

The Commission will continue to ensure that these values are affirmed and upheld within international bodies.

**Facilitating the transition to digital technology (point 1x)**

The Directive concerning a common regulatory framework for electronic communications networks and services (“framework” Directive) guarantees, in Article 18, the interoperability of interactive digital television services.

### **3.2.4. Audiovisual policy, protection of minors and human dignity**

- 1. Rapporteur:** Christopher J.P. Beazley
- 2. EP No:** A5-0037/2002
- 3. Date of adoption of the resolution:** 11 April 2002
- 4. Subject:**

Report on the evaluation report from the Commission to the Council and the European Parliament on the application of the Council Recommendation of 24 September 1998 concerning the protection of minors and human dignity (COM(2001) 106 – C5-0191/2001 – 2001/2087(COS))

**5. Competent Parliamentary Committee:**

Committee on Culture, Youth, Education, the Media and Sport

**6. Background of the resolution:**

Evaluation report from the Commission to the Council and the European Parliament on the application of the Council Recommendation of 24 September 1998 concerning the protection of minors and human dignity

**7. Analysis of the text and of Parliament's requests:**

The European Parliament notes the conclusions of the Commission's Evaluation Report of 27 February 2001 on the application of the Council Recommendation of 24 September 1998 concerning the protection of minors and human dignity; it also welcomes the actions developed under the Commission's Safer Internet Action Plan, asks the Commission to continue to work closely with content providers and consumer organisations, to promote the creation of user-friendly filter systems at affordable prices and to continue to promote application of the Recommendation: it further calls on the Commission to draw up a further report, at an appropriate moment and preferably before 3 December 2002 on the implementation on the Recommendation.

**8. Reply to these requests and outlook regarding the action that the Commission has taken or intends to take:**

As requested the Commission will continue its work concerning the protection of minor and human dignity, namely with respect to the close contact to service providers and consumer organisations and the promotion of the creation of user-friendly filters at affordable prices; it also will continue to promote the application of the recommendation and will prepare a new report at an appropriate time. In particular, there will be continued close co-operation between Commission services responsible for implementation of the Recommendation and those responsible for implementation of the funding mechanisms and other instruments under the Safer Internet Action Plan and its follow-up, the proposed eSafe programme.

### **3.2.5. Certain legal aspects relating to cinematographic and other audiovisual works**

- 1. Rapporteur:** Luckas Vander Taelen
- 2. EP No:** A5-0222/2002
- 3. Date of adoption of the resolution:** 2 July 2002
- 4. Subject:**

European Parliament resolution on the Commission communication to the European Parliament, the Council, the Economic and Social Committee and the Committee of the Regions on certain legal aspects relating to cinematographic and other audiovisual works (COM(2001) 534 – C5-0078/2002 – 2002/2035(COS))

#### **5. Competent Parliamentary Committee:**

The Committee on Culture, Youth, Education, the Media and Sport

#### **6. Background of the resolution:**

Resolution following the transmission of the Commission Communication to the European Parliament, the Council, the Economic and Social Committee and the Committee of the Regions on certain legal aspects relating to cinematographic and other audiovisual works.

#### **7. Analysis of the text and of Parliament's requests, reply to these requests and outlook regarding the action that the Commission has taken or intends to take:**

**The Commission** welcomes this Resolution, which contains many useful ideas that merit further study by the Commission. It notes the support for a number of the initiatives announced in the Communication. It would like to make certain points in response to the actions asked for by the Parliament.

#### **Point 2:**

[The European Parliament] urges the Commission to do everything possible to ensure that audiovisual works can move freely within the internal market by 2005; would also like to see initiatives taken on the basis of its above-mentioned resolution of 13 November 2001, which is complementary to the communication under consideration;

The Commission intends to do everything possible to ensure that audiovisual works can move freely within the Internal Market by 2005; the TVWF Directive ensures this for television broadcasts and the Commission intends to look at any obstacles, notably in the context of the Cinema experts' groups. The Commission has already replied to the European Parliament resolution of 13 November 2001, which is complementary to the communication under consideration detailing the actions it intends to undertake.

**Points 3-8, 37:**

3. Supports the Commission's moves to make the criteria it uses when examining aid to the audiovisual sector in the Member States more transparent; regrets the fact that certain parts of its communication of September 2001 on this topic, however, remain vague or are incomplete;
  4. Calls on the Commission, in assessing the funding of cinema films, other audiovisual works and public-service radio from the point of view of aid legislation, to take account of the relevant judgments of the European Court of Justice e.g. the Preussen-Elektra judgment of March 2001;
  5. Calls on the Commission to amend, where necessary, the legislative provisions that deal with State aid in order to take account of the fact that the audiovisual sector is both cultural and industrial in nature;
  6. Notes that the European Investment Bank and the European Investment Fund can also have an important role to play in protecting audiovisual heritage and supporting the European audiovisual sector in general, without this being included under the heading of State aid;
  7. Points out that there is no real competition and only limited distribution between the EU national audiovisual industries, and that the European market is largely dominated by the United States industry; emphasises that the European Union must adopt a proactive policy designed to foster the production and distribution of cinematographic works;
  8. Urges that legal certainty, which the Commission wishes to generate in the audiovisual sector with respect to State aid, should be guaranteed and should continue over coming years and takes the view that, if a re-examination of this issue is considered necessary in June 2004, this should lead to increased flexibility rather than a stricter application of the aid rules of EU competition law, and genuine consideration of the cultural and industrial needs of the cinematographic and audiovisual sector;
37. Draws attention to the absence of a proper competitive system in the audiovisual sector, and points out that the law on State aids needs adapting, so that the twofold cultural and industrial nature of the audiovisual sector is taken into account;

The Commission considers that the Communication provides a clear and transparent basis for examining aid to the audiovisual sector in the Member States. When making this assessment it applies Community law, which includes the caselaw of the European Court of Justice. The Commission notes the request to amend the legislative provisions that deal with State aid in order to take account of the fact that the audiovisual sector is both cultural and industrial in nature, but considers that the Communication states explicitly that these aspects are taken account of fully.

The Commission has given extensive information about the European Investment Bank and the European Investment Fund supporting the European audiovisual sector that clarifies the scope of their activities.

The Commission would emphasise that the MEDIA Plus programme is designed precisely to foster the production and distribution of cinematographic works.



**Points 9-11:**

9. Stresses the need for compulsory legal deposit of works by the Member States, in line with the European Convention for the protection of the Audiovisual Heritage and the Additional Protocol on TV productions; calls on the public support funds for the audiovisual sector, as a transitional measure, to make it compulsory for their beneficiaries to deposit copies of any of their works which have received State aid through these funds;

10. Calls on the Commission and the Council to create an instrument to cofinance work to digitise archives, through a specific measure, for instance, in the next version of the MEDIA programme, based on a MEDIA Plus pilot project;

11. Supports the Commission's aim of carrying out a complementary study on registration schemes and databases, before expressing an opinion as to the need for legislative measures, and welcomes in principle the establishment of a public national film register (without copyright law implications);

The Commission will further examine the need for legal deposit and registration once the analysis is completed of the replies to the questionnaire that was sent to the Member States. This issue will also be discussed in the Cinema experts' groups. The Commission notes with interest and will examine further the suggestion of making it compulsory for beneficiaries of public support funds to deposit copies of any of their works which have received State aid.

The Commission has launched a number of pilot projects in the context of the MEDIA Plus programme, which will be evaluated at a later date. The request of the Parliament is duly noted in respect of this evaluation.

**Points 14-16, 41-42:**

14. Confirms that it seems desirable to entrust the definition of digital film standards to the market, but that in order to avoid undesirable developments, the audiovisual industries in the EU and the USA should cooperate to that end;

15. Urges that specific research on digital film should be included in the sixth Framework Programme for Research and Development; deplores the lack of specific provisions to support the introduction of digital platforms (video on demand);

16. Calls on the Commission, the EIB and the Council to examine the possibility of contributing to the funding of extremely expensive digital projection equipment for European cinemas;

41. Considers that, in order to revive production, there needs to be some prospect of a system that provides better incentives and public funding for the private sector, and more tax concessions for television and film producers; points out that such a scheme will stimulate the growth of smaller businesses and encourage genuine competition;

42. Takes the view that there is a need to consider the legal bases for promoting the European film production industry, so that the expectations being vested in e-cinema can be fulfilled;

The Commission has explained in its response to the previous EP Resolution the actions it will take in the field of e-cinema. This issue will also be addressed in the context of the Cinema experts' groups.

The Commission is proactive in this domain and has organised a meeting with the EIB as well as with industrials of the sector. The objective is to assess the various impacts and challenge as well as the business models for the transition to the digital cinema.

**Points 17-19, 41-42:**

17. Believes that it is important to reduce the VAT rates applicable to audiovisual cultural products and services, in the review of Annex H of the sixth VAT directive, by analogy with the reduced rates applied to other cultural sectors;

18. Urges the Member States to use the measures already available to them, including the option to apply a reduced rate to cinema tickets;

19. Is disappointed that the Commission, in its communication, does not encourage the Member States to introduce tax incentives *in their territories to attract investment in film*;

The Commission notes the request of the Parliament in respect of reducing the VAT rates applicable to audiovisual cultural products and services, in the review of Annex H of the sixth VAT directive, by analogy with the reduced rates applied to other cultural sectors. This review will take place in 2003. The Commission has encouraged Member States to consider schemes to encourage production and distribution, which could include all types of schemes such as those referred to.

**Points 20-21:**

20. Supports the Commission's initiative to organise an external study on the way in which rating is organised in the EEA, the reasons for differences and their impact on the marketing of films;

21. Considers it desirable, however, to take account of differing cultural traditions and peculiarities, while appreciating the need for a uniform evaluation as regards measures to protect human rights;

The Commission has now launched the study on the rating legislation and practice with respect to audiovisual works in the European Union and EEA Member States; it will identify the possible economic impact of rating differences, and examine whether this may cause any possible confusion, particularly in parents, teachers, or others responsible for minors. The Commission is well aware of differing cultural traditions in the Member State and the objective of the study is not to examine the feasibility of a uniform rating system; however, depending on the outcome of the study, a stronger cooperation in this matter between the States concerned may be considered. Co-regulation or self-Regulation may also play an important role to this respect.

**Point 22:**

Calls on the Commission to encourage the Member States to foster the creation of financial institutions specialising in the audiovisual sector, and to facilitate the creation of a risk capital fund, so as to be better able to respond to the i2i audiovisual initiative by the EIB and the Commission; notes, however, that this must not result in small and medium sized enterprises in the film sector being disadvantaged;

The Commission has recently launched a new Call for Proposals under the Preparatory Action "Growth and Audiovisual: i2i Audiovisual". This new initiative is in line with the EIB Initiative "i2i audiovisual". The Action is intended to help film and audio-visual production companies to have access to external funding from banks and other financial institutions, by funding some of the costs of the guarantees demanded by these banks or financial institutions and/or part of the cost of a loan (bank discounting) for financing the production of their works (margin applied for "cinematographic and audio-visual risk").

**Point 25:**

*Notes in that context that an in-depth analysis of European film audiences and the way in which they relate to American and European films could give an insight into the marketing impact of the films within the audiovisual sector;*

The Commission notes and will examine further (together with the Cinema experts' groups) the request to launch a study of European film audiences and the way in which they relate to American and European films.

**Points 29-33, 39:**

29. Calls for the issue of producing definitions of 'European work' and 'independent producer' to be analysed within the context of a revision of the Television without Frontiers Directive or, at least, for a thorough study of the issue to be undertaken by the end of 2002 at the latest, with a view to determining whether new or harmonised definitions are necessary and whether they would make procedures more transparent and simpler for the professionals;

30. Refers also to the practice, current in some Member States, of 'buy-out' contracts, which considerably restrict contractual freedom at producer level;

31. Draws attention to paragraph 8 of the above-mentioned resolution of 13 November 2001 on achieving better circulation of European films in the internal market and the candidate countries, particularly with regard to the text in point (c) regarding investment in production;

32. Shares the Commission's opinion on the issue of media chronology and on-line rights;

33. Hopes that, as part of the revision of the above-mentioned Directive, general rules can be laid down on new audiovisual services, together with a method for regulating media ownership which will provide a better guarantee of cultural pluralism;

39. Supports the Commission initiative of providing for a review of the 'Television without Frontiers' directive by the end of 2002, to amend the current provisions and clarify the concepts of 'European work' and 'independent producer', without prejudice to initiating infringement proceedings against Member States that have not correctly transposed the 'Television without Frontiers' directive;

As stated in its response to the previous EP Resolution, the Commission will soon publish its fifth report on the application of Articles 4 and 5 of the TVWF Directive (1999-2000 period). This will give us an additional input to feed into our reflections in the framework of the review of the Directive.

The Commission will also adopt before the end of the year a report on the application of the Television without Frontiers Directive together with a work programme to examine the need for

a future revision of the directive. This will cover the issue of Articles 4 and 5 together with other issues raised in this context, such as the whether new or harmonised definitions of an “independent producer” or “production” are necessary and whether they would make procedures more transparent and simpler for the professionals.

### 3.3. Non-legislative resolutions

#### 3.3.1. Media concentration

1. **Resolution in accordance with Articles 47(1) and 179(2) of the European Parliament's Rules of Procedure**
2. **EP No:** B5-0579/2002
3. **Date of adoption of the resolution:** 20 November 2002
4. **Subject:**

European Parliament resolution on media concentration

5. **Competent parliamentary committee:**

Culture, youth, education, media and sport

6. **Background to the resolution:**

Between the end of July and the end of October 2002, six oral questions were put to the Commission on the risks posed to the protection of pluralism by the trend towards media concentration. As well as calling on the Commission to take action, the Commission was also asked whether it felt that it had an appropriate legal basis and, if not, whether it intended to submit a proposal to the European Convention.

Mr Byrne, the Member of the Commission, gave a joint answer to all these questions at the session of 18 November 2002, outlining the different instruments available to the Commission to defend pluralism, whilst recognising their limitations since their objective was simply to ensure a certain economic balance between enterprises within the internal market. The protection of pluralism *per se* is not, in fact, one of the tasks assigned to the Community by Article 2.

7. **Analysis of the text and of Parliament's requests:**

In view of developments in the media and technology markets, the EP fears that the lack of regulation might lead to dangerous concentrations and jeopardise pluralism, democracy and cultural diversity in the Member States.

The EP therefore calls on the Commission:

- to launch a broad and comprehensive consultation process, in order to assess the development of new technology and new communications, and notably the impact of mergers and alliances on the internal market and media pluralism, as well as the right to freedom of expression and access by all citizens to the services of the information society;
- to check the consistency of national and European legislation in this field;
- to draw up a Green Paper by the end of 2003, setting out the aforementioned issues, and presenting the legal position in the Member States and applicant countries, and likely future developments;

- to analyse within this parliamentary term the implications of a European-level regulatory framework to safeguard pluralism in the media and freedom of expression, and to ensure fair competition in the advertising market;
- to submit to the European Convention an appropriate proposal so that the principle of freedom of the media may be given a stronger basis in the Treaty.

**8. Reply to these requests and outlook regarding the action that the Commission has taken or intends to take:**

The Commission does not intend to take action on the European Parliament resolution since the resolution deals with pluralism as a democratic and institutional value within each Member State, expressing the desire to maintain free and diversified media in all the Member States.

The answer to the issues raised and the work requested by the European Parliament does not therefore lie in an initiative by the Commission based on the freedoms of the internal market (Articles 43 and 49 of the EC Treaty) which are designed to govern cross-border situations. The issue of compliance with the principle of subsidiarity would arise with any such initiative, as the legal bases of the internal market are not intended to govern internal situations in the Member States.

As mentioned in the answer to the oral questions asked by Members of the European Parliament, the existing Community instruments, which are founded on the **legal bases of the Treaty of Rome**, are designed to ensure a certain economic balance between economic operators and thus directly affect the media as an economic activity, but not - or only very indirectly - as a vehicle for delivering information to citizens.

Consequently, the Merger Regulation already enables the Commission to exercise control over concentrations in the media sector, leaving the Member States the possibility, as a last resort, to prohibit a merger authorised by the Commission on the grounds of protecting pluralism.

Finally, any proposal from the Commission through the Convention would be too late in relation to the work undertaken. An initiative of this type is not the sole prerogative of the Commission and can always be taken by the MEPs themselves.

## **4. YOUTH**

### **4.1. Own-initiative reports**

#### **4.1.1. Implementation of the Youth Programme**

- 1. Rapporteur:** Lissy Gröner
- 2. PE No:** A5-0019/2002
- 3. Date of adoption of the resolution:** 28.02.2002
- 4. Subject:**

Implementation of the Youth Programme

#### **5. Parliamentary Committee responsible:**

Committee on Culture, Youth, Education, the Media and Sport

#### **6. Background:**

This resolution follows on from the report by Ms L. Gröner on the implementation of the Youth Programme (A5-0019/2002).

#### **7. Analysis of the text and Parliament's requests:**

Parliament made a series of requests to the Commission concerning eight separate areas:

##### **General coordination of the programme (paragraph 8)**

The Commission is urged to ensure that political orientations, control and budgetary decisions remain the institutions' full responsibility in the context of delegation to national bodies (the programme's National Agencies).

##### **Provision of decentralised appropriations (paragraph 6)**

The Commission is asked to ensure that there is no delay in paying these funds to the National Agencies.

##### **Selection of projects (paragraph 14)**

The Commission is requested to ensure that the National Agencies apply the selection criteria evenly, strictly and effectively.

##### **Reporting (paragraph 4)**

Parliament calls on the Commission to draw up an annual report on the implementation of the programme and to submit unambiguous figures.

### **Disadvantaged young people (paragraphs 11 and 13)**

The Commission is called upon to examine the obstacles deterring disadvantaged young people from participating in the programme, with a view to improving this participation by 2002.

It is also asked to promote the creation of projects favouring the integration of young immigrants.

### **Gender distribution among participants (paragraph 12)**

Parliament calls on the Commission to ensure that the ratio of male to female participants in the programme is approximately equal, particularly in the case of disadvantaged young people.

### **Promotion of the programme (paragraph 16)**

Parliament calls on the Commission to hold an action week in the second half of 2002 to raise public awareness of the programme's projects and objectives.

### **Simplification of administrative procedures (paragraphs 19 and 20)**

The Commission is asked to continue to simplify the procedures relating to funding decisions and the programme's funding rules.

Parliament also made a series of requests to Member States and countries participating in the programme in relation to the funding of National Agencies, the fact that their own actions are to supplement the Youth Programme, and the issuing of visas to participants (paragraphs 5, 7 and 15).

## **8. Reply to these requests and action which the Commission has taken or intends to take:**

### **General coordination of the programme**

The introduction of a legal framework ("Provisions concerning the responsibilities of the Member States and the Commission as regards the NAs"), setting out precisely the responsibilities of each party, meets Parliament's request. Moreover, it is the Commission which defines the programme's annual priorities and decides on the distribution of the budget between programme actions and between National Agencies.

### **Provision of decentralised appropriations**

In order to ensure optimum implementation of the programme at local level, funds will be paid to the National Agencies two months in advance as of 2003.

### **Selection of projects**

The National Agencies have been provided with a guide for applicants, updated annually, and an implementation manual designed specifically for these agencies. These documents explain the procedures and criteria to be applied in project selection. A list of minimum requirements to be included in the National Agencies' evaluation forms is currently being drawn up.



A programme of visits to the National Agencies has been drawn up (nine of them have already had such a visit and seven others will be visited by the end of 2002). It is planned that during the forthcoming visits the Commission representatives will attend national selection meetings.

### **Reporting**

An assessment of the programme implementation has been carried out for 2000 and 2001 (with consolidated figures for 2001) and submitted to Parliament.

### **Disadvantaged young people**

An analysis of the participation of disadvantaged young people has been carried out and a strategy to integrate these young people in the programme has been set up for the period 2001-2003. This has also taken young immigrants into account.

The results of this integration strategy will be analysed in the coming months.

### **Gender distribution among participants**

In the projects carried out in 2000 and 2001, the ratio of male to female participants was balanced:

- 2000: 50% female and 50% male;
- 2001: 54% female and 46% male.

### **Promotion of the programme**

A framework is being drawn up for the promotion week. However, the timetable for this week will certainly have to be revised in view of the work under way on the new generation of education, training and youth programmes.

### **Simplification of administrative procedures**

The Commission has continued its efforts to simplify internal procedures, and the programme's financial rules, particularly those relating to lump sums, have been updated and made more flexible.

The Commission has informed the relevant authorities, via the Youth Programme Committee, of the requests addressed to Member States and countries participating in the programme.

**4.1.2. European Parliament resolution on the Communication from the Commission to the Council: Follow-up to the White Paper on a New Impetus for European Youth - Proposed common objectives for the participation and information of young people, in response to the Council Resolution of 27 June 2002 regarding the framework of European cooperation in the youth field (COM(2003)184)**

1. **Rapporteur:** Lissy Gröner
2. **EP No:** A5-0081/2004
3. **Date of adoption of the resolution:** 26 February 2004
4. **Subject:**

Proposed common objectives for the participation and information of young people

**5. Parliamentary Committee responsible:**

Culture, Youth, Education, the Media and Sport

**6. Background:**

- Common objectives for the participation and information of young people (Council Resolution of 25.11.2003)
- New legal basis Youth NGOs
- New Youth Programme

**7. Analysis of the text and Parliament's requests:**

- Implementation of these common objectives and continuation of dialogue with young people and youth NGOs.
- Specific Youth Programme, which is to have a sufficient budget and be inclusive in geographical and social terms.
- European Youth Week

**8. Reply to these requests and action which the Commission has taken or intends to take:**

- Following the Council's adoption of common objectives for the first two priorities, working groups were set up with the administrations to make proposals for specific action on the participation (local and political) and information of young people.
- A discussion is under way with a group of experts with a view to making proposals regarding autonomy.

- A first review of the OMC is scheduled for the end of 2004, at Council level, based on a report from the Commission.
- Young people and youth organisations were consulted as part of the structured dialogue for the priorities of voluntary work and a greater understanding of young people.
- Organisation of a European Youth Week (2005)
- Communication from the Commission on European citizenship: *Making citizenship work: fostering European culture and diversity through programmes for Youth, Culture, Audiovisual and Civic Participation (COM(2004) 154 final)*. The Communication provides for a separate programme on youth for the period 2007-2013, which is largely in line with Parliament's guidelines.



## 4.2. Non-legislative reports adopted in response to a Commission Communication

### 4.2.1. White Paper on a new impetus for European Youth

1. **Rapporteur:** Lissy Gröner
2. **PE No:** A5-0126/2002
3. **Date of adoption of the report:** 14 May 2002
4. **Subject:** White Paper on a new impetus for European Youth
5. **Parliamentary Committee responsible:**

Committee on Culture, Youth, Education, the Media and Sport

#### 6. **Background:**

Following a wide-ranging consultation process, the Commission adopted the White Paper on a new impetus for European Youth on 21 November. This document proposes, *inter alia*, to provide the Union with a new framework for cooperation in the field of youth via a two-pronged approach: an open method of coordination applied to *participation, voluntary service, information* and a *greater understanding of youth*; and *taking greater account of young people in other policy areas*, such as education, employment, social integration, prevention of racism and xenophobia, and autonomy.

This White Paper was submitted to the European Parliament on 22 November 2001 and presented to the Council on 29 November.

Under the Spanish Presidency, the Council immediately initiated measures to implement the White Paper's proposals. The Education and Youth Council which met on 14 February 2002 adopted a resolution agreeing in principle to the implementation of a framework for European cooperation in the field of youth. Finally, on 30 May 2002, the Council adopted a resolution setting out the technical arrangements for this framework for cooperation.

During this time the European Parliament examined the White Paper, and its report on the White Paper was adopted on 14 May 2002.

The meeting of the Parliamentary Committee responsible, which was held in Brussels on 25 March, provided an opportunity for the Commission and Parliament to discuss the follow-up to the White Paper.

#### 7. **Analysis of the text and Parliament's requests:**

Parliament's assessment of the White Paper is positive, on the whole, and specific requests relating to the follow-up come under four headings:

- general points,
- open method of coordination and priority areas,
- taking greater account of the youth dimension in other policies,

– further outlook for youth policy.

## **7.1. General points**

### **Paragraph 1**

Parliament calls for the gender dimension and equal opportunities to be included as a factor in the areas addressed by youth policy.

### **Paragraph 3**

Parliament believes that the policies proposed in the White Paper must now be translated as quickly as possible into concrete measures and that "*appropriate budget funds*" must be provided to supplement the Youth Programme.

## **7.2. With regard to the open method of coordination and priority areas, Parliament:**

### **Paragraph 5**

regards the open method of coordination as an appropriate instrument and asks for further information on procedures for applying this method;

### **Paragraph 6**

calls for an interinstitutional agreement to be concluded laying down rules governing the participation of Community institutions in the use of the open method;

### **Paragraph 9**

underlines the importance of the European Youth Forum as a civil society organisation;

### **Paragraphs 13-15**

calls on the Commission to develop actions and information material for young people and in particular to organise an annual information week on activities in the field of youth;

### **Paragraph 17**

asks the Commission to introduce a diploma in voluntary service.

## **7.3. With regard to taking greater account of the youth dimension in other policies, Parliament:**

### **Paragraphs 19-20**

believes that the Commission must set out procedures to guarantee that greater account is taken of the youth dimension, and calls for further areas to be added, such as equal opportunities, immigration, drugs policy, prevention of discrimination, and the information society;

### **Paragraph 21**

calls on the Commission to draw up indicators relating to the health of young people;

## **Paragraph 22**

calls on the Commission to promote measures targeted at young people under the Structural Funds and Community programmes;

### **7.4. With regard to further outlook for youth policy, Parliament:**

## **Paragraph 25**

calls on the Commission to prepare, every three years, a report on the situation for young people in Europe;

## **Paragraph 27**

calls on the Commission to involve the candidate countries in the follow-up to the White Paper.

### **8. Reply to these requests and action which the Commission has taken or intends to take:**

The White Paper will be implemented mainly within the framework for European cooperation in the field of youth, as presented in the Council Resolution of 27 June 2002<sup>1</sup>. Most of the proposals submitted by Parliament will therefore be implemented within this framework.

#### **8.1. General points**

### **Paragraph 1**

Paragraph 3 of the Council Resolution provides that the principles of equality between men and women as set out in Articles 2 and 3 and of non-discrimination as set out in Articles 12 and 13 of the Treaty must be taken into account in any proposed initiative coming within the framework of European cooperation in the field of youth.

### **Paragraph 3**

Six months after publication of the White Paper, the Council Resolution was adopted and two questionnaires were sent to the Member States and candidate countries, one on participation and the other on information for young people. With regard to the funding of proposals, the Commission will soon begin preparations for the new generation of programmes for post-2006. This work will also take into account the proposals contained in the White Paper. In 2002, in its preliminary draft budget for 2003, the Commission proposed implementing pilot projects in the area of youth participation. These pilot projects will be funded by a different budget heading from the one used to fund the Youth Programme.

#### **8.2. With regard to the open method of coordination and priority areas:**

### **Paragraph 5**

On 30 May the Education and Youth Council adopted the Resolution on the creation of the framework for European cooperation in the field of youth. This Resolution sets out the

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<sup>1</sup> OJ No 168, 13.7.2002.

Follow-up of non-legislative resolutions  
procedures used to apply the open method of coordination in this field. These procedures are in line with Parliament's requests.

### **Paragraph 6**

The Resolution provides that the European Parliament is to receive adequate information on the open method of coordination. More specifically, the Commission will submit its summary report and draft common objectives to the European Parliament so that it may give an opinion.

### **Paragraph 9**

The Resolution explicitly cites the European Youth Forum as a body for consultation under the method.

### **Paragraphs 13-15**

The White Paper proposes that the information measures be carried out mainly by the Member States, for both practical and political reasons (efficiency and subsidiarity). The Commission will make more specific proposals when it has studied in detail the questionnaires sent to the Member States on information for young people. The Commission has already undertaken to set up a youth portal and agreed to organise an "*information week on activities in the field of youth*".

### **Paragraph 17**

The Commission plans to develop the area of voluntary work by means of the open method of coordination with the Member States. The Commission currently sends each volunteer a certificate. The Commission does not have any authority to introduce a diploma. More formal recognition of voluntary work will depend on the work done in lifelong learning in relation to non-formal education.

## **8.3. With regard to taking greater account of the youth dimension in other policies:**

### **Paragraphs 19-20**

The White Paper identifies five priority policies which should take greater account of the youth dimension (education, employment, social integration, prevention of racism/xenophobia, and autonomy). These same priorities were included in the Council Resolution. The Commission believes that if the work is to be effective these areas should be dealt with as a priority before including other areas.

### **Paragraph 21**

Within the framework for European cooperation in the field of youth, the Commission believes that issues related to young people's health could be addressed with the Member States as part of the priority area on "understanding of youth". Member States did not feel it was appropriate at this stage to draw up indicators.

### **Paragraph 22**

Taking the youth dimension into account in Structural Fund programmes or Community programmes must be part of the wider context of taking youth into account in other policies, as presented in the Council Resolution.



**8.4. With regard to further outlook for youth policy:**

**Paragraph 25**

The Commission agrees with the idea of submitting a regular report, provided it relates to the implementation of the framework for cooperation on youth. The first such report is scheduled for 2004.

**Paragraph 27**

As provided for in the framework for cooperation, the Commission has invited the candidate countries to participate in the open method of coordination, for example by asking them to reply to the questionnaires sent to Member States.



## 5. SPORT

### 5.1. Non-legislative reports adopted in response to a Commission Communication

#### 5.1.1. Helsinki Report on Sport

1. **Rapporteur:** Pietro-Paolo Mennea
2. **EP No:** A5-0208/2000
3. **Date of adoption of the report:** 07.09.2000
4. **Subject:**

European Parliament resolution on the Commission report to the European Council "with a view to safeguarding current sports structures and maintaining the social function of sport within the Community framework - The Helsinki Report on Sport"

#### 5. **Parliamentary Committee responsible:**

Committee on Culture, Youth, Education, the Media and Sport

#### 6. **Background:**

The Commission drew up the "Helsinki Report on Sport" following the Vienna European Council of December 1998. In Vienna, *"recalling the Declaration on Sport attached to the Treaty of Amsterdam and recognising the social role of sport, the European Council invite[d] the Commission to submit a report to the Helsinki European Council with a view to safeguarding current sports structures and maintaining the social function of sport within the Community framework"*.

The "Helsinki Report" on sport is a response to this request.

#### 7. **Analysis of the text and Parliament's requests:**

In this resolution, Parliament has given the "Helsinki Report on Sport" a very positive reception, and the Commission feels that this encouragement will help it to implement the ideas developed in the report. The tone of this resolution is very similar to the approach taken by the Commission. Like the Commission, Parliament highlights the social and educational values of sport and wishes to encourage these aspects.

Parliament's resolution addresses several groups: Member States, public authorities, sporting federations and the Commission. This reflects the fact that sport is a complex area in terms of the distribution of roles and responsibility. In the area of sport, the Commission's role is subsidiary. This is why most of the specific measures mentioned by Parliament are a matter for national or sports authorities. However, a concerted effort is needed from the various partners involved. Parliament's request is consistent with the concept of a "new partnership" developed by the Commission in the Helsinki report.

The declaration of the Nice European Council of December 2000 on "the specific characteristics of sport and its social function in Europe" included a number of ideas developed in Parliament's

resolution. It seems, therefore, that the approach advocated by the Commission and Parliament in terms of sport has made significant progress in a year.

**8. Reply to these requests and action which the Commission has taken or intends to take:**

Several Commission initiatives or actions have been direct or indirect responses to the ideas developed by Parliament in its resolution.

The specific nature of sport has been taken into account in the cases dealt with by the Commission. In a number of recent cases, in accordance with the principles laid down by the Court of Justice, the concept of the specific nature of sport has prevailed, and has been taken into account in relation to transfers, government funding, etc. The specific nature of sport encompasses values highlighted by Parliament: solidarity, autonomy of sporting organisations in terms of sporting rules, commitment to amateur sport, the social and educational role of sport.

Sport has been taken into account in Community policies, particularly on youth, education and research.

The Commissioner responsible for sport has announced her intention to declare 2004 'European Year of Sport', on the basis of the European Parliament's proposals. This intention was also announced before Parliament. The Commission is going to draw up a draft decision to this effect.

Parliament emphasised the importance of physical education in schools, and the Commission wished to develop this idea. In line with the principle of subsidiarity, the Commission, together with the Olympic Movement, plans to launch an operation in autumn 2001 to promote the value of sport in schools. After an initial experimental year, this operation would then be extended as of the academic year 2002-2003.

One of Parliament's concerns is the role of sport in health protection. All measures taken by the Commission in this area are consistent with the approach taken by Parliament: the support plan to combat doping in sport, Community participation in the WADA, etc.

While some of Parliament's proposals involve measures which are not directly within the Community's remit, the Commission, in the spirit of the new partnership proposed in the Helsinki report, wished to open a debate on some issues and plan the measures to be taken, irrespective of at what level. Accordingly, issues such as the protection of young athletes, sport for disabled people, sport and the social economy and the Helsinki report follow-up (greater democracy within the federations, autonomy of the sports movement, sport for all) have been or will be discussed at the European sports forums. Representatives of the European Parliament have been invited to these forums.

To date there have been no specific initiatives concerning the following:

The request that the Commission submit a Communication on the integration of sport into the various Community policies, recognition of the work of sports organisations, the extent of sports education in the curricula of the individual Member States, sexual harassment and abuse in sport.

This point 29 of Parliament's resolution will be examined carefully by the Commission.

### **5.1.2. Community support plan to combat doping in sport**

- 1. Rapporteur:** Theresa Zabell
- 2. EP No:** A5-0203/2000
- 3. Date of adoption of the report:** 07.09.2000
- 4. Subject:**

European Parliament resolution on the Commission communication to the Council, the European Parliament, the Economic and Social Committee and the Committee of the Regions on a Community support plan to combat doping in sport (COM(1999) 643-C5-0087/2000-2000/2056(COS))

#### **5. Parliamentary Committee responsible:**

Committee on Culture, Youth, Education, the Media and Sport

#### **6. Background:**

In the Presidency conclusions of the Vienna European Council on 11 and 12 December 1998, the Council underlined *"its concern at the extent and seriousness of doping in sports, which undermines the sporting ethic and endangers public health. It emphasises the need for mobilisation at European Union level and invites the Member States to examine jointly with the Commission and international sports bodies possible measures to intensify the fight against this danger, in particular through better coordination of existing national measures."*

The Community support plan adopted by the Commission in December 1999 is one response to the Council's appeal. This support plan was adopted at a time when both public opinion and public authorities were very much aware of the problem of doping.

The intention of this resolution was to emphasise once again Parliament's concern regarding the problem of doping and to highlight a number of priority initiatives.

#### **7. Analysis of the text and Parliament's requests:**

Parliament's resolution strongly welcomed the initiatives taken by the Commission to combat doping.

Parliament had already on several occasions expressed its concern regarding the problem of doping (Resolution of 17 December 1998 on urgent measures to be taken against doping in sport). The Commission took this very much into account, and the support plan is largely inspired by Parliament's views.

#### **8. Reply to these requests and action which the Commission has taken or intends to take:**

There have been Commission initiatives on most of the aspects highlighted by Parliament. The main initiatives are as follows:

- Funding of projects to counter doping in an annual call for tenders. These projects involve information campaigns and education programmes as well as the organisation of symposia and conferences to coordinate the fight against doping at European level.
- Funding of studies to gain a better understanding of the phenomenon of doping. Three studies are under way on the structural causes of doping, protection of young athletes against drug-taking and mechanisms for raising awareness of the fight against doping. The first study corresponds to an express request by the European Parliament which, in point 3 of the Resolution, welcomed the Commission's Communication and the proposed action set out in it but called on the Commission "to analyse the causes of doping in different sports and at different levels".
- Mobilisation of the research programme to help counter doping.
- The Commission's active role in setting up an independent and transparent World Anti-Doping Agency. The Commission played a part both in setting up this Agency and in determining its operating procedures in accordance with the principles underlined by Parliament.
- Community involvement in the World Anti-Doping Agency, provisionally until 01.01.2002.
- The Commission is currently having difficulties related to this Community participation. The operating procedures which are emerging in the WADA do not provide the Community with all the requisite guarantees: lack of control over budget developments and too little Community authority despite its very high financial contribution. These conditions do not currently allow Community involvement in the WADA.
- A crucial aspect, and one which Parliament regards as particularly important, is the coordination of Community positions. For the first time, a number of coordination meetings on the issue of doping have been organised by the Commission. This has made it possible to exchange opinions and agree on common positions (e.g. regarding membership of the WADA). Work to coordinate the fight against doping has therefore been in line with the principle of subsidiarity.

On the other hand:

- The inclusion in the Treaty of a legal basis for Community action in the area of sport is something to be discussed in a more general debate in the context of the future IGC.
- The Commission still needs to examine the European Community's methods of ratifying the Council of Europe Anti-doping Convention.
- The conference called for by the European Parliament did not take place in the desired form. In fact, several conferences which both the Commission and the Council of Europe attended were supported by the Commission. Moreover, the problem of doping has been included on the agenda of several meetings of both sports ministers and sports directors. Work has been undertaken within the World Anti-Doping Agency on a code of conduct and on ethics in general.
- Finally, the Commission will continue its action, taking the utmost account of the guidelines suggested by the European Parliament in its Resolution.

## 5.2. Non-legislative resolutions

### 5.2.1. European Parliament Resolution on the Olympic Truce - Turin Winter Olympics 2006

1. **Rapporteur:** Nikolaos Sifunakis (PSE/EL) on behalf of the Committee on Culture and Education pursuant to Rule 108(5) of Parliament's Rule of Procedure
2. **EP reference number:** B6-0618/2005 / P6-TA-PROV(2005)0463
3. **Date of adoption of the Resolution:** 1 December 2005
4. **Subject:** Olympic Truce, truce concerning all war hostilities during competitions.
5. **Background of the Resolution:** Previous Resolution of 1 April 2004 on the Olympic Truce, OJ C 103 E, 29.4.2004, p. 816. Greek Members of the European Parliament are insisting on this issue since 2003.

#### 6.1. History

The tradition of the "Truce" or "Ekecheiria" was established in ancient Greece in the 9th century BC by the signature of a treaty between three kings. During the Truce period, the athletes, artists and their families, as well as ordinary pilgrims, could travel in total safety to participate in or attend the Olympic Games and return afterwards to their respective countries. As the opening of the Games approached, the sacred truce was proclaimed and announced by citizens of Elis who travelled throughout Greece to pass on the message.

Taking into account the global political reality in which sport and the Olympic Games exist, the International Olympic Committee (IOC) decided to revive the ancient concept of the Olympic Truce with the view to protecting, as far as possible, the interests of the athletes and sport in general, and to contribute to searching for peaceful and diplomatic solutions to the conflicts around the world.

Through this global and symbolic concept, the IOC aims to:

- raise awareness and encourage political leaders to act in favour of peace;
- mobilise youth for the promotion of the Olympic ideals;
- establish contacts between communities in conflict;
- offer humanitarian support in countries at war;

The IOC undertakings for the Olympic Truce extend beyond the period of the Olympic Games and have led to the implementation of a series of activities in favour of peace through its National Olympic Committees.

Preceding the Olympic Games 2004 in Athens, the IOC created an International Olympic Truce foundation in July 2000 (as a non-governmental organisation belonging to the Olympic Movement) and an International Olympic Truce Centre to reinforce the idea of the Olympic

Truce through discussion on conflict resolution, conflict prevention and through emphasising the role of sport in society.

## 6.2. *Current developments IOC*

The Olympic Winter Games will be held in Turin from 10 to 26 February 2006. The Winter Games comprise seven different sports and 15 different disciplines, which will be played out in eight different competition sites. Around 2,500 athletes, 650 judges and umpires and 1.5 million spectators are expected to participate in this 20th edition of the Winter Games. Getting closer to the Turin Winter Olympics, the IOC but also the Olympic Movement as a whole, is taking profit of visibility to lobby for the Olympic Truce. Current activities include use of the Internet, request for signatures, VIPS implication and Institutional Marketing.

Several awareness actions are being carried out, e.g. signatures supporting the Olympic Truce, nomination of Ambassadors of the Truce, organisation of conferences, symposiums, and public speeches.

## **6. Analysis of the text and of Parliament's requests:**

After pointing to the importance of the inclusion of the Olympic Truce in the UN Millennium declaration, its importance for dialogue, humanity, mutual understanding and cooperation between peoples, the Resolution:

A) *"3. Urges the Commission to place a greater emphasis on the potential of sport in its development and peacekeeping work and in the achievement of the Millennium Goals"*,

B) *"4. Welcomes the work of the International Olympic Truce Foundation and believes that the European Union should be involved in this work"*,

C) *"6. Urges the Council and the Commission to support the IOC in its efforts to promote peace and understanding through sport"*,

## **7. Reply to these requests and outlook regarding the action that the Commission has taken or intends to take:**

### General position

The Commission is supportive of the idea of including the Olympic Truce in the Millennium Declaration. It generally acknowledges the potential of sport for development and peacekeeping (notably human rights and democratisation). Community programmes and actions in these fields are open to sport related projects although sport is not specifically mentioned in the legal bases for these actions.

Projects supported by the Commission in the field of external relations have used sport in order to promote development and human rights. General programming and specific objectives of these actions are consistent with the Millennium Goals although the EU is not bound by this declaration of the United Nations General Assembly.



Reply to the specific requests

The EU has no specific competence in the field of sport. Any action to be proposed should not therefore seek to engage the Commission financially since there is currently no specific programme or budget line available for directly supporting the values of the Olympic Truce.

A) The Commission is ready to place a greater emphasis on the potential of sport for development and peacekeeping, by helping to raise awareness in the following ways:

- Informing about relevant developments, including the Olympic Truce, on DG EAC website;
- Providing a list of civil society members working on development and peacekeeping through sport on the DG EAC website.

Further comments on this issue are given within the follow-up of the Resolution on “Development and Sport” (B6-0633/2005 / P6-TA-PROV(2005)0464).

B) The Commission supports – within its competences – the IOC in its honourable task of establishing the Olympic Truce at international level.

- The Commission undertakes to identify suitable EU programmes and actions which could offer support to campaigns aimed at raising awareness about the importance of absence of hostilities during the Olympics.

C) The Commission is already involved in IOC activities through its own consultation activities and its participation in think-tanks, seminars and other events organised by the sport movement. The communication with IOC representatives has always been maintained in order to achieve synergies.



## **6. MULTILINGUALISM**

### **6.1. Own-initiative reports**

#### **6.1.1. The languages of minorities in the European Union in the context of enlargement and cultural diversity**

**1. Rapporteur:** Michl Ebner

**2. EP No:** A5-0271/2003

**3. Date of adoption of report:** 14 July 2003

and **Date of adoption of resolution:** 4 September 2003

**4. Subject:**

European regional and lesser-used languages – the languages of minorities in the European Union in the context of enlargement and cultural diversity

**5. Parliamentary Committee responsible:**

Committee on Culture, Youth, Education, the Media and Sport

**6. Background to the Resolution:**

Following the success of the European Year of Languages in 2001, on 24 July 2003 the Commission published an action plan on promoting language learning and linguistic diversity, on the basis of the resources currently available in Community programmes and measures (COM(2003)449).

The European Parliament considers this initiative to be an important step towards an overall approach to promoting language learning and raising awareness of our linguistic and cultural heritage, and calls for other measures to be adopted:

- the establishment of a European agency for linguistic diversity and language learning;
- the launch of a multiannual programme for linguistic diversity and language learning, to follow on from the European Year of Languages in 2001.

**7. Analysis of the text and of Parliament's requests:**

### **PART I: PROPOSAL FOR A EUROPEAN PARLIAMENT RESOLUTION**

1. Calls on the Commission, on the basis of Articles 149, 150, 151 and 308 of the EC Treaty, to submit to it by 31 March 2004 a legislative proposal: European regional and lesser-used languages – the languages of minorities in the European Union in the context of enlargement and cultural diversity in accordance with the recommendations and proposed measures annexed to this resolution;

2. Calls on the Commission to provide scientifically based criteria for a definition of a minority or regional language for the purposes of the possible programme for linguistic diversity;

3. Considers that, since the European Union has adopted a mainstreaming strategy in its funding policy, the objective of promoting and protecting regional and minority languages should be clearly stated as part of the objectives, at least of all the language and content industry-related programmes;
4. Considers that the budgetary impact of the actions and programmes requested in the recommendations in the annex should be compatible with the ceiling of heading 3 without a reprogramming of existing policies;
5. Asks the Commission to accompany its future initiative with an evaluation of possible duplication of activities at centralised and decentralised levels as well as a proposal for transferring the appropriate human and administrative resources from headquarters to the agencies concerned;
7. Proposes that a new budget item be established under Article B3-100 in the course of the annual budgetary procedure and that the corresponding appropriations be entered in the budget;

## **PART II: ANNEX TO THE PROPOSAL FOR A RESOLUTION PROPOSED MEASURES**

**Recommendation 1:** the establishment of a European Agency for linguistic diversity and language learning

**Recommendation 2:** the launch of a multiannual programme for linguistic diversity and language learning, to follow on from the European Year of Languages in 2001.

In addition to these two central measures, the European Parliament considers that a global approach to promoting linguistic diversity and language learning, and to preserving our linguistic and cultural heritage, including that of Europe's regional and minority languages, requires the following measures.

The European Parliament considers, therefore, that the Commission should:

1. on the basis of Article 3(1)(q) TEC, include the promotion of linguistic diversity, to include regional or minority languages, and language learning, among the objectives of the EU's cultural and educational programmes;
2. on the basis of Article 3(1) (q) TEC, ensure that the promotion of linguistic diversity, to include regional or minority languages, is also taken into account in other EU programmes, and for example is clearly identified as a target area in the action programme to combat discrimination or in the Structural Funds;
3. on the basis of Article 149 TEC, make all programmes accessible for proposals for all projects dealing with all languages, whether they are widely spoken or not;
4. if the languages in question have official status and are used in universities, bring them within the scope of implementation of the Socrates programme;
5. take the necessary measures to ensure that, in future, the interpretation of Articles 149, 150 and 151 TEC is based on an inclusive approach to linguistic diversity;

6. on the basis of Articles 149(3) TEC and 151(3) TEC, ensure that it is regularly and officially informed by the secretariat of the European Charter on Regional or Minority Languages concerning the state of ratification, and developments in relation to the implementation, of the Charter in the EU Member States,
7. on the basis of Articles 149(3) TEC and 151(3) TEC, ensure that it is regularly and officially informed by the Secretariat of the Council of Europe Framework Convention for the Protection of National Minorities concerning the state of ratification, and developments in relation to the implementation, of the Framework Convention in the EU Member States;
8. on the basis of Article 149 TEC, and with a view to encouraging teacher mobility, encourage the training of teachers of regional or minority languages;
9. report regularly to the Committee on Culture, Youth, Education, the Media and Sport of the European Parliament on developments relating to the Action Plan on Language Learning and Linguistic Diversity and its implementation;
10. on the basis of Article 6 TEU, pay particular attention to the protection of human rights in general and the protection of minorities in particular, not only in relation to external policy, but also in the Member States;
11. on the basis of Article 6 TEU, establish regular monitoring of human rights protection, including the protection of minorities;
12. continue to support the European Bureau for Lesser-Used Languages (EBLUL), a network representing lesser-used language communities in all 15 Member States, and the three Mercator academic research centres, all as organisations of general European interest and networks for regional and minority languages, increase its financial support in order to create the conditions for expanding the Bureau's spheres of competence, and make use of its resources;
13. promote the media cooperation of regional or minority language communities, provided this has a European dimension and involves cross-border cooperation (for example MIDAS, EEBA, etc.);
14. when conducting campaigns to publicise EU policies, take newspapers published in a regional or minority language properly into account, following a politically balanced approach;
15. promote cultural activities - such as cultural networks, cultural events, translations, etc. - in which regional or minority languages are involved;
16. support the development of networks for the promotion of linguistic diversity and language learning, involving representative political and academic bodies, especially those engaged in using new language-learning techniques such as the so-called language baths, and organise an annual information seminar on calls for tenders or proposals targeted at language communities; the European Bureau for Lesser-used Languages could function as a secretariat for such networks;
17. when determining aims, financial guidelines, and priorities, take into account the findings of the monitoring carried out under both the Council of Europe's European Charter for Regional or Minority Languages and, in so far as it also relates to linguistic profiles, its Framework Convention for the Protection of National Minorities; to that end, cooperation should be

established on a regular basis between the appropriate Commission and Council of Europe departments;

18. devise a way of including in the Community's language regime the official languages that are in majority use on the territory of Member States, at all social levels, in the media and education, including university education;

19. support forums of local and regional authorities involved in language planning in order to exchange information regarding most effective methods for the implementation of language policies;

20. apply the principles and objectives of the Charter as a benchmark in assessing compliance of the applicant countries with the obligations regarding the protection of their minorities, as outlined in the conclusions of the 1993 European Council in Copenhagen;

**8. Reply to these requests and outlook regarding the action that the Commission has taken or intends to take:**

**PART I: PROPOSAL FOR A EUROPEAN PARLIAMENT RESOLUTION**

**Point 1**

The Commission advocates an integrated approach to the promotion of regional and lesser-used languages that supports regional and lesser-used languages through the existing programmes and activities of the Commission. This approach was put into practice with great success during the European Year of Languages in 2001 and was adopted in the Action Plan entitled [Promoting Language Learning and Linguistic Diversity](#)<sup>1</sup>. By adopting this integrated approach, the Action Plan takes over measures that will be financed on the basis of existing programmes and activities.

**Point 2**

The Commission cannot accept Parliament's request to set up a programme for linguistic diversity (see response to Part II, Recommendation 2). In any event, the definition of the concept of a minority or regional language that is used by the Commission is the one drawn up by the Council of Europe in the European Charter on Regional or Minority Languages. The Commission takes the view that this definition is sufficiently clear and that it constitutes an excellent working instrument.

**Point 3**

The Action Plan for Promoting Language Learning and Linguistic Diversity points out that the mainstream European education, training and culture programmes are already accessible to speakers of all languages, notably regional or minority languages. The Socrates and Leonardo da Vinci programmes and their successors can play a greater part in promoting linguistic diversity by funding projects to raise awareness about and encourage the learning of regional and minority languages, to improve access to learning opportunities in them and to ensure the production, adaptation and exchange of learning materials in them, and the exchange of information and best practice in this field.

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<sup>1</sup> Document COM 2003 449 final of 24 July 2003, available at [http://europa.eu.int/comm/education/doc/official/keydoc/actlang/act\\_lang\\_en.pdf](http://europa.eu.int/comm/education/doc/official/keydoc/actlang/act_lang_en.pdf)

**Point 4**

The Commission has ruled out the possibility of a multiannual programme for linguistic diversity and language learning. The Action Plan adopted by the Commission advocates an integrated approach for all languages. Financing options need to be found within existing programmes and activities.

**Point 5**

The Commission has announced that it could not agree to Parliament's request for the establishment of a programme to promote linguistic diversity (see the answer to Part II, Recommendation 2). As far as the first recommendation is concerned, namely the creation of an agency for linguistic diversity, the Commission takes the view that it is essential to conduct a feasibility study to inform the discussion on whether to go ahead with a project of this scale. The Commission considers that, in order to define the terms of reference for an agency to promote linguistic diversity, it needs an in-depth understanding of all the instruments that already exist in the area of languages, including regional and minority languages.

**Point 7**

Budget heading B3-1000, which was amended by the European Parliament in the 2003 budget in order to include preparatory measures to promote language learning and linguistic diversity (including regional and minority languages), was used by the Commission to prepare the implementation of the Action Plan and will make it possible, among other things, to finance projects to disseminate information on the financing possibilities for regional and minority languages. A call for proposals was published on 31 July 2003 to this end. The process of selecting projects is under way.

**PART II: ANNEX TO THE PROPOSAL FOR A RESOLUTION****PROPOSED MEASURES****Recommendation 1:**

The Commission has agreed to examine the possibility of setting up an agency for linguistic diversity. However, it has proposed to conduct a feasibility study in order to draw up an inventory of the existing bodies working in the area of linguistic diversity and, if appropriate, to define the agency's brief. The Commission nevertheless wishes to await the conclusions of the feasibility study that it commissioned on the establishment of an observatory for cultural cooperation (Ruffolo report) in order to draw the appropriate lessons. This information will be available by the end of the year. The Commission has also launched an external evaluation of all the activities financed in the area of regional and minority languages, the results of which will be available by the beginning of 2004.

**Recommendation 2:**

The Commission has announced that it cannot accept Parliament's request for the establishment of a programme for linguistic diversity (to include regional and minority languages). The integrated approach to the promotion of regional and minority languages, which is already advocated by the Commission (and confirmed in the Action Plan for Promoting Language Learning and Linguistic Diversity), must be pursued.

The Commission will nevertheless have to adopt measures to back up the implementation of this approach by disseminating the necessary information on the possibilities of financing to promote regional and minority languages in the existing programmes and activities. The Commission has already begun to take action along these lines by conducting a study on support for regional and minority languages, which lists the assistance already provided by the Commission and analyses the best ways of supporting these languages.<sup>1</sup>

Information provision activities on the Commission's policies and programmes are also included in the work programme of the European Bureau for Lesser Used Languages (EBLUL) for 2003/2004.

A call for proposals was also published by the Commission on 31 July 2003, with applications to be submitted by 26 September, for the selection of projects to help the Commission to implement the Action Plan through the establishment of networks for linguistic diversity and language learning and to disseminate information on the possibilities of funding for regional and minority languages in the programmes and measures of the European Union. The process of selecting projects is under way.

## **OTHER MEASURES REQUESTED:**

### **Point 1**

The European general programmes in the areas of education, training and culture are already accessible to the speakers of all languages, be they "official" or regional languages, minority languages, languages spoken by migrant communities or sign languages. For the post-2006 period, the Commission will consider including the objective of promoting linguistic diversity in the new programmes in the area of education, training and culture.

### **Point 2**

The Commission considers that, in the longer term, all appropriate Community programmes and measures and the Structural Funds could provide greater support for linguistic diversity, including for regional and minority languages, if specific action proved appropriate.

### **Point 3**

The Commission takes the view that the promotion of linguistic diversity should be included in the objectives of all programmes and activities, wherever possible. In the longer term, it will be possible to take greater account of this objective when new programmes are devised.

### **Point 4**

Most of the actions of the Socrates programme are open to all languages. The Decision establishing the Socrates programme defines as eligible languages, solely for the actions concerning the learning of languages as foreign languages, the official languages of the European Union, Luxembourgish and Irish. In general, regional and minority linguistic communities do not ask for their languages to be taught as foreign languages. However, the Commission will have to pay very careful attention to this point when considering the new programmes.

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<sup>1</sup> Report entitled *Support for Minority Languages in Europe* (May 2002) available at <http://europa.eu.int/comm/education/policies/lang/langmin/support.pdf>



**Point 5**

European programmes in the area of education, training and culture are already used to a considerable degree to finance projects designed to promote linguistic diversity. It will be possible to take greater account of this objective when the new generation of programmes is developed. In the Action Plan, the Commission already proposes a set of measures to be conducted at European level between 2004 and 2006 in order to support the measures conducted by local, regional and national authorities. The Commission is convinced that, through the measures proposed in the Action Plan, together with those conducted by the Member States, the promotion of language learning and linguistic diversity can be significantly improved.

**Point 6**

The Commission has always accorded the utmost importance to the activities of the Council of Europe in the area of languages. As far as regional and minority languages are concerned, the principles and definitions laid down in the European Charter on Regional or Minority Languages constitute a good starting point for any work in this area. Accordingly, the Commission is entirely in favour of close cooperation with the Council of Europe in the area of languages. Moreover, this cooperation, which was highlighted in the organisation of the European Year of Languages in 2001, is currently taking the form of regular contacts between the secretariat of the Council of Europe and the Commission.

**Point 7**

The protection of national minorities in the Member States was taken into account by the European Union in the accession negotiations. The Commission should definitely keep itself abreast of developments in the application of the Council of Europe Framework Convention for the Protection of National Minorities.

**Point 8**

The training of language teachers is an essential aspect of one of the three main areas of the Action Plan: better-quality language teaching. This also concerns the training of teachers of regional and minority languages. Moreover, in certain cases, there is already a framework for granting assistance. This is true, for example, of Action 2 of Comenius (Socrates programme), which makes it possible to finance projects and grants in the area of teacher training.

**Point 9**

The Commission will keep the Parliamentary Committee regularly informed of the development and implementation of the Action Plan. In 2007, the Commission will present a communication to the European Parliament and the Council on the various points contained in the Action Plan and will propose adjustments or additional measures, if necessary.

**Point 10**

The protection of persons belonging to minorities is an inherent part of the EU external human rights policy. The fight against racism and the rights of minorities and indigenous peoples are also raised on a regular basis in political dialogue with third countries. Furthermore combating racism and xenophobia, and discrimination against minorities has been identified as a thematic and funding priority for the European Initiative for Democracy and Human Rights (EIDHR), during the years 2002 to 2004.

Moreover, particular attention has been paid to minorities issues within the context of the EU enlargement process. The Copenhagen criteria, designed in 1993 for countries wishing to join the EU, specifically highlighted the protection of minorities. They stated that “*membership requires that the candidate country has achieved stability of institutions guaranteeing democracy, the rule of law, human rights and the respect for and protection of minorities*”. Candidate countries' records concerning treatment of minorities were assessed in annual reports presented by the European Commission to the European Parliament and the Council. Based on those reports, the Commission recommended measures to candidate countries and provided financial assistance to help them reach the desired goals. Particular attention was paid to the situation of Roma/Sinti communities, as these populations suffer from widespread prejudice and discrimination.

European Community legislation has also been put in place banning racial discrimination in employment and other areas of daily life such as education, social security, healthcare, housing and access to goods and services. Member States should have put these provisions into national law by 19 July 2003.

In its 2000 report on the state of fundamental rights in the European Union (2000/2231(INI)), the European Parliament recommended the networking of authoritative experts in basic rights in order to ensure a high level of expertise on each of the Member States and the European Union.

This network was established by the Commission in September 2002 ([http://europa.eu.int/comm/justice\\_home/cfr\\_cdf/index\\_en.htm](http://europa.eu.int/comm/justice_home/cfr_cdf/index_en.htm)).

The tasks of the network are as follows:

to draft an annual report on the state of fundamental rights in the European Union and its Member States, assessing the application of each of the rights set out in the European Union's Charter of Fundamental Rights;

to provide the Commission with specific information and opinions on fundamental rights' issues, when requested;

to assist the Commission and the Parliament in developing European Union policy on fundamental rights.

The first report that the network sent to the Commission analyses the state of fundamental rights in the Member States of the EU on the basis of an article-by-article presentation of the Charter of Fundamental Rights. This document contains a very large amount of information, which not only highlights the situations of non-compliance with fundamental rights in the Member States but also contains a list of the good practices implemented by the Member States in order to promote these rights. It should be pointed out that the Commission cannot be held responsible for the report, which was drawn up by independent experts.

When each right in the Charter of Fundamental Rights was analysed, the question of minorities was examined if it was relevant to the right concerned.

Especially for the analysis of Article 21 of the Charter (non-discrimination), the question of non-discrimination vis-à-vis minorities was examined in more detail. The Commission therefore has a way of finding out about the state of fundamental rights in the European Union.

**Point 11**

EU Heads of mission in third countries as well as Commission Heads of delegations report regularly on human rights issues in third countries, including the protection of minorities. A standardised reporting system is being established at council level.

**Point 12**

The Commission provides assistance to the EBLUL and the Mercator network on the basis of budget line A-3015. Part A of the budget will be abolished in 2004, and the Commission included these bodies in its Proposal for a European Parliament and Council Decision establishing a Community action programme to promote bodies active at European level in the field of culture — COM (2003) 275 final, which is currently being negotiated with the Council and the European Parliament. The amount of assistance to be granted will also be agreed as part of this process.

**Point 13**

The Commission has taken due note of the various specific proposals of areas in which Commission assistance is requested. As regards media cooperation between regional and minority linguistic communities, the Mercator Media centre, which is financed by the Commission, is responsible, among other things, for promoting the exchange of experience and cooperation between media in minority languages, and acts as a mediator for the dissemination of information in this area.

**Point 14**

The Commission notes the request contained in this point, which fits in with the decentralised approach of its information and communication strategy.

**Point 15**

This type of activity is already encouraged by the Culture 2000 programme, which is the instrument for cultural cooperation. Projects for regional and minority languages have been financed under this programme. For example, the Fabula project, the second phase of which (2000-2001) was financed to the amount of €9 128 by the Culture 2000 programme. Fabula is a multidisciplinary project involving specialists in bilingual teaching, human-computer interaction, typography and the development of software for producing a bilingual multimedia story with children. The use of Fabula makes it possible for teachers, parents and children to make simultaneous use of texts in two different languages, together with pictures and sounds, in order to create teaching tools that are fun and interactive. Gaelic, Catalan, Basque, Frisian, French, Dutch and English are the languages of this project. The project was financed by the Multimedia Education task force in the first phase (1998-1999).

**Point 16**

It is not necessary to set up a special network in order to disseminate information on invitations to tender. Apart from the efforts of the Commission in this area, such information could be provided by the EBLUL as part of its normal activities, as is already the case.

In the call for proposals mentioned above in the point on Recommendation 2, the Commission called for the submission of projects for the establishment of networks to promote linguistic

diversity and language learning. This is one of the measures designed to implement the objectives of the Action Plan.

**Point 17**

The Commission has already begun cooperating with the secretariat of the Council of Europe and wishes to step up such cooperation in the near future. The Commission recognises that it is useful to keep informed of the monitoring of the European Charter for Regional or Minority Languages and the Framework Convention for the Protection of National Minorities, on language matters, but would point out that it is essential to coordinate efforts with the Member States in this area.

**Point 18**

The language regime of the institutions of the European Union is established by the Council, acting unanimously (Regulation No 1 of 15 April 1958, OJEC of 6 October 1958, p. 385, amended by the various accession treaties). The Commission is not competent to change the Community language regime.

**Point 19**

The Action Plan describes three major areas in which measures should be conducted: extending the advantages of lifelong language learning to all citizens, improving language teaching and creating a more favourable environment for languages (including regional and minority languages). It proposes a series of measures to be conducted at European level between 2004 and 2006 in order to support the measures conducted by local, regional and national authorities. Together, the proposed measures and those conducted by the Member States can bring about a radical change in the promotion of language learning and linguistic diversity.

**Point 20**

Compliance with the political criteria set down by the 1993 Copenhagen European Council (which include 'respect for and protection of minorities') was a precondition which candidate countries had to meet before they were invited to begin accession negotiations.

The Commission's Opinions on the Membership Applications of the candidate countries (mostly published in 1997) contain definitive analyses of their performance in such areas, taking careful account of input from a range of respected international organisations (such as the Council of Europe and OSCE) and NGOs. Since that time, the Commission's annual Regular Reports have provided detailed and updated summaries of the situation in each candidate country, indicating any necessary steps which should be taken.

The Commission is confident that the candidate countries remain fully committed to the values on which the European Union is based and that they will respect the commitments entered into. Any analysis - by the Commission or any other body - of the performance of candidate countries or Member States in the area of minorities is entitled to draw upon the whole range of obligations applicable to those countries.

## **7. COMMUNICATION POLICY AND RELATIONS WITH CITIZENS**

### **7.1. Own-initiative reports**

#### **7.1.1. An information and communication strategy for the European Union**

- 1. Rapporteur:** Juan José Bayona de Perogordo
- 2. EP No:** A5-0053/2003
- 3. Date of adoption of the resolution:** 10 April 2003
- 4. Subject:**

European Parliament resolution on an information and communication strategy for the European Union (2002/2205(INI))

#### **5. Competent Parliamentary Committee:**

Committee on Culture, Youth, Education, the Media and Sport

#### **6. Background:**

The first communication adopted on 27 June 2001 (COM(2001)354 final) proposed a new framework for interinstitutional action, with the Interinstitutional Information Group (IIG) as its pivot. This defines priority information themes and common guidelines for interinstitutional cooperation on information and communication in the European Union. It assesses the coordination of centralised and decentralised public information activities on European topics. Each year the IIG gives its opinion on the priorities for the following years on the basis of a report drawn up by the Commission.

On 2 July 2002 the Commission adopted a second communication, "An information and communication strategy for the European Union", which focuses mainly on the content and methodology of the new communication strategy and proposes a two-pronged approach:

- developing the capacity of the European Union to formulate and disseminate appropriate and targeted messages on its various priority information topics;
- establishing a voluntary working partnership with the Member States which fosters synergy between their structures and know-how and the activities of the European Union, and with civil society.

#### **7. Analysis of the text and of Parliament's requests:**

The European Parliament asked the Committee on Culture, Youth, Education, the Media and Sport to draw up an own-initiative report. The Committee on Foreign Affairs, Human Rights, Common Security and Defence Policy, the Committee on Budgets, the Committee on Citizens' Freedoms and Rights, Justice and Home Affairs, and the Committee on Women's Rights and Equal Opportunities were also consulted.

The resolution comprises 60 points, as a result of the inclusion of almost all the points adopted following Mr Andreasen's report.

It supports the Commission's approach, regarding both the proposals within the framework of interinstitutional cooperation<sup>1</sup> and the choice of priority information themes (measures under the PRINCE programme: enlargement, the future of Europe, the area of freedom, security and justice, Europe's role in the world).

The report asks the Commission to present an annual report on the application of the EU information policy and a work programme. It also calls on the President of the European Parliament to ensure that an annual debate on EU information policy is placed on the agenda of the plenary sitting (as already required by Mr Andreasen's report on the Commission's first communication of 27 June 2001).

**8. Reply to these requests and outlook regarding the action that the Commission has taken or intends to take:**

The Commission is largely in agreement with the approach set out in the Bayona report. At the last IIG meeting on 26 March the progress of current activities was discussed and other activities were planned. As usual, the next IIG meeting (23 September 2003) will be an opportunity to examine the application of the new information and communication strategy.

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<sup>1</sup> The Council, the Committee of the Regions and the Economic and Social Committee have also supported the Commission's approach in their conclusions and opinions.

**7.1.2. European Parliament resolution on the implementation of the European Union's information and communication strategy (2004/2238(INI))**

1. **Rapporteur:** Luis Francisco Herrero-Tejedor (PPE-DE/ES)
2. **EP reference number:** A6-0111/2005 / P6\_TA-PROV(2005)0183
3. **Date of adoption of the resolution:** 12 May 2005
4. **Subject:** European Union communication strategy
5. **Summary of the text and Parliament's requests:**

The resolution covers four main areas relating to the implementation of a European Union communication strategy: messages and resources, interinstitutional cooperation, the European Constitution, and the European Parliament's information policy. Essentially, it contains concrete suggestions for improving the efficiency of European communication activities.

**6. Response to these requests and outlook regarding the action that the Commission has taken or intends to take:**

The Commission has followed the development of this resolution actively and with great interest and will do its utmost to take account of the suggestions it contains in the European communication strategy it is preparing. Apart from a number of major points that have already been implemented (e.g. establishing of the new Europe Direct relay network, renewal of the contract with EuroNews), the Commission will as a first step take maximum account of the practical suggestions contained in the Parliament's resolution in its action plan on communication, which it expects to adopt soon: increased decentralisation ("going local"); priority for the channels most likely to reach citizens — TV, radio, Internet; better exploitation of regional and local media; reinforcement of synergies between Commission representations, Parliament information offices and new European Union relay points.

The resolution also contains points which, in the Commission's view, require more detailed consideration. This should take place as part of the consultation of stakeholders which will follow the White Paper on Communication to be launched by the Commission in the autumn.

Generally speaking, the Commission notes that there is a large amount of common ground as regards both analysis of the present situation and the consequences to be drawn. In particular, it welcomes Parliament's proposal for an annual plenary debate on communication.





## **8. OTHER ISSUES**

### **8.1. Non-legislative resolutions**

#### **8.1.1. Application of the open method of coordination**

- 1. Rapporteur:** Ulpu Iivari
- 2. EP No:** B5-0282/2003
- 3. Date of adoption of the resolution:** 5 June 2003
- 4. Subject:**

Non-legislative European Parliament resolution on the application of the open method of coordination, in accordance with Rule 42 of the European Parliament's Rules of Procedure.

#### **5. Competent parliamentary committee:**

Committee on Culture, Youth, Education, the Media and Sport.

#### **6. Background to the resolution:**

(1) The resolution was submitted at the plenary sitting of 4 June by Ms Iivari, on behalf of the Committee on Culture, Youth, Education, the Media and Sport, calling for the role of the European Parliament to be "clarified and enhanced" and inviting "the Council and the Commission to join in negotiations for an interinstitutional agreement with the European Parliament".

(2) On the same day the Committee's chairman, Mr Rocard, asked the following oral question with debate, O-0044/2003: "Parliament has not been able to transmit its position to the Council on a number of important subjects, owing to the fact that it is not a direct participant in the open coordination method. Can the Commission provide guarantees that all future initiatives in, for instance, the field of culture, youth, education, the media and sport will be brought to the attention of Parliament sufficiently early for it to be able to express its position before their examination in Council? Will the Commission submit proposals for ensuring the full institutional participation of Parliament in the open coordination method introduced by the Lisbon Council?"

(3) The open method of coordination is dealt with in some depth in Ms Smet's report which formed the basis of a European Parliament resolution on "analysis of the open coordination procedure in the field of employment and social affairs, and future prospects" (EP:A5-0143/03), for which Commissioner Diamantopoulou is responsible. At the plenary sitting of 4 June, Ms Smet argued in favour of extending the role played by Parliament in the procedure and of this being included in the Constitutional Treaty. In replying the same day to both Ms Smet and Mr Rocard, Mrs Diamantopoulou expressed the Commission's wish for the Convention to make provision for a specific article in the Constitutional Treaty dealing with the open coordination method and defining Parliament's role in particular (Minutes, Part II, 5 June 2003). In the meantime the Convention has adopted an interim solution whereby the Commission encourages cooperation between Member States in four sectors, namely social affairs, public health, industry and research. The Commission may establish guidelines and indicators, organise

exchanges of good practice, monitor progress and carry out periodic evaluations (which are all typical components of the open coordination method, cf. Articles III-107, 148, 179 and 180 of the draft Constitution), and Parliament must be kept fully informed.

(4) Following resolution A5-0143/03 mentioned in point (3), on 29 August the Parliamentary Affairs Group approved a statement in which the Commission recognises the need for greater transparency in the application of the open method of coordination within the field of employment and social affairs. This necessitates the involvement not only of the Commission, the Council and national administrations, but of all parties concerned: the European Parliament, the social partners, national parliaments, civil society and regional and local authorities.

(5) The method is also dealt with in the *Communication from the Commission to the Council and the European Parliament on an open method of coordination for the Community immigration policy* (COM(2001) 0387) (Commissioner responsible: Mr Vitorino), which was the subject of a report by Ms Terrón i Cusi (EP: A5-0224-03) (Minutes, Part II, 19 June 2003). This report contains a draft European Parliament resolution which, amongst other things, stresses both that the open method of coordination exists as a complementary procedure within the legal framework and that it should fully involve the European Parliament. In its communication the Commission calls for the European Parliament, the Economic and Social Committee and the Committee of the Regions to be "closely involved with the development and implementation of the Community immigration policy" (point 4.3).

(6) The notion of an interinstitutional agreement is not formally mentioned in the documents cited above in points (3), (4) and (5).

## **7. Analysis of the text and of Parliament's requests:**

In its resolution Parliament, taking account of the importance of culture, youth, the media, education and sport, advocates the use of all tools in the existing legal framework - the Community method, enhanced cooperation and the open method of coordination - to develop policy within these fields.

It then goes on to elaborate on the open method of coordination, viewed along "horizontal" lines, to ensure that it is not used as a way of bypassing normal legislative procedure and, above all, that it is subject to an interinstitutional agreement.

Such an agreement would allow Parliament, the representative of EU citizens, to get involved in the implementation of the open method of coordination and thereby lend the procedure democratic legitimacy. The agreement would have to include the objectives and indicators, access to documents, participation in meetings, monitoring of progress, information on reports and best practice, as well as a procedure for transforming the open method of coordination into the Community method which would be formalised through the work of the Convention and the IGC.

**8. Reply to these requests and outlook regarding the action that the Commission has taken or intends to take:**

- Within the fields that have been specifically mentioned, the open method of coordination is already being implemented successfully. The Commission participates fully in the procedure, and the competent parliamentary committee is kept up to date on progress. This process is, generally speaking, still in the early stages compared with other areas (employment, enterprise policy, asylum and immigration); the fields of "education and training" and "youth" are an explicit part of the Lisbon strategy. Use of the open method of coordination in these spheres, however, does not exclude the possibility of recourse to the traditional legislative process as permitted by the current Treaty, when the necessary conditions are met. At the moment there does not appear to be any call for the use of *enhanced cooperation*, (which cannot be initiated by the Commission), in these fields.
- The general involvement of Parliament in the application of the open method of coordination has always been taken into consideration by the Commission both in its practices and in its official documents.

Thus, in its *White Paper on European Governance* adopted on 25 July 2001 (COM (2001) 428), the Commission stated that use of the OMC "should not exclude the European Parliament from a European policy process" and went on to define the circumstances in which use of the open method of coordination could be justified:

"The use of the open method of coordination must not dilute the achievement of common objectives in the Treaty or the political responsibility of the Institutions. It should not be used when legislative action under the Community method is possible; it should ensure overall accountability in line with the following requirements:

- it should be used to achieve defined Treaty objectives
- regular mechanisms for reporting to the European Parliament should be established.
- the Commission should be closely involved and play a coordinating role.
- the data and information generated should be widely available. It should provide the basis for determining whether legislative or programme-based action is needed to overcome particular problems highlighted."

Therefore, in principle, the Commission is in favour of holding negotiations aimed at reaching an interinstitutional agreement on the practical involvement of Parliament in the various current procedures referred to as the "open method of coordination", whether within the context of the Lisbon mandate or not. It will not, however, endorse, *a priori*, all the practices and procedures set out in Parliament's resolution.

It is worth pointing out at this stage that, as far as the potential inclusion of provisions in the Constitutional Treaty is concerned, the draft produced by the Convention does not refer explicitly to the open method of coordination. It does, however, implicitly recognise its existence in the fields mentioned above (cf. point 6 (3)). Nor is the open method of coordination referred to explicitly within the existing legal framework. However, under the Treaty of Nice, Article 137 EC empowers the legislator to employ the kind of measures that are central to the method ("initiatives aimed at improving knowledge, developing exchanges of information and

Follow-up of non-legislative resolutions  
best practices, promoting innovative approaches and evaluating experiences") in several social  
policy areas.

**Annex: Lists of procedures and of the European Commission's follow-up<sup>1</sup>****1. Procédures de la Commission CULT****-page 1**

<b>Procédure</b>	<b>docseance</b>	<b>procedure</b>	<b>rapporteur</b>	<b>date_vote</b>	<b>Session</b>
2000/2087	A5-0209/2000	COS	VELTRONI Walter	06/09/2000	SEP-2000S
2000/2089	A5-0199/2000	COS	HEATON-HARRIS Christopher	06/09/2000	SEP-2000S
2000/2055	A5-0208/2000	COS	MENNEA Pietro-Paolo	07/09/2000	SEP-2000S
2000/2056	A5-0203/2000	COS	ZABELL Theresa	07/09/2000	SEP-2000S
1999/2163	A5-0200/2000	COS	GUTIÉRREZ-CORTINES Cristina	08/09/2000	SEP-2000S
1999/2210	A5-0258/2000	COS	ANGELILLI Roberta	05/10/2000	OCT-2000S
2000/2036	A5-0382/2000	INI	DE VEYRAC Christine	16/01/2001	JAN-2001S
2000/2037	A5-0005/2001	INI	O'TOOLE Barbara	01/02/2001	JAN-2001B
null	B5-0174/2001	ACTU	null	14/03/2001	MAR-2001S
2000/2088	A5-0302/2000	COS	PERRY Roy	15/05/2001	MAY-2001S
2000/2090	A5-0299/2000	COS	ALAVANOS Alexandros	15/05/2001	MAY-2001S
2000/2337	A5-0152/2001	COS	MAURO Mario	15/05/2001	MAY-2001S
null	B5-0341/2001	QUO COM	null	16/05/2001	MAY-2001S
2000/2246	A5-0122/2001	COS	APARICIO SÁNCHEZ Pedro	12/06/2001	JUN-2001S
2000/2323	A5-0281/2001	INI	RUFFOLO Giorgio	05/09/2001	SEP-2001S
2001/2086	A5-0286/2001	COS	HIERONYMI Ruth	04/10/2001	OCT-2001S
2001/2088	A5-0322/2001	COS	VAN BREMPT Kathleen	23/10/2001	OCT-2001S2
2001/2342	A5-0351/2001	INI	VANDER TAELEN Luckas	13/11/2001	NOV-2001S
2001/2221	A5-0428/2001	INI	GARGANI Giuseppe	11/12/2001	DEC-2001S
2001/2251	A5-0017/2002	COS	MARTENS Maria	06/02/2002	FEB-2002S
2000/2315	A5-0021/2002	INI	PACK Doris	28/02/2002	FEB-2002B
2000/2316	A5-0019/2002	INI	GRONER Lissy	28/02/2002	FEB-2002B

<sup>1</sup> The following list was produced by the European Parliament's Plenary Organisation and Follow-up Unit. The Unit gave the following information: the list provides an overview of all the procedures of the Committee on Culture and Education resulting in the adoption of texts by the Parliament, starting in 2000, with the inclusion of only some earlier procedures. The list contains all procedures, both legislative and non-legislative. It consists of 6 pages: the first two with the details of procedures and the next two with details of the Commission document concerning its follow-up. The last two pages contain an assessment carried out by the Plenary Organisation and Follow-up Unit (only available relatively recently) of the rate of acceptance by the Commission and Council of amendments adopted by the plenary. Pages 1, 3 and 5 should therefore be taken side by side, as should pages 2, 4 and 6.

Please note that the SP documents about all non-legislative procedures where a follow-up has been carried out are reproduced in this document. However, the SP numbers provided in page three and four of this list allow finding the original SP documents on Epades under Z:\docs\_autres\_institutions\commission\_europeenne\Suites aux actes\Rapports (non-leg).

The list gives information about the procedures where no follow-up was done or where no information on a follow-up exists. Please note that the mention "La Commission ne fournit pas d'informations supplémentaires sur les suites à donner" means that either there is no information on a possible follow-up, or that no follow-up has taken place in the three months conceded by the Interinstitutional Agreement. In those cases, an SP number is provided in order to show that the text in question is not mentioned in the Commission Communication on the follow-up of the texts adopted at the relevant plenary session.

## Follow-up of non-legislative resolutions

2000/2317	A5-0018/2002	INI	GRACA MOURA Vasco	28/02/2002	FEB-2002B
2001/2087	A5-0037/2002	COS	BEAZLEY Christopher J.P.	11/04/2002	APR-2002S
2001/2217	A5-0035/2002	COS	DE SARNEZ Marielle	11/04/2002	APR-2002S
2002/2050	A5-0126/2002	COS	GRONER Lissy	14/05/2002	MAY-2002S
2002/2035	A5-0222/2002	COS	VANDER TAELEN Luckas	02/07/2002	JUL-2002S
2001/2174	A5-0183/2002	INI	GUTIÉRREZ-CORTINES Cristina	05/09/2002	SEP-2002S
2002/2073	A5-0224/2002	COS	VAN BREMPT Kathleen	05/09/2002	SEP-2002S
null	B5-0254/2002	QUO COM	ROCARD Michel	26/09/2002	SEP-2002S2
2001/2199	A5-0264/2002	INI	FRAISSE Geneviève	22/10/2002	OCT-2002S
null	B5-0580/2002	QUO COM	null	20/11/2002	NOV-2002S
2002/2205	A5-0053/2003	INI	BAYONA de PEROGORDO Juan José	10/04/2003	APR-2003S
null	B5-0282/2003	QUO COM	Rocard	05/06/2003	JUN-2003S
2002/2127	A5-0276/2003	INI	ZORBA Myrsini	04/09/2003	SEP-2003S
2003/2033	A5-0251/2003	INI	PERRY Roy	04/09/2003	SEP-2003S
2003/2057	A5-0271/2003	INI	EBNER Michl	04/09/2003	SEP-2003S
2003/0113	A5-0358/2003	COD	PRETS Christa	06/11/2003	OCT-2003B

## 2. Procédures de la Commission CULT

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<b>Procédure</b>	<b>docseance</b>	<b>procedure</b>	<b>rapporteur</b>	<b>date_vote</b>	<b>session</b>
2003/0114	A5-0357/2003	COD	PACK Doris	06/11/2003	OCT-2003B
2003/0115	A5-0359/2003	COD	IIVARI Ulpu	06/11/2003	OCT-2003B
2003/0076	A5-0417/2003	COD	ROCARD Michel	16/12/2003	DEC-2003S
2002/2269	A5-0477/2003	INI	PRETS Christa	14/01/2004	JAN-2004S
2003/0064	A5-0027/2004	COD	VATTIMO Gianni	12/02/2004	FEB-2004S
2003/0067	A5-0028/2004	COD	VELTRONI Walter	12/02/2004	FEB-2004S
2002/2268	A5-0080/2004	INI	GRAÇA MOURA Vasco	26/02/2004	FEB-2004B
2003/2127	A5-0081/2004	INI	GRÖNER Lissy	26/02/2004	FEB-2004B
2003/0113	A5-0075/2004	COD	PRETS Christa	10/03/2004	MAR-2004S
2003/0114	A5-0076/2004	COD	PACK Doris	10/03/2004	MAR-2004S
2003/0115	A5-0077/2004	COD	IIVARI Ulpu	10/03/2004	MAR-2004S
2003/0293	A5-0241/2004	COD	SANDERS-TEN HOLTE Maria Johanna	21/04/2004	APR-2004S
2003/0274	A5-0148/2004	COD	ROCARD Michel	22/04/2004	APR-2004S
2003/0307	A5-0247/2004	COD	ZISSENER Sabine	22/04/2004	APR-2004S
2005/2528	T6-0135/2005	QUO COM	SIFUNAKIS Nikolaos	14/04/2005	APR-2005S
2004/0066	A6-0101/2005	COD	HEGYI Gyula	10/05/2005	MAY-2005S
2004/2238	A6-0111/2005	INI	HERRERO-TEJEDOR Luis Francisco	12/05/2005	MAY-2005S
2004/2236	A6-0202/2005	INI	WEBER Henri	06/09/2005	SEP-2005S
2004/0117	A6-0244/2005	COD	DE SARNEZ Marielle	07/09/2005	SEP-2005S
2004/2237	A6-0200/2005	INI	HONEYBALL Mary	08/09/2005	SEP-2005S
2004/0239	A6-0261/2005	COD	NOVAK Ljudmila	13/10/2005	SEP-2005B2
2004/2266	A6-0237/2005	INI	PACK Doris	13/10/2005	SEP-2005B2
2004/2267	A6-0243/2005	INI	PORTAS Miguel	13/10/2005	SEP-2005B2
2004/2272	A6-0245/2005	INI	BONO Guy	13/10/2005	SEP-2005B2
2004/0150	A6-0269/2005	COD	GRAÇA MOURA Vasco	25/10/2005	OCT-2005S
2004/0151	A6-0278/2005	COD	HIERONYMI Ruth	25/10/2005	OCT-2005S
2004/0152	A6-0263/2005	COD	GRÖNER Lissy	25/10/2005	OCT-2005S
2004/0153	A6-0267/2005	COD	PACK Doris	25/10/2005	OCT-2005S
2005/2633	T6-0463/2005	QUO CSL	SIFUNAKIS Nikolaos	01/12/2005	NOV-2005B
null	B5-0063/2004	QUO CSL	ROCARD Michel	null	FEB-2004B
null	B5-0413/2003	QUO COM	Rocard	null	NOV-2003S

**Suite donnée par la Commission**  
**-page1-**

<b>auteur</b>	<b>docseance</b>	<b>procédure</b>	<b>suites données Commission</b>	<b>date réponse</b>	<b>réponse</b>
COM	A5-0209/2000	2000/2087	SP (2001) 2189	10/07/2001	Suite donnée
COM	A5-0199/2000	2000/2089	SP (2001) 2323	30/08/2001	Suite donnée
COM	A5-0208/2000	2000/2055	SP (2001) 2323	30/08/2001	Suite donnée
COM	A5-0203/2000	2000/2056	SP (2001) 2323	30/08/2001	Suite donnée
COM	A5-0200/2000	1999/2163	SP (2001) 2323	30/08/2001	Suite donnée
COM	A5-0258/2000	1999/2210	SP (2001) 2189	10/07/2001	Suite donnée
COM	A5-0382/2000	2000/2036	SP (2002) 1211	07/05/2002	Suite donnée
COM	A5-0005/2001	2000/2037	SP (2002) 252	12/02/2002	Suite donnée
COM	B5-0174/2001	null	SP (2002) 252	12/02/2002	Suite donnée
COM	A5-0302/2000	2000/2088	SP (2001) 2676	10/09/2001	Suite donnée
COM	A5-0299/2000	2000/2090	SP (2001) 2676	10/09/2001	Suite donnée
COM	A5-0152/2001	2000/2337	SP (2001) 2676	10/09/2001	Suite donnée
COM	B5-0341/2001	null	SP (2001) 2087	10/07/2001	la COM n'entend pas donner une suite "post votum"
COM	A5-0122/2001	2000/2246	SP (2001) 4108	21/01/2002	Suite donnée
COM	A5-0281/2001	2000/2323	SP (2002) 884, 884/2 et 1096	07/05/2002	Suite donnée
COM	A5-0286/2001	2001/2086	SP (2002) 884, 884/2 et 1096	07/05/2002	Suite donnée
COM	A5-0322/2001	2001/2088	SP(2001)3815	19/11/2001	La Commission ne fournit pas d'informations supplémentaires sur les suites à donner.
COM	A5-0351/2001	2001/2342	SP (2002) 2669	09/09/2002	Suite donnée
COM	A5-0428/2001	2001/2221	SP (2002) 622 - 622/2	18/03/2002	Suite donnée
COM	A5-0017/2002	2001/2251	SP (2003) 179	04/02/2003	Suite donnée
COM	A5-0021/2002	2000/2315	SP (2002) 1211	07/05/2002	La COM a donné une suite
COM	A5-0019/2002	2000/2316	SP (2002) 3192	21/10/2002	Suite donnée
COM	A5-0018/2002	2000/2317	SP (2002) 1842	17/06/2002	La COM a donné une suite
COM	A5-0037/2002	2001/2087	SP (2002) 2133	09/07/2002	Suite donnée
COM	A5-0035/2002	2001/2217	SP (2002) 1842	17/06/2002	Suite donnée
COM	A5-0126/2002	2002/2050	SP (2002) 3192	21/10/2002	Suite donnée
COM	A5-0222/2002	2002/2035	SP (2002) 3192	21/10/2002	Suite donnée
COM	A5-0183/2002	2001/2174	SP (2003) 414	17/02/2003	Suite donnée
COM	A5-0224/2002	2002/2073	SP (2003) 414	17/02/2003	Suite donnée
COM	B5-0254/2002	null	COM SP 2002\SP(2002)3290- 2\119.doc	28/10/2002	La Commission ne fournit pas d'informations supplémentaires sur les suites à donner.
COM	A5-0264/2002	2001/2199	SP(2002) 4091	10/01/2003	Suite donnée
COM	B5-0580/2002	null	SP (2003) 1011	31/03/2003	Suite donnée
COM	A5-0053/2003	2002/2205	SP (2003) 2708	09/09/2003	Suite donnée
COM	B5-0282/2003	null	SP (2003) 3320	21/10/2003	Suite donnée
COM	A5-0276/2003	2002/2127	SP (2003) 3874	16/12/2003	Suite donnée
COM	A5-0251/2003	2003/2033	SP (2003) 3874	16/12/2003	Suite donnée
COM	A5-0271/2003	2003/2057	SP (2003) 3874	16/12/2003	Suite donnée
COM	A5-0358/2003	2003/0113	SP (2003) 4219	16/12/2003	Suite donnée



Suite donnée par la Commission -page2-					
COM	A5-0357/2003	2003/0114	SP (2003) 4219	16/12/2003	Suite donnée
COM	A5-0359/2003	2003/0115	SP (2003) 4219	16/12/2003	Suite donnée
COM	A5-0417/2003	2003/0076	SP (2004) 316+316/2	28/01/2004	Suite donnée
COM	A5-0477/2003	2002/2269	SP (2004) 1844/2	08/06/2004	Suite donnée
COM	A5-0027/2004	2003/0064	SP(2004)1155	22/03/2004	Suite donnée
COM	A5-0028/2004	2003/0067	SP(2004)1155	22/03/2004	Suite donnée
COM	A5-0080/2004	2002/2268	SP (2004) 1799/2	11/05/2004	Suite donnée
COM	A5-0081/2004	2003/2127	SP (2004) 1799/2	11/05/2004	Suite donnée
COM	A5-0075/2004	2003/0113	SP(2004)1798/2	29/04/2004	Suite donnée
COM	A5-0076/2004	2003/0114	SP(2004)1798/2	29/04/2004	Suite donnée
COM	A5-0077/2004	2003/0115	SP(2004)1798/2	29/04/2004	Suite donnée
COM	A5-0241/2004	2003/0293	SP(2004)1841	17/05/2004	Suite donnée
COM	A5-0148/2004	2003/0274	SP(2004)1841	17/05/2004	Suite donnée
COM	A5-0247/2004	2003/0307	SP(2004)1841	17/05/2004	Suite donnée
COM	T6-0135/2005	2005/2528	SP (2005) 2323	22/07/2005	Suite donnée
COM	A6-0101/2005	2004/0066	SP (2005) 2482/2	16/06/2005	Suite donnée
COM	A6-0111/2005	2004/2238	SP (2005) 2765/2	22/07/2005	Suite donnée
COM	A6-0202/2005	2004/2236	SP (2005) 4251-2	07/12/2005	Suite donnée
COM	A6-0244/2005	2004/0117	SP (2005) 4139	20/10/2005	Suite donnée
COM	A6-0200/2005	2004/2237	SP (2005) 4251-2	07/12/2005	Suite donnée
COM	A6-0261/2005	2004/0239	SP (2005) 4593	24/11/2005	Suite donnée
COM	A6-0237/2005	2004/2266	SP (2005) 4634	10/01/2006	Suite donnée
COM	A6-0243/2005	2004/2267	SP (2005) 4634	10/01/2006	Suite donnée
COM	A6-0245/2005	2004/2272	SP (2005) 4634	10/01/2006	Suite donnée
COM	A6-0269/2005	2004/0150	SP (2005) 4593	24/11/2005	Suite donnée
COM	A6-0278/2005	2004/0151	SP (2005) 4593	24/11/2005	Suite donnée
COM	A6-0263/2005	2004/0152	SP (2005) 4593	24/11/2005	Suite donnée
COM	A6-0267/2005	2004/0153	SP (2005) 4593	24/11/2005	Suite donnée
COM	T6-0463/2005	2005/2633	SP (2006) 311	10/03/2006	Suite donnée
COM	B5-0063/2004	null	SP (2004) 1155	22/03/2004	La Commission ne fournit pas d'informations supplémentaires sur les suites à donner.
COM	B5-0413/2003	null	SP (2003) 4219	16/12/2003	La Commission ne fournit pas d'informations supplémentaires sur les suites à donner.

**Procédures de la Commission CULT : Amendements repris CE/CSL**  
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Procédure	Référence du document de séance	Nombre amend. déposés en plénière	Nombre d'amendements adoptés en plénière	taux d'am acceptés par la CE	taux d'am acceptés par le CSL
2000/2087	A5-0209/2000				
2000/2089	A5-0199/2000				
2000/2055	A5-0208/2000				
2000/2056	A5-0203/2000				
1999/2163	A5-0200/2000				
1999/2210	A5-0258/2000				
2000/2036	A5-0382/2000				
2000/2037	A5-0005/2001				
null	B5-0174/2001				
2000/2088	A5-0302/2000				
2000/2090	A5-0299/2000				
2000/2337	A5-0152/2001				
null	B5-0341/2001				
2000/2246	A5-0122/2001				
2000/2323	A5-0281/2001				
2001/2086	A5-0286/2001				
2001/2088	A5-0322/2001				
2001/2342	A5-0351/2001				
2001/2221	A5-0428/2001				
2001/2251	A5-0017/2002				
2000/2315	A5-0021/2002				
2000/2316	A5-0019/2002				
2000/2317	A5-0018/2002				
2001/2087	A5-0037/2002				
2001/2217	A5-0035/2002				
2002/2050	A5-0126/2002				
2002/2035	A5-0222/2002				
2001/2174	A5-0183/2002				
2002/2073	A5-0224/2002				
null	B5-0254/2002				
2001/2199	A5-0264/2002				
null	B5-0580/2002				
2002/2205	A5-0053/2003				
null	B5-0282/2003				
2002/2127	A5-0276/2003				
2003/2033	A5-0251/2003				
2003/2057	A5-0271/2003				
2003/0113	A5-0358/2003	24	20	70,5	0
2003/0114	A5-0357/2003	15	13	53,85	0
2003/0115	A5-0359/2003	26	16	45,63	0
2003/0076	A5-0417/2003	2	2	80	90
2002/2269	A5-0477/2003	7	0	0	0
2003/0064	A5-0027/2004	3	2	90	90
2003/0067	A5-0028/2004	2	2	90	90
2002/2268	A5-0080/2004	0	0	0	0

Cette analyse n'est disponible dans SDA que depuis 2004

**Procédures de la Commission CULT : Amendements repris CE/CSL****- page 2-**

<b>Procédure</b>	<b>Référence du document de séance</b>	<b>Nombre amend. déposés en plénière</b>	<b>Nombre d'amendements adoptés en plénière</b>	<b>taux d'am acceptés CE</b>	<b>taux d'am acceptés CSL</b>
2003/2127	A5-0081/2004	1	0	0	0
2003/0113	A5-0075/2004	1	1	90	90
2003/0114	A5-0076/2004	3	3	90	90
2003/0115	A5-0077/2004	5	5	90	90
2003/0293	A5-0241/2004	3	3	80	90
2003/0274	A5-0148/2004	10	5	24	18
2003/0307	A5-0247/2004	14	14	77,14	68,57
2005/2528	T6-0135/2005	0	0	0	0
2004/0066	A6-0101/2005	82	40	90	100
2004/2238	A6-0111/2005	34	0	0	0
2004/2236	A6-0202/2005	9	0	0	0
2004/0117	A6-0244/2005	39	38	55,53	0
2004/2237	A6-0200/2005	1	0	0	0
2004/0239	A6-0261/2005	33	18	90	0
2004/2266	A6-0237/2005	0	0	0	0
2004/2267	A6-0243/2005	0	0	0	0
2004/2272	A6-0245/2005	0	0	0	0
2004/0150	A6-0269/2005	72	67	18,51	0
2004/0151	A6-0278/2005	89	83	33,86	0
2004/0152	A6-0263/2005	73	62	80	0
2004/0153	A6-0267/2005	79	76	80	0
2005/2633	T6-0463/2005	0	0	0	0
null	B5-0063/2004	0	0	0	0
null	B5-0413/2003	0	0	0	0