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*****I** **REPORT**

on the proposal for a European Parliament and Council decision amending Decision 1419/1999/EC establishing a Community action for the 'European Capital of Culture' event for the years 2005 to 2019 (COM(2003) 700 – C5-0548/2003 – 2003/0274(COD))

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

Rapporteur: Michel Rocard

Symbols for procedures

- * Consultation procedure
majority of the votes cast
- **I Cooperation procedure (first reading)
majority of the votes cast
- **II Cooperation procedure (second reading)
*majority of the votes cast, to approve the common position
majority of Parliament's component Members, to reject or amend
the common position*
- *** Assent procedure
*majority of Parliament's component Members except in cases
covered by Articles 105, 107, 161 and 300 of the EC Treaty and
Article 7 of the EU Treaty*
- ***I Codecision procedure (first reading)
majority of the votes cast
- ***II Codecision procedure (second reading)
*majority of the votes cast, to approve the common position
majority of Parliament's component Members, to reject or amend
the common position*
- ***III Codecision procedure (third reading)
majority of the votes cast, to approve the joint text

(The type of procedure depends on the legal basis proposed by the Commission)

Amendments to a legislative text

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

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PROCEDURAL PAGE

By letter of 17 November 2003 the Commission submitted to Parliament, pursuant to Articles 251(2) and 151(5) of the EC Treaty, the proposal for a European Parliament and Council decision amending Decision 1419/1999/EC establishing a Community action for the 'European Capital of Culture' event for the years 2005 to 2019 (COM(2003) 700 – 2003/0274(COD)).

At the sitting of 20 November 2003 the President of Parliament announced that he had referred the proposal to the Committee on Culture, Youth, Education, the Media and Sport as the committee responsible (C5-0548/2003).

The Committee on Culture, Youth, Education, the Media and Sport appointed Michel Rocard rapporteur at its meeting of 26 November 2003.

The committee considered the Commission proposal and draft report at its meetings of 27 January, 19 February and 15 March 2004.

At the last meeting it adopted the draft legislative resolution by 8 votes to 5.

The following were present for the vote: Michel Rocard (chairman and rapporteur), Vasco Graça Moura (vice-chairman), Juan Manuel Ferrández Lezaun, Ruth Hieronymi, Ulpu Iivari, Thierry de La Perriere, Doris Pack, Roy Perry, Christa Prets, Eurig Wyn, Sabine Zissener, Juan José Bayona de Perogordo (for Christopher J.P. Beazley) and Karin Junker (for Lissy Gröner).

The report was tabled on 18 March 2004.

DRAFT EUROPEAN PARLIAMENT LEGISLATIVE RESOLUTION

on the proposal for a European Parliament and Council decision amending Decision 1419/1999/EC establishing a Community action for the ‘European Capital of Culture’ event for the years 2005 to 2019
(COM(2003) 700 – C5-0548/2003 – 2003/0274(COD))

(Codecision procedure: first reading)

The European Parliament,

- having regard to the Commission proposal to the European Parliament and the Council (COM(2003) 700)¹,
 - having regard to Articles 251(2) and 151(5) of the EC Treaty, pursuant to which the Commission submitted the proposal to Parliament (C5-0548/2003),
 - having regard to Rule 67 of its Rules of Procedure,
 - having regard to the report of the Committee on Culture, Youth, Education, the Media and Sport (A5-0148/2004),
1. Approves the Commission proposal as amended;
 2. Calls on the Commission to refer the matter to Parliament again if it intends to amend the proposal substantially or replace it with another text;
 3. Instructs its President to forward its position to the Council and Commission.

Text proposed by the Commission

Amendments by Parliament

Amendment 1
ARTICLE 1, POINT -1
Recital 12 a (new) (Decision 1419/1999/EC)

(-1) A new Recital 12a is inserted:

“(12a) whereas account should be taken of the financial consequences of this decision in such a way as to ensure that there is adequate and appropriate European Community funding for the designation of two ‘European Capitals of Culture’;”

¹ Not yet published in OJ.

Amendment 2
ARTICLE 1, POINT 1
Article 2, paragraph 1 (Decision 1419/1999/EC)

“1. Cities in Member States shall be designated as “European Capital of Culture”, in turn, as set out in the list appearing in Annex I. Up until 2008 inclusive the designation shall apply to one city of the Member State appearing on the list. From 2009 onwards, the designation shall apply to one city of each of the Member States appearing on the list. The chronological order set out in Annex I may be altered by mutual agreement between the Member States concerned. Each Member State involved shall submit, in turn, *its nomination of one or more cities* to the European Parliament, the Council, the Commission and the Committee of the Regions. This nomination shall be submitted no later than four years before the event in question is due to begin and may be accompanied by a recommendation from the Member State concerned.”

“1. Cities in Member States shall be designated as ‘European Capital of Culture’, in turn, as set out in the list appearing in Annex I. Up until 2008 inclusive the designation shall apply to one city of the Member State appearing on the list. From 2009 onwards, the designation shall apply to one city of each of the Member States appearing on the list. The chronological order set out in Annex I may be altered by mutual agreement between the Member States concerned. Each Member State involved shall submit, in turn, *a list nominating at least two cities* to the European Parliament, the Council, the Commission and the Committee of the Regions. This nomination shall be submitted no later than four years before the event in question is due to begin and may be accompanied by a recommendation from the Member State concerned.”

Amendment 3
ARTICLE 1, POINT 1 a (new)
Article 2, paragraph 2 (Decision 1419/1999/EC)

(1a) Article 2(2) is replaced by:

“2. From 2010 onwards, the Commission shall each year form a selection panel which shall issue a report on the nominations judged against the periods, objectives and characteristics of this action. The selection panel shall be composed of seven leading independent figures who are experts on the cultural sector, of whom two shall be appointed by the European Parliament, two by the Council, two by the Commission and one by the Committee of the Regions. In each case, the selection panel shall check the quality of the nomination, the European dimension of the programme and the

viability of the structures for implementation of the proposed project. The selection panel shall submit its report to the Commission, the European Parliament and the Council.”

Amendment 4

ARTICLE 1, POINT 1 b (new)

Article 2, paragraph 3 (Decision 1419/1999/EC)

(1b) Article 2(3) is replaced by:

“3. The Council, acting on a recommendation from the Commission, shall officially designate the city in question as ‘European Capital of Culture’ for the year for which it has been nominated. From 2009 onwards, the European Parliament may forward an opinion to the Commission on the nominations not later than three months after receipt of the report. The Council, acting on a recommendation from the Commission drawn up in the light of the opinion of the European Parliament and of the selection panel’s report, shall officially designate the cities in question as ‘European Capital of Culture’ for the year for which they have been nominated.”

Amendment 5

ARTICLE 1, POINT 1 c (new)

Article 6, (Decision 1419/1999/EC)

(1c) Article 6 is replaced by:

“Each year the Commission shall produce a report evaluating the results of the previous year’s event, including an analysis by the organisers of the latter. This report shall be presented to the European Parliament, the Council and the Committee of the Regions. The Commission shall also in good time make any proposals for revision of this Decision

which it judges necessary for the smooth operation of this action and, in particular, with a view to the future enlargement of the Union.”

EXPLANATORY STATEMENT

On 20 November 2003, the Committee on Culture, Youth, Education, the Media and Sport received a referral of a proposal for an amending decision which concerns only a slight revision of Article 2 of Decision 1419/1999/EC of 25 May 1999 – on the basis of Article 6 of the Decision – in the light of enlargement and the ten new Member States. The Commission also suggests postponing to a later date the discussion exercise with Parliament and the Council on the method used to select European capitals of culture, and proposes keeping that exercise separate from this proposed decision, in order not to slow down its examination in view of the upcoming accession of the new Member States.

Your rapporteur would like to point out that what in 1999 was presented as progress in relation to the previous situation: ‘A Community action entitled "European Capital of Culture" shall be established’ (Article 1 of Decision 1419/1999/EC), is becoming less and less satisfactory. Should it be necessary to point out that this is an important matter and that European citizens expect a lot from it?

The problem

The procedure for designating the European Capital of Culture, as set out in Decision 1419/1999/EC, has had a number of consequences that were not always intended by the European legislator.

- It is now the Member States and no longer the EU Institutions that choose the European Capital of Culture each year.
- Only one nomination is put forward each year. This means that there is no point in having a selection panel, and it should therefore be abolished. And this reduces the role of Parliament to simply ratifying the decision.
- The Member States agreed in the Council, while preparing the above Decision, to decide the order in which each of them would designate the European Capital of Culture, up to 2019.
- This decision, taken during the course of the procedure for approving the first ten EU accession candidates, left no room for the new Member States; the proposal for an amending decision only proposes that, from 2009 to 2018, a city from a new Member State be nominated in tandem with one from a current Member State. It does not make any provision for any other possible applicants for enlargement.

Lack of competition

The main problem which arises today, and which the amending decision was supposed to solve, is not principally that of the new EU Member States, but the fact that the procedure for choosing the European capital of culture has fallen out of use, as a result of a restrictive interpretation of the 1999 Decision.

Since Decision 1419/1999 came into force, the Member States, except for Ireland, have never put forward more than one nomination each year. Almost without exception they have chosen cities which were very important to them for electoral reasons, mostly to consolidate recent victories in municipal elections. In this way, the European dimension of the project became secondary. There is a temptation to hold festivals of local folklore. Noticing this trend, the selection panel bravely sounded the alarm. In its report on the European Capital of Culture

2006¹, the selection panel put forward clear and reasonable suggestions for revising the rules of procedure. Your rapporteur stresses that these observations have nothing to do with an assessment of the value of the respective nominations and are only concerned to be transparent and take the matter seriously.

Involving the new Member States

The idea of a proposal for an amending decision consisting of appointing two European Capitals of Culture every year from 2009 seeks to resolve the problem posed by the arrival of the new Member States.

Selection procedure

The selection procedure for the European Capital of Culture, as set out in Decision 1419/1999/EC, is not only complex but also abnormal. It does not lay down sufficiently useful criteria for assessing, *inter alia*, European added value. Parliament is involved in the procedure but indirectly, and it does not, as is usually the case, give its opinion on a Commission proposal, but on a report drawn up by a panel of experts which does not have sufficient official status; moreover, the legal text does not precisely define the role and tasks of this panel. The procedure does not satisfy the usual legislative criteria.

Indeed, the role of the Community Institutions other than the Council is extremely limited, consisting of being notified of the nomination(s) (Art.2(1)), appointing two experts (only one for the Committee of the Regions) (Art.2(2)) to the selection panel which will report to the Commission, Parliament and the Council, and the possibility that Parliament may simply submit an opinion to the Commission.

The Council takes the decision on which Member State may put forward one or more nominations (Art.1(1)) and on the city that will hold the title of 'European Capital of Culture' (Art.1(3)). Thus, in the middle of negotiations on the accession of ten new members, Decision 1419/1999/EC has fixed the order in which nominations for European Capital of Culture will be put forward from 2005 to 2019 (Annex I), an order which, by general agreement in the Council, has been slightly modified. This list did not mention the applicant countries.

The way that the Member States concerned have interpreted the will of the legislator has tended to depart from the *raison d'être* of the 1999 Decision, which sought above all to establish a 'Community action'. Consequently, any intervention by the selection panel is superfluous, the other Institutions face a *fait accompli*, and both the selection panel and the Institutions are confronted with a situation which is difficult to change, as the experiences of the last few years have shown.

Conclusion

The solution is clear.

- (a) This procedure is potentially full of interest, and Europe's reunification through enlargement could help to give it a new impetus: we have a lot to find out about each other.
- (b) The way to success is not to dilute attention, and to give a new impetus and dynamism to the procedure by reintroducing competition at European level.

¹ Report on the Greek Nomination for the European Capital of Culture 2006, September 2002

- (c) It is therefore essential to encourage several nominations each year.
- (d) The selection panel, which has a role both to encourage nominations and to judge them, should set requirements and give advice to encourage the nominated cities' projects to include a real European dimension.

Proposed action

During the exchanges of views in the Culture Committee, members stressed that it was impossible to separate certain aspects governed by the 1999 Decision from each other, particularly the selection procedure, the role of each Institution, the role of the selection panel and the implications of enlargement. Your rapporteur therefore considers that all these issues should be considered together.

During the debate, it became clear that all members wished Parliament to contribute constructively to a temporary solution so that the procedures that had already begun (for years 2005 to 2008) could be concluded quickly and discussions initiated with the other partners on the procedure for the following years (from 2009).

In your rapporteur's opinion, this approach implies that Parliament's attitude must be coherent in every respect. Therefore, since it refused to appoint two experts, as provided at Article 2(2) of Decision 1419/1999/EC, to sit on the selection panel to draw up the report evaluating the nominations for the years 2007 and 2008, because of lack of competition at European level, it seems logical for the Culture Committee to propose that Parliament, for the same years and the same reasons, should not forward an opinion (which is anyway optional) to the Commission on the nominations after receiving the selection panel's report, as provided at Article 2(3) of the Decision. Your rapporteur also points out that, for 2006, Parliament did not send an opinion to the Commission because of the lack of competition and lack of quality initially in the proposed programme.

During the debate on 27 January 2004, the members of the Culture Committee were also in favour of postponing discussion on the implications of enlargement for this matter until after Parliament reconvenes following the forthcoming European elections, i.e. when the MEPs from the new Member States are present.

Members were very much in favour of the idea of the 'European dimension', which, according to Article 3 of Decision 1419/1999/EC, should underlie the programmes put forward by the nominated cities, even if the funding provided can only be considered a symbolic contribution in relation to the ambitions of the programmes and their budgets.

The Commission proposal envisages two 'European capitals of culture' from 2009; the Culture Committee wished to support this idea, while pointing out that, in its view, this approach would make a greater demand on the budget.

Your rapporteur awaits with great interest the evaluation report that the Commission has announced and which should facilitate in-depth consideration, but regrets that the other Institutions have not reacted more firmly and consistently to the call for action in the resolution that Parliament adopted on 11 December 2001¹.

¹ Resolution on the European Capital of Culture 2005 (2001/2221(INI)), 11.12.2001, paragraph 3

In the light of the above, your rapporteur proposes amending the legislative text in all the aspects highlighted by the majority of members of the Committee on Culture, Youth, Education, the Media and Sport.