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*****II**

RECOMMENDATION FOR SECOND READING

on the Council position at first reading with a view to the adoption of a decision of the European Parliament and of the Council establishing a European Union action for the European Heritage Label (10303/1/2011 – C7-0236/2011 – 2010/0044(COD))

Committee on Culture and Education

Rapporteur: Chrysoula Paliadeli

Symbols for procedures

- * Consultation procedure
- *** Consent procedure
- ***I Ordinary legislative procedure (first reading)
- ***II Ordinary legislative procedure (second reading)
- ***III Ordinary legislative procedure (third reading)

(The type of procedure depends on the legal basis proposed by the draft act.)

Amendments to a draft act

In amendments by Parliament, amendments to draft acts are highlighted in ***bold italics***. Highlighting in *normal italics* is an indication for the relevant departments showing parts of the draft act which may require correction when the final text is prepared – for instance, obvious errors or omissions in a language version. Suggested corrections of this kind are subject to the agreement of the departments concerned.

The heading for any amendment to an existing act that the draft act seeks to amend includes a third line identifying the existing act and a fourth line identifying the provision in that act that Parliament wishes to amend. Passages in an existing act that Parliament wishes to amend, but that the draft act has left unchanged, are highlighted in **bold**. Any deletions that Parliament wishes to make in such passages are indicated thus: [...].

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DRAFT EUROPEAN PARLIAMENT LEGISLATIVE RESOLUTION

**on the Council position at first reading with a view to the adoption of a decision of the European Parliament and of the Council establishing a European Union action for the European Heritage Label
(10303/1/2011 – C7-0236/2011 – 2010/0044(COD))**

(Ordinary legislative procedure: second reading)

The European Parliament,

- having regard to the Council position at first reading (10303/1/2011 – C7-0236/2011),
 - having regard to the reasoned opinion submitted, within the framework of the Protocol (No 2) on the application of the principles of subsidiarity and proportionality, by the French Senate, asserting that the draft legislative act does not comply with the principle of subsidiarity,
 - having regard to its position at first reading¹ on the Commission proposal to Parliament and the Council (COM(2010)0076),
 - having regard to Article 294(7) of the Treaty on the Functioning of the European Union,
 - having regard to Rule 72 of its Rules of Procedure,
 - having regard to the recommendation for second reading of the Committee on Culture and Education (A7-0331/2011),
1. Approves the Council position at first reading;
 2. Notes that the act is adopted in accordance with the Council position;
 3. Instructs its President to sign the act with the President of the Council, in accordance with Article 297(1) of the Treaty on the Functioning of the European Union;
 4. Instructs its Secretary-General to sign the act, once it has been verified that all the procedures have been duly completed, and, in agreement with the Secretary-General of the Council, to arrange for its publication in the *Official Journal of the European Union*;
 5. Instructs its President to forward its position to the Council, the Commission and the national parliaments.

¹ Texts adopted of 16.12.2010, P7_TA(2010)0486.

EXPLANATORY STATEMENT

1. Background and procedure

On 9 March 2010, the Commission submitted a proposal for a decision of the European Parliament and of the Council establishing a European Union action for the European Heritage Label¹.

The text has been examined under the Spanish, Belgian and Hungarian Presidencies of the Council of Ministers of the European Union (Council).

The European Committee of Regions adopted its opinion on the Commission's proposal on 9 June 2010.²

During its sitting of 16 December 2010 the European Parliament (EP) adopted at first reading a legislative resolution amending the Commission's proposal³.

At its meeting of 3 March 2011, the Committee on Culture and Education (CULT) took a decision on the scope of its mandate in its forthcoming negotiations with the Council, with a view to an early second reading agreement, as well as on who the members of the negotiating team should be.

In accordance with the provisions of Article 294(5) of the Treaty on the Functioning of the European Union (TFEU) and the joint declaration on practical arrangements governing the codecision procedure⁴, two informal trilogue meetings (on 22 March and on 12 April) took place between the Council and the EP, with a view to reaching an agreement at second reading. The resulting agreement was confirmed by COREPER on 15 April 2011 and in a letter from the Chair of the Committee on Culture & Education to the chair of COREPER I dated 9 May 2011.

The Council adopted its position at first reading incorporating the agreement on 19 July 2011, in accordance with the ordinary legislative procedure laid down in Article 294 of the TFEU.

2. The Commission's proposal

The aim of the proposal is to strengthen European citizens' sense of belonging to the European Union, based on shared elements of history and heritage, as well as an appreciation of diversity, and to strengthen intercultural dialogue.

² OJ C 267, 1.10.2010, p. 52.

³ EP-PE_TC1-COD(2010)0044.

⁴ OJ C 145, 30.6.2007, p. 5.

Intergovernmental initiative: The proposal extends an intergovernmental initiative launched in 2006. It responds to the conclusions adopted by the Council on 20 November 2008, inviting the Commission to submit a proposal transforming this initiative into a formal action of the Union, in order to improve its quality and efficiency and ensure its long-term success.

New criteria and monitoring procedure: The proposal introduces new common, clear and transparent criteria for the label, which would be applied by all participating Member States. Participation will be voluntary. New selection and monitoring procedures will ensure that only the most relevant sites are awarded the label, and that those that no longer meet the requisite criteria would lose it.

Added value: Special attention is given in the proposal to the added value of this label as compared to other initiatives within the field of cultural heritage. The label is not about a site's beauty or its architectural quality, but rather its symbolic value for European integration and the history of the Union. It is not about conservation of sites in itself, but rather about the activities they can offer and their educational dimension, especially for young people. Finally, it will help labelled sites become more effective through their working together.

3. Parliament's first reading

The Parliament's legislative resolution, adopted by a large majority at first reading (497 votes in favour, 18 against and 41 abstentions) was accompanied by 62 amendments. A great majority of those amendments dealt with relatively minor issues and contributed to further improving the text.

Among the issues addressed by the rapporteur were: the number of sites to be awarded the label; how often the selection procedure will occur; a clear distinction between the new EU action and the current intergovernmental initiative, and the relationship between current and future recipient sites of the label.

The most important modifications covered the following issues:

Frequency of selection: Although the Commission proposed to award the label each year, Members considered that selection of the sites every two years would ensure better quality of the selection process as well as of the selected sites.

Transnational sites and quotas: Applications from transnational sites should follow the same procedure as those from any other sites. Members felt that sites must be pre-selected by all of the Member States involved, within their limit of a maximum of two sites. Transnational sites should designate one of the sites involved as their coordinator, to be the Commission's single contact point.

Panel: The European panel should consist of 13 members, one of whom should be nominated by the Committee of the Regions. The European panel should consist of cultural experts covering all fields related to the objectives of the EHL, whilst also upholding equitable representation by all Member States.

Reinforced information: The Commission should inform the European Parliament, the Council and the Committee of the Regions at each stage of the selection process: pre-selection of the sites by the Member States, selection by the European Panel, designation of the selected sites by the Commission, withdrawal of the label from a site and renunciation of the label by a site.

Withdrawal from the label: Members considered that the jury should be involved in the procedure of withdrawal for reasons of transparency. Sites may at any time choose to renounce the European Heritage Label.

Transitional arrangements: in order to preserve the prestige of the old label and promote the prestige of the new one, Members suggested that no transitional provisions should be needed.

4. Council's first reading

The Council's first reading is based on the agreement negotiated after Parliament's first reading.

The key elements of this agreement, which incorporated fully, in part or in spirit the great majority of Parliament's first-reading amendments, are as follows:

- i) Selection of sites (Article 10(2), Article 11(2), Article 12(2)): Each Member State may pre-select up to two sites every two years: both a national and a transnational site. The quota for the transnational site is used for the coordinating country only in order not to discourage Member States from actually taking part in these sites. A panel of independent experts will choose a maximum of one site per country to be eligible for the label.
- ii) Geographical scope (Article 4, Article 18(1), Recital 13): The Union action is open to 27 Member States. During the first evaluation of this action a widening of its geographical scope should be examined.
- iii) Transitional provisions (Article 19, Recital 11): Transitional provisions are clarified and simplified.
- iv) National thematic sites (Article 20): Several sites located in the same Member State may put forward a single application focusing on a specific theme.

5. Rapporteur's position

The rapporteur recommends the adoption, without amendment and with no further delay, of the first reading position of the Council.

PROCEDURE

Title	European Heritage Label
References	10303/1/2011 – C7-0236/2011 – 2010/0044(COD)
Date of Parliament's first reading – P number	16.12.2010 T7-0486/2010
Commission proposal	COM(2010)0076 - C7-0071/2010
Receipt of Council position at first reading announced in plenary	15.9.2011
Committee responsible Date announced in plenary	CULT 15.9.2011
Rapporteur(s) Date appointed	Chrysoula Paliadeli 23.3.2010
Discussed in committee	4.10.2011
Date adopted	5.10.2011
Result of final vote	+: 29 -: 0 0: 0
Members present for the final vote	Magdi Cristiano Allam, Maria Badia i Cutchet, Malika Benarab-Attou, Lothar Bisky, Jean-Marie Cavada, Santiago Fisas Ayxela, Mary Honeyball, Cătălin Sorin Ivan, Petra Kammerevert, Morten Løkkegaard, Marek Henryk Migalski, Katarína Neveďalová, Doris Pack, Chrysoula Paliadeli, Marie-Thérèse Sanchez-Schmid, Marietje Schaake, Marco Scurria, Hannu Takkula, Sampo Terho, László Tőkés, Helga Trüpel, Sabine Verheyen, Milan Zver
Substitute(s) present for the final vote	Heinz K. Becker, Ivo Belet, Luigi Berlinguer, Nessa Childers, Seán Kelly, Iosif Matula, Georgios Papanikolaou
Substitute(s) under Rule 187(2) present for the final vote	Jacky Hénin
Date tabled	6.10.2011