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REPORT

on cultural cooperation in the European Union
(2000/2323(INI))

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

Rapporteur: Giorgio Ruffolo

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PROCEDURAL PAGE

At the sitting of 18 January 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 cultural cooperation in the European Union. At the sitting of 5 July 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 59 of the Rules of Procedure.

The Committee on Culture, Youth, Education, the Media and Sport had appointed Giorgio Ruffolo rapporteur at its meeting of 5 December 2000.

It considered the draft report at its meetings of 29 May and 25 and 26 June 2001.

At the last meeting it adopted the motion for a resolution unanimously.

The following were present for the vote: Giuseppe Gargani, chairman; Vasco Graça Moura and Ulpu Iivari, vice-chairmen; Giorgio Ruffolo, rapporteur; Ole Andreasen, Pedro Aparicio Sánchez, Christine de Veyrac, Raina A. Mercedes Echerer (for Luckas Vander Taelen), Robert J.E. Evans (for Lissy Gröner), Geneviève Fraisse, Jas Gawronski (for Roy Perry), Ruth Hieronymi, Maria Martens, Pietro-Paolo Mennea, Barbara O'Toole, Doris Pack, Christa Prets, Martine Roure, The Earl of Stockton (for Christopher Heaton-Harris), Kathleen Van Brempt, Phillip Whitehead, Eurig Wyn, Theresa Zabell, Sabine Zissener and Myrsini Zorba (for Valter Veltroni).

The report was tabled on 16 July 2001.

The deadline for tabling amendments will be indicated in the draft agenda for the relevant part-session.

MOTION FOR A RESOLUTION

European Parliament resolution on cultural cooperation in the European Union (2000/2323(INI))

The European Parliament,

- having regard to the Treaty on European Union (Articles 1 and 6) and the Treaty establishing the European Community (Articles 3, 5, 151 and 192),
 - having regard to Rules 59 and 163 of its Rules of Procedure,
 - having regard to its resolution of 11 March 1992, on the situation of artists in the European Community¹,
 - having regard to its resolution of 16 September 1997, on cohesion policy and culture: a contribution to employment²,
 - having regard to its resolution of 30 January 1997, on the consideration of cultural aspects in European Community action³,
 - having regard to its resolution of 9 March 1999, on the situation and role of artists in the European Union⁴,
 - having regard to the Decision of the European Parliament and of the Council of 14 February 2000 establishing the Culture 2000 programme⁵,
 - having regard to Articles 13 and 22 of the Charter of Fundamental Rights of the European Union⁶,
 - having regard to the report of the Committee on Culture, Youth, Education, the Media and Sport (A5-0281/2001),
- A. whereas culture, in a broad sense, is the bedrock on which peoples build their identity,
- B. whereas it is one of this Parliament's duties to make progress in the search for a common cultural basis, a European civil area, that will increase citizens' sense of belonging to that European area,
- C. whereas a European cultural policy which in no way seeks uniformity but can offer an identity born of the encounter between differences is of crucial importance for the development of a collective European consciousness,

¹ OJ C 94, 13.4.1992, p. 213

² OJ C 304, 6.10.1997, p. 40

³ OJ C 55, 24.2.1997, p. 37

⁴ OJ C 175, 21.6.1999, p. 42

⁵ OJ L 63, 10.3.2000, p. 1

⁶ OJ C 364, 18.12.2000

- D. whereas artistic and cultural freedom of expression and the access of all citizens to culture are fundamental rights, won by European democracies in the course of history,
- E. whereas Europe continues to be an essential cultural landmark in the world,
- F. whereas the Union's cultural relations with other countries foster mutual understanding between peoples in the interests of peace,
- G. whereas one of Europe's distinctive cultural features is its unity in diversity, that is to say the ongoing coexistence and interaction, which has evolved through the centuries, of a rich variety of languages, traditions, lifestyles, trends, movements and artistic and cultural expressions,
- H. whereas there has been steadfast action by the European Union, from 1974 onwards, in support of a Community cultural policy and whereas the Commission has expressed its commitment to implementing cultural programmes,
- I. whereas the Union has made a positive contribution to the development of European culture, particularly following the entry into force of the Maastricht Treaty, and has implemented the Kaleidoscope, Ariane and Raphael programmes, whose actions are now incorporated in the Culture 2000 programme, as well as the Media Plus programme and other initiatives such as Connect, the European Capital of Culture and the European Year of Languages, launched in 2001,
- J. whereas the Union can also through its research framework programme (FP 6) make a contribution to maintaining the cultural heritage, by researching techniques for protecting works of art, documents and the like from deterioration,
- K. whereas these programmes account for only a portion of the Community resources earmarked for culture, most of which are allocated via the Structural Funds in particular,
- L. whereas in 2000 only 0.1% of the Community budget was allocated to culture and the audiovisual sector, and there is a need to provide a larger and more appropriate amount for developing a European Union cultural cooperation policy,
- M. whereas the planning and management of Community resources need to be coordinated,
- N. whereas Article 151(4) of the Treaty stipulates that the Community must take cultural aspects into account in its action under other provisions of the Treaty,
- O. whereas the Community, while actively interpreting the subsidiarity principle, must supplement and encourage the action taken by the Member States by bringing Europe's common cultural heritage to the fore, thereby creating European added value (Article 151 of the Treaty),
- P. whereas cooperation between the Union and the Member States on cultural matters is not systematic, as it is in other areas of Community activity, such as education and the 'European Schoolnet' experience,

- Q. whereas the cultural policies of the Member States reveal both differences and similarities, with both aspects being important for enhanced cooperation in this field,
- R. whereas Article 192 of the Treaty provides that Parliament may request the Commission to submit appropriate proposals on matters on which it considers that a Community act is required,
- S. whereas it would be advisable to initiate cultural cooperation on the basis of a joint programme, by means of existing Community instruments - duly revised, if necessary - together with new instruments, to promote the appropriate synergies between the cultural policies of the Member States and the Union,
- T. whereas in an increasingly multi-ethnic Europe, cultural policy needs to be an integral part of economic and social development, to perform a role of social cohesion and mutual enrichment, and to be a factor that is essential for belonging to a European citizenship,
- U. whereas the European Union has greater influence on national cultural policies, in so far as it is laying down new requirements for cultural producers in a number of areas, such as copyright, resale rights, liberalisation of the telecommunications market, competition law (including film finance, resale price maintenance for books, theatre subsidies, and media concentration) and so on,
1. Stresses that culture is an essential component of EU identity; observes that the respect for and promotion of cultural and linguistic diversity and the sharing of a common heritage are a force for the integration and development of human beings; maintains that this identity is the least that is required in order to consolidate the sense of European citizenship and to draw up a future European constitution;
 2. Points out that cultural exchange and cooperation substantially contribute to Europe's capacity for integration and cohesion;
 3. Points out that culture is an asset in its own right and also makes an important contribution to economic development and helps increase employment; 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 property related to tourism, but also the protection and conservation of heritage, urban regeneration, handicrafts, training, the production of goods and services, etc.;
 4. Points out that, in view of the soaring demand in the e-culture information society for content in general, and high-quality content production in particular, all the Community's activities promoting the information society should give far greater weight to the cultural dimension, and that the cultural sphere as a whole should be addressed more actively and integrated into the various programme elements;
 5. Considers it would be appropriate, for the future of the Union, to strengthen the cultural dimension in both political and budgetary terms, particularly in the form of enhanced cooperation measures, while respecting the principle of subsidiarity, as laid down in Article 151 of the Treaty, to enable the establishment of a 'European cultural area';

6. Calls on the Member States to set a common objective of allocating at least 1% of total public funds to stimulating artistic creation, expression and dissemination;
7. Calls for the extension of qualified majority voting in any future revision of the Treaty to ensure support for measures in the cultural sector;
8. Calls on the Commission to submit to the Council and Parliament a draft recommendation based on Article 151(2) of the Treaty, on the following points:
 - the Commission's undertaking to submit to the Council and European Parliament an annual report on the cultural policy of the Union and of the Member States,
 - the request to the Member States to contribute actively, with the Commission, 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 wisely, 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 relations between the cultural authorities at various levels and cultural operators in terms of information and cooperation,
 - (d) systematically exchanging information on institutional and legislative innovations and on best practices 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 the 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 practices in this area,
 - (k) implementing measures to boost the creation 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, because of their importance in shaping cultural awareness in modern European society,
- (m) developing relations for cooperation with the Council of Europe and Unesco;
9. 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;
10. Calls on the Commission to submit to the Council and Parliament a draft decision under Article 151(2) of the Treaty, for 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 have a duty 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;
11. Notes that the recommendations in this resolution respect the subsidiarity principle and the fundamental rights of citizens; considers that any financial implications for the Community budget can be covered by the Culture 2000 programme;
12. 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;
13. 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;
14. Hopes that, at the Cultural Forum, dialogue with cultural operators will be strengthened and improved in a transparent and effective manner, with provision possibly being made for the establishment of a special council;
15. 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;
16. Calls for the Member States to grant tax benefits to patrons of the arts in their tax legislation;

17. Calls on the Commission to carry out a study into the opportunities for bringing principles more closely into line at Community level governing the tax treatment of works of art and artistic work, particularly concerning VAT, and the tax provisions for the movement of artists within the European Union;
18. 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;
19. Recommends, in view of the forthcoming WTO summit, that the Union restate its position on two fundamental requirements:
 - to enhance the competitiveness of the European cultural industry through close Community cooperation,
 - to uphold, under all circumstances, the principle of the prohibition of dominant positions with regard to trading in cultural property and services;
20. Instructs its President to forward this resolution to the Council and Commission, the governments and parliaments of the Member States and applicant countries, and the Council of Europe.

EXPLANATORY STATEMENT

The establishment of Europe as a cultural unit, one that is both diverse and distinct, is a fundamental aspect of the political project relating to European unity. This project is underpinned not only by the achievement of the economic, monetary or political union of the Member States but also by the firm belief that Europe has its own specific, rich cultural identity based on complementary differences.

It has to be said, however, that as far as the project of European unity is concerned, culture has always played a secondary role, particularly when compared to that of the economy. Although cultural policy was recently incorporated into the Treaties, its position is still marginal and it is hampered by the unanimity requirement in Council voting.

Yet a European cultural policy that does not aspire to standardise, but rather to establish a cultural identity born of a meeting of diversities, is paramount as far as the development of a European collective awareness is concerned. Such a policy is threefold: it acts as a force for identity, a force for cohesion and a force for the democratic participation of European citizens in a common destiny.

From 1974 Parliament has continued to stress the need for a Community cultural policy and has always supported the Commission in its endeavours to take action in support of cultural activity. This is particularly true since the entry into force of the Maastricht Treaty, when the first programmes to encourage cooperation in artistic and cultural activities (Kaleidoscope), in the enhancement of the cultural heritage (Raphael) and in the support of books and reading (Ariane) were launched. The Culture 2000 programme, currently under way, aims to encourage and support transnational cultural projects by offering non-refundable grants and therefore represents the first systematic attempt to implement a European cultural policy.

One of the most obvious limits of the EU cultural policy is the paucity of financial resources. In 2000, for example, a mere 0.1% of the Community budget was earmarked for the cultural and audiovisual sectors. This figure does not include the funding - more substantial by far - allocated to culture via the Structural Funds and other Community actions which have direct or indirect repercussions on the cultural sector. Unfortunately, however, no careful analysis has been made of the complementarity of Community and national financial flows, which would be essential for understanding the synergies between the various Community policies and various institutional levels of the EU in the cultural sphere.

Another constraint on EU cultural policy is that of the predominantly administrative interpretation of the subsidiarity principle, i.e. an interpretation based on strict non-intervention between the Community level and national levels; which consequently hinders the cooperation prescribed by the Treaty. Such cooperation, which would actually enhance subsidiarity, has never been put into practice.

The current absence of systematic cooperation between EU cultural measures and national cultural policies is due to a restrictive interpretation of the subsidiarity principle. When this serious gap was ascertained, the Directorate-General for Research was asked to carry out a survey in preparation for this report.

The survey brought to light some interesting convergences and, naturally, differences in general trends, policies and instruments.

Most countries agree that the activities pertinent to cultural policy are those which come under the definition of culture provided by the Eurostat Leadership Group, i.e. activities relating to conservation, creation/production, dissemination and training and marketing in the following areas: artistic and historical heritage, the visual arts, architecture, archives and libraries, publishing and the press, live entertainment, cinema and the audiovisual sector. The only exception is that of the information sector (radio, TV and the press), which some countries did not mention with reference to national cultural policies, as their information policies fall under the remit of prime ministers or ministries for communication.

There is also considerable convergence amongst Member States with regard to the objectives of national cultural policies. A core of shared objectives has now been consolidated: heritage conservation and enhancement, support for artistic creation, more widespread access to and participation in culture, the safeguarding of pluralism, of freedom of expression and cultural diversity, training, and the internationalisation of culture. The difference between the various countries lies in the emphasis placed on these objectives which, in turn, is closely linked to the historical, political and cultural traditions of each country.

As far as the institutional framework supporting cultural policies is concerned, particularly the arrangements for state intervention, the predominant model appears to be the ministerial one. Many countries, however, also have bodies which operate according to the principle of operational devolution ('arm's length').

From the examination of the sharing of responsibilities between the various levels of government, an extremely varied and fragmented picture emerges. The key differences are:

- (a) in the number and type of government levels, as well as the size of the territorial areas of reference. The most common type is that of a three-tier administrative structure, i.e. state, region or county and commune (municipality); there are, however, countries which have a four-tier or only two-tier structure;
- (b) in the degree of actual responsibility granted to each level; situations vary between those of extreme devolution to those in which the role of central government is predominant, with various situations in between. On the whole, there is a general trend towards devolution, although in most countries the degree to which each level of government is responsible for culture has not been clearly and officially defined.

However, the formal organisation of responsibilities for cultural policy does not always correspond to the true state of affairs: the extent to which a country's cultural policy has genuinely devolved does not depend on legislation or on the institutional framework alone but also on the role that each administrative level plays in the management of expenditure. Regrettably, the current situation as regards the amount and distribution of public funds allocated to the cultural sector, as well as the general trend in cultural funding, leaves much to be desired. Most countries merely supply data on the funding granted by the ministries of culture, failing to take into account any financial assistance provided by other ministries or lower levels of government.

As far as the sectoral distribution of resources is concerned, there are significant differences between countries, especially between southern European countries, in which most funds are set aside for heritage and northern European countries, which give priority to the visual arts, entertainment, the cultural industry and libraries.

With regard to how funding responsibilities are spread between the various levels of government, in most countries cultural expenditure is borne prevalently by local authorities or regions.

In all EU countries, the role of the private sector (i.e. private firms, non-profit foundations set up for public purposes and individuals) in the realm of cultural policy is essentially twofold: on the one hand it funds the cultural sector and on the other manages cultural institutions and holds culture-related events. In Europe, private bodies, associations and cooperatives also promote culture, usually on a non-profit making basis. The ongoing development of the third sector, as demonstrated by the growth in the number of cultural associations and voluntary workers, is a clear signal that European citizens want to play a greater role in cultural life.

Governments in all EU countries generally intervene in the following four areas as far as cultural policy is concerned:

- ownership and direct management
- financial assistance (subsidies and contributions or indirect assistance via tax relief)
- regulations
- the granting of rights (particularly copyright).

This intervention applies to the traditional assisted sectors, such as heritage conservation and enhancement, artistic and cultural activities and the cultural industries.

Most of the key museums and monuments in the countries surveyed are publicly owned, but the impact on the cultural budget of resources for the conservation, protection and enhancement of heritage decreases progressively and substantially from southern Europe to northern Europe.

There are also considerable differences as regards the support of artistic activities in connection with live entertainment: in southern and continental Europe more support is given to activities linked to existing art (repertoire), whilst in northern Europe more attention is paid to contemporary art and artists in general.

A further difference lies in demand-driven policies which, in northern countries are more concerned with attracting new sections of the public and increasing public participation.

All Member States are implementing active policies in respect of cultural industries, by granting financial support and, in particular, by adopting regulatory measures.

One area in which EU countries differ substantially is that of tax policy.

As far as the tax regime for artists is concerned, tax allowances, where they exist, are governed by different rules in each country; taxation on artists moving between EU countries is regulated by bilateral conventions.

VAT rates on the sale of products or services vary considerably from country to country according to the type of activity or cultural property.

Patronage incentives, in terms of business sponsorships, are widespread in Europe.

There are significant convergences in the priorities of the various cultural policies:

- a devolution of powers over culture-related issues from central government to the lower levels;
- greater support for cultural demand;
- strong emphasis on training and artistic education;
- considerable support for contemporary art;
- the introduction of new forms of public/private partnership.

These priorities are shared by all countries, but there are also other priorities specific to certain groups of countries: multiculturalism, in the sense of support for cultural diversity and minorities; multilingualism; the reconsideration of culture's role in the information society; support for the European cultural industry and maintenance of the 'cultural exception'; safeguarding and promotion of the written word; the focus on the interrelatedness of the economy and culture; the promotion of a sustainable cultural tourism; greater consideration for culture in spatial and town planning, and the involvement of the public in the promotion and organisation of culture.

With reference to cultural policy, all countries maintain international relations to varying degrees with the European Union, the Council of Europe and UNESCO. There are also special relationships between European countries and non-European countries, for historical, geographic/cultural and linguistic reasons.

From the analysis of EU cultural policy and the study on the current state of national cultural policies in EU countries conducted by DG IV, Directorate-General for Research, several conclusions can be drawn:

- the concept of 'unity in diversity' is proving to be a specific feature of European culture;
- the following important parallels can be drawn: culture has shifted from the margins to the centre of the political and institutional stage in all countries; there is a trend towards devolution in terms of responsibility for and management of cultural policy; the relationship between the public sector and the private sector is being redefined, to the benefit of the latter; the third sector is taking on an increasingly important role in the organisation of culture; there is greater focus on relations between cultural activities and technological development; all countries feel the need to strengthen and skilfully manage the relationship between conservation and creation; expectations of educational and training systems are higher;

- understandable and legitimate differences have also emerged in the choice of priorities and instruments used (e.g., between countries which focus on heritage conservation and those which give priority to promoting creative activities and to using culture also for the purposes of social cohesion, as well as differences in taxation policies and institutional organisation);
- there is a clear need to harmonise the language and key concepts relating to cultural policy so as to enable a European cultural information system to be set up, building on the work already done by the Eurostat Leadership Group. To achieve this aim, it is essential that all countries undertake to provide ample and systematic information and improve their national statistical systems;
- in reviewing cultural initiatives and the resources allocated to them, the EU and the Member States need to take into consideration also those which do not fall within the direct remit of the relevant authorities;
- long-term cooperation needs to be developed, not only with regard to specific projects but also to strategic operations;
- closer coordination between national policies and EU action on cultural matters is feasible: cultural networks could be extended, strengthened and computerised; policies on trade with other parts of the world could be framed jointly; the image and the role of European culture in the world could be enhanced, also by using new means of communication; more advanced systems and new cultural policy tools already tested in individual countries could become more widespread (planning methods, administrative instruments, forms of partnership between the public sector, private sector and associations and linkages between cultural policies and social, educational, research and environmental policies).

On the basis of the above considerations, it was deemed appropriate to take the initiative of asking the Commission and the Member States to increase their efforts in the area of cultural policy; in this regard, a set of guidelines and tools has been put forward, with a view to genuinely improving cultural cooperation. Clearly, Parliament does not wish to impose a set of uniform rules on the substance of cultural policies, and would certainly not presume to suggest that culture must be standardised throughout the Union - this approach would run counter to the spirit of the Treaty and would depart from the tradition of the European cultural model, changing its direction.

It is, rather, a question of implementing the principle of subsidiarity in a positive manner, in order to create an environment which is conducive to dialogue between institutions and operators, to improve the protection and use of heritage, to secure freedom of artistic and cultural expression and to guarantee that all citizens have access to culture.

It is no coincidence that these proposals have been made by the European Parliament, the institution which historically launched the process which culminated in the inclusion of culture in the Treaty. While politicians and European institutions debate the future of Europe, Parliament could not but take it upon itself to represent, *inter alia*, the public's widespread 'desire for a cultural identity'.

The proposed initiatives aim to boost the cultural dimension of the Union by encouraging closer cooperation between the Member States. They are targeted proposals, in keeping with the principle of subsidiarity, which seek to provide the Union with effective and skilful tools with which to create a virtuous circle to bring to light the best cultural and artistic energies in Europe.