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CALL FOR CULTURE

**Paper for informal meeting of culture ministers, Rotterdam, 13-14 July
Dutch Presidency of the European Union (1 July - 31 December 2004)**

Introduction

Since the Treaties of Maastricht, Amsterdam and Nice, and most recently the European Constitution, the EU has encompassed more than economic integration alone. And since enlargement, the Union has acquired more cultural diversity. One would have hoped that this would make the EU's citizens more enthusiastic about Europe.

The turnout of the recent European elections makes it clear, however, that the EU still has little appeal. This is not something that politicians can afford to ignore. The lukewarm response of Europe's citizens to the opportunity to elect the European Parliament calls for political reflection on the way in which we are fashioning European integration.

The political assumptions underlying the Dutch Presidency's approach correspond closely to the Commission's recent communication, "Making citizenship work".¹ The communication, welcomed by the Council of 27 May 2004, urges the need to foster the mobility of artists, cultural and audiovisual works. The Commission seeks to give European citizens the opportunity to

¹ COM (154) def.

discover the common elements in their developing European identity, an identity that can complement their existing national, regional, ethnic, and religious identities.²

In this context, the question arises of the role allocated to culture in the European Union. In exploring this role, the Dutch Presidency will adopt a **positive approach**, revolving around two key questions:

- 1) What might culture contribute to Europe?
- 2) What might Europe contribute to culture?

What might culture contribute to Europe?

In terms of cultural diversity, Europe has a lot to offer. But if you ask people “What does it mean to be an European?” many will have difficulty answering. The Treaty refers to the concept of “European Citizenship”. How can we make this concept more meaningful? Not by telling people, “Europe is good for you”, but by investing in **bottom-up** action. In this respect we don’t need more government involvement, but more initiatives from people like artists, cultural operators, teachers, journalists, academics, and non-governmental organisations.

What might Europe contribute to culture?

A positive approach calls for positive action. We therefore welcome the Commission’s decision to launch proposals in the near future for new cultural and audiovisual programmes. The Council and Parliament will decide on these proposals within the next few years.

Do the Council’s work and responsibility end there? We do not think so. The Council should also set political priorities to highlight the importance of culture to Europe. At the same time, we recognise that in seeking to achieve this, the work of the Council itself is in need of improvement.

Apart from the programmes, positive action should be taken to eliminate obstacles to trans-European cultural action and business. The European Commission, the European Parliament and the Member States all have certain responsibilities in this respect. **We need to learn from past experience, to seek synergy with the new programmes, to eliminate the remaining obstacles, and to set political priorities for the future.**

² Ibid., p. 2.

This means organising a mode of agenda setting aimed at identifying the kind of action that is needed. The process as such could thus be aimed at the **innovative development of European policy**. It would be up to the Commission and Member States to carry on from there. The Dutch Presidency believes that **a renewed work plan** could be ideally suited to this purpose.

This paper will (I) begin by reviewing the past, including the decisions taken by the Culture Council. Then (II) the current culture work plan will be dealt with, explicitly posing the question of what the EU's future political agenda should be. Finally (III) the aspirations of the Dutch Presidency for a renewed work plan will be explained.

I. Review of the past

“Soft law” and programmes

For some twenty-five years, culture has been a subject of debate at ministerial meetings in the context of European integration. These meetings have generated numerous documents, in almost all cases “soft law”: recommendations, resolutions and conclusions, touching on many aspects of culture. But most of these documents have had a limited impact.

Another feature of Council decision-making in recent years is that it has been strongly determined by the duration of the Presidency: the interest in a particular subject tends to be sustained for just six months. Much has therefore been gained by developing a long-term Council agenda as envisaged in the first work plan (2002-2004). Work on the designated priorities should preferably be passed on from one Presidency to the next.

The 1992 Maastricht Treaty marked an important milestone. While the EU's competence in the sphere of culture remained limited, the culture article of the EC Treaty (article 151) laid the foundations for European cultural grants. The decision to maintain decision-making by unanimity provided tangible evidence of the reticence of Member States in the area of culture. With the likely abolition of the need for unanimity and the proposals for new cultural and media programmes, Europe will take another step forward.

Influence of other European policies

It is nonetheless a fact that EU legislation and EU policies influence national cultural (and audiovisual) policies, even without the existence of substantial Community competencies in the sphere of culture. In practice, the areas in question are those in which economic policy and cultural competencies have a compulsory effect on the national policies of the Member States.

For instance, the European Commission possesses exclusive competence regarding whether aid may be granted to national film industries. European legislation on intellectual property and the protection of hearing at the workplace (relevant to orchestras) also has direct consequences for the cultural sector. However, this kind of directly applicable European law and policy never appears on the agenda of the Culture Council; it is dealt with in other Council configurations.

This brings us to a key fact about the relationship between European integration and culture. Despite the European Union's limited cultural competencies, it has a tangible converging influence on the cultural policies of the Member States. However, that is something over which European culture ministers have no direct control. This explains why the Culture Council has repeatedly drawn attention to the importance of paragraph 4 of the culture article (article 151) of the EC Treaty. Paragraph 4 explicitly provides that the Community must take account of culture in all of its policies. Earlier reports issued by the Commission provide a good overview of the impact of other elements of EU policy on culture. These reports are still useful when promoting the role of culture in EU policy both at national and European level.

Before presenting the proposed future agenda for the Council, the next paragraph seeks to draw some lessons from the recent experience gained with the present work plan.

II. Work plan: taking stock

In drawing up a work plan for culture,³ the Council set a policy agenda for two years. The work plan stood for a new political ambition. The Council announced that it wanted to consign the era of *ad hoc* decisions to the past. The 2002-2004 work plan specified a number of subjects, which were addressed by successive Presidencies. The plan set 2004 as the target for completion of the work.

³ Council Resolution of 25 June 2002 on a new work plan for European cooperation in the field of culture. OJ C 162, 6.7.2002, p. 5.

The Dutch Presidency believes that many lessons can be learned from the experience gained with the current work plan and that there is ample scope for improvement. It wishes to make the following observations on the way this work plan is functioning:

a) In practice it has proved difficult to convert the topics selected for the work plan into concrete results with a real and sustainable impact. When elaborating the plan the Council has tended to fall back on the instrument of resolutions.

b) The work plan provided for informal agreement to be reached on the subjects to be tackled by each Presidency. The officials of the Presidencies concerned (Spain, Denmark, Greece, Italy, Ireland and the Netherlands) met only twice in the entire duration of the work plan. The subjects were divided up among the successive Presidencies. In consequence, each Presidency felt responsible for only one particular element of the plan. None of the subjects was substantially developed by successive Presidencies or by European institutions. This meant that each topic commanded attention for only six months.

c) The involvement of the European Commission and European Parliament in elaborating the details of the current work plan was limited. This is undesirable in view of their respective institutional responsibilities and the desirability of political support.

d) The topics in the work plan were very wide-ranging and were formulated very inclusively. Moreover, there was scope for individual subjects to be added. In consequence, the Council agenda lacked focus.

e) The Council has not done as much as one might have hoped to win widespread support for this work. This applies not only to the European institutions (the Commission and EP) but also to the cultural sector.

Looking back, it is clear that Member States have different views on numerous subjects. In this respect the key question to be asked is always: in what areas would an approach at European level be likely to present potential benefits? This applies both to subjects on the agenda of the Culture Council and to the positions to be adopted in other Council configurations on subjects that have an impact on culture.

The Dutch Presidency therefore wishes to take the following question as its point of departure:
where can we go from here?

This brings us to the aspirations of the Dutch Presidency.

III. Aspirations of the Presidency

Europe must prioritise investment in promoting cross-border mobility and circulation and communication with and between European citizens. Activity taken to foster such goals is a perfect expression of the subsidiarity principle. The experience gained with mobility in the education sector has demonstrated the added value of European action.

Creativity has enormous potential for further economic growth. Several Member States are already finding new ways of exploring and exploiting this potential. Others can greatly benefit from their experience. And the EU as a whole could benefit from exploiting the reservoir of creative potential to fulfil its aspiration to become the most competitive economy.

But investing in culture and economic growth is not just a matter for governments. Citizenship and entrepreneurship are not amenable to dictates from above: they can only develop in a “bottom-up” fashion. What governments and the EU must do is to encourage initiatives and remove obstacles.

A renewed work plan

Partly with a view to learning from the lessons of the past, the new work plan should satisfy the following criteria:

(i) The work plan must be implemented by a number of Presidencies

The Dutch Presidency is fully aware that six months is too short a time to achieve sustainable changes. Only through joint efforts by a number of Presidencies and a general political consensus in the Council on the course of action and the set objectives can results be achieved.

(ii) Focus, operational follow-up, result-oriented approach

The Dutch Presidency believes that the Council primarily requires focus in elaborating its plans: it must make a clear choice of a *limited* number of topics, in respect of which the Member States, together with the Commission and the support of the European Parliament, seek to attain certain goals in the years ahead. It will therefore be necessary to define clear attainment targets for the end of the two-year period.

The lessons of the past teach us the necessity of a clear statement, not only on the set objectives, but also on the division of responsibilities.

(iii) Bottom-up approach

Themes to be dealt with by the Council should be identified by cultural operators. Action must ultimately be taken, and hence supported, by the cultural sector.

The Presidency invites Member States to propose subjects satisfying the above criteria.

Further Elaboration

The Presidency wishes to make the following proposals, arising from consultations with Member States, the European Commission and the cultural sector:

1) *Mobility of collections*

Although the mobility of museum collections within the European Union is potentially a powerful means of giving real meaning to the concept of the “Europe of the citizen”, there appear to be numerous obstacles to mobility within the current situation. However, we must fully comprehend these obstacles before we can take concrete action. In this connection the European Commission recently commissioned a study aimed at charting the situation in the Member States. The Dutch Presidency and the Commission have also decided to invest in a meeting with the European museum sector. These are the first steps in what could be described as a feasibility study for possible initiatives at Community level to promote the mobility of collections. For the record: this Presidency is clear that there should be no question of harmonising legislation in this area. What is needed is action to facilitate initiatives to promote the mobility of collections.

The study and the conference will be initial steps in this direction. The further elaboration of this topic, with the direct involvement of the museum sector, could be placed on the agenda some time within the next two years. In the second half of 2006 it should be clear what concrete action could be taken in this area from 2007 onwards.

2) Mobility of people working in the cultural sector

Under the Danish Presidency a clear appeal was made: to a) promote mobility and b) to remove legal and administrative obstacles to mobility.

On the basis of the Commission communication on citizenship, we may expect the new culture programme to address the issue of the promotion of mobility.

Removing legal, fiscal and administrative obstacles remains a serious concern. The problem of double taxation, in particular, constitutes a serious and manifest obstacle.

Tackling problems of double taxation could be identified as a concrete target to be addressed within the next two years.

3) Some reflections on the Lisbon process

The Lisbon goal is to make Europe the most competitive knowledge economy by the year 2010. The cultural and audiovisual sectors have been assigned a relatively modest role in achieving this target. This is all the more surprising given the proven importance of creativity as a factor promoting economic development.

In January the European Commission noted that the Lisbon goal would not be achieved if no new measures were taken. It would therefore seem appropriate to reflect on ways in which creativity (the “creative class”), creative industries, and public-private partnerships could promote the Lisbon process.

4) Digitisation of cultural heritage

Digitisation is one of the few actions that fall within the Lisbon target. It is seen as an important instrument to help European citizens and to inspire them to promote Europe's political goal of becoming the most competitive economy in the world.

In 2001 the Member States decided to apply themselves to this task with the Lund Action Plan. An inventory of national digitisation programmes has been produced. The next phase concerns finding ways in which these programmes can help provide citizens unrestricted, sustainable and reliable digital access to Europe's heritage.

The Lund Action Plan expires in 2005 and there will be a need to provide a new political impulse and to identify specific new action to be taken from 2006 onwards. The Action Plan has been evaluated during the Irish Presidency. The Dutch Presidency will explore possible follow-up activities and the desirable structure and content of a new action plan. The Luxembourg Presidency could make further progress in preparing the new action plan, enabling it to take effect under the UK Presidency (troika).

A final word

The Dutch Presidency aims to consult the Member States on the course mapped out above at the informal Rotterdam Council (13-14 July). The outcome of this debate will determine the direction to be taken in elaborating a specific, result-oriented work plan for the Council, to be adopted at the Council of 15-16 November.