COMMON POSITION (EC) No 47/98

adopted by the Council on 24 July 1998

with a view to the adoption of Decision No . . ./98/EC of the European Parliament and of the Council of . . . establishing a Community action for the 'European Capital of Culture' event for the years 2005 to 2019

(98/C 285/02)

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 128 thereof,

Having regard to the proposal from the Commission [1],

Having regard to the opinion of the Committee of the Regions [2],

Acting in accordance with the procedure laid down in Article 189b of the Treaty [3],

(1) Whereas, throughout its history, Europe has been the site of exceptionally prolific and varied artistic activity; whereas urban life has played a major role in the growth and influence of the European cultures;

(2) Whereas Article 128 of the Treaty grants powers to the Community in the cultural field; whereas all Community activity designed to promote cultural activities should therefore be undertaken on this legal basis, in accordance with the objectives and means assigned to the Community by the Treaty;

(3) Whereas, on 13 June 1985, the Ministers responsible for Cultural Affairs meeting within the Council, adopted a resolution concerning the annual event 'European City of Culture' [4], the main aim of which was to open up to the European public particular aspects of the culture of the city, region or country concerned, an event for which the Community has provided financial support;

(4) Whereas a study which has been carried out into the results achieved by European Cities of Culture shows that the event has a positive impact in terms of media resonance, the development of culture and tourism and the recognition by inhabitants of the importance of their city having been chosen;

(5) Whereas the positive impact has nonetheless not always produced results lasting beyond the duration of the project itself and whereas, while recognising their competence to decide about the content of their project, the attention of public decision-makers in the cities chosen should be drawn to the need to integrate the cultural project into a dynamic medium-term process;

(6) Whereas this initiative is important both for strengthening local and regional identity and for fostering European integration;

(7) Whereas, in the discussions leading up to its opinion of 7 April 1995 [5] on the Kaleidoscope programme established by Decision No 719/96/EC [6], the European Parliament asked the Commission to present a specific programme on the European City of Culture after the year 2000 on the basis of Article 128 of the Treaty;

(8) Whereas the importance and impact of the 'City of Culture' event calls for the creation of a rotational system of designation which will ensure that each Member State will have one of its cities chosen at regular intervals; whereas a predictable, consistent and transparent rotational system is best achieved through a single decision whereby the order in which Member States will hold the event is decided;

(9) Whereas it is appropriate for the Council to designate the Capitals of Culture in view of the

[1] OJ C 362, 28.11.1997, p. 12.
[2] OJ C 180, 11.6.1998, p. 70.
[3] Opinion of the European Parliament of 30 April 1998 (OJ C 152, 18.5.1998, p. 58), Council Common Position of 24 July 1998 and Decision of the European Parliament of . . . (not yet published in the Official Journal).
[4] OJ C 153, 22.6.1985, p. 2.
[5] OJ C 109, 1.5.1995, p. 281.
[6] Decision No 719/96/EC of the European Parliament and of the Council of 29 March 1996 establishing a programme to support artistic and cultural activities having a European dimension (Kaleidoscope) (OJ L 99, 20.4.1996, p. 20).

great symbolic importance in the Member States of such a designation;

(10) Whereas any Community initiative to promote the 'European City of Culture' must satisfy predefined objectives and use the resources provided for by the Treaty;

(11) Whereas the Community has in the past made a contribution to the 'European City of Culture' and the 'European Cultural Month' events under the Kaleidoscope Programme, which is due to expire in 1998;

(12) Whereas on 22 September 1997 the Council adopted a Decision regarding to the future of European cultural action [1] in which it called on the Commission, in accordance with Article 152 of the Treaty, to table proposals for a single programme for culture by May 1998, into which an Action 'European Capital of Culture' will be incorporated, including funding arrangements;

(13) Whereas the Commission has submitted to the European Parliament and the Council a Communication on the first European Community framework programme in support of culture, including a proposal for a decision establishing a single financing and programming instrument for cultural cooperation,

HAVE DECIDED AS FOLLOWS:

Article 1

A Community action entitled 'European Capital of Culture' shall be established. Its objective shall be to highlight the richness and diversity of European cultures and the features they share, as well as to promote greater mutual acquaintance between European citizens.

Article 2

Each Member State may nominate a city as European Capital of Culture, in turn, as set out in Annex I. Any such nomination shall be notified to the European Parliament, the Council, the Commission and the Committee of the Regions no later than four years before the event in question is due to begin.

Without prejudice to possible alteration, by mutual agreement between the Member States concerned, of the chronological order set out in Annex I, the Council, acting on a recommendation from the Commission, shall officially designate each city as a European Capital of Culture for the year for which it has been nominated.

Article 3

European third countries may participate in this action. Any such country may nominate one city as a European Capital of Culture and should notify its nomination to the European Parliament, the Council, the Commission and the Committee of the Regions. The Council, acting unanimously on a recommendation from the Commission, shall officially designate one of these nominated cities as a European Capital of Culture for each year, bearing in mind the desirability of four years' preparation time.

Article 4

Each designated city should organise a programme of cultural events highlighting the city's own culture and cultural heritage as well as its place in the common cultural heritage, and involving people concerned with cultural activities from other European countries with a view to establishing lasting cooperation. In principle this programme should last one year but as an exception designated cities may opt for a shorter period of time. Cities may choose to involve their surrounding region in their programme. A linkage between the programmes of the designated cities of the same year should be made.

Article 5

In order to maintain the cultural value of the action:

— the list indicating planning and evaluation criteria set out in Annex II should be taken into account to the greatest possible extent by cities in planning their programme,

— designated cities should outline their programme, at least six months before the event is due to begin, to the European Parliament, the Council and the Committee of the Regions,

— the criteria referred to in the first indent should also be taken into account by the Commission in its evaluation of each city's programme.

The Commission shall set up a Guidance Panel consisting of personalities well known in cultural circles. Two of the members of this panel shall be appointed by the European Parliament, two by the Council, two by the Commission and one by the Committee of the Regions. The Guidance Panel shall give advice to the Commission

[1] OJ C 305, 7.10.1997, p. 1.

on the implementation of this decision. If so requested by the Member States or third countries concerned, the Guidance Panel may offer them advice on their choice of city to nominate.

Article 6

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 may also make any proposals for revision of this Decision which it judges necessary for the smooth operation of this action.

Done at . . .

For the European Parliament
The President

For the Council
The President

ANNEX I

ORDER OF ENTITLEMENT TO NOMINATE A EUROPEAN CAPITAL OF CULTURE

2005	Ireland
2006	Netherlands
2007	Luxembourg
2008	United Kingdom
2009	Austria
2010	Germany
2011	Finland
2012	Portugal
2013	France
2014	Sweden
2015	Belgium
2016	Spain
2017	Denmark
2018	Greece
2019	Italy

ANNEX II

LIST INDICATING PLANNING AND EVALUATION CRITERIA

Possible elements of designated cities' programmes:

— promotion of shared artistic movements and styles in the development of which the city has played a particular role,

— organisation of artistic events (music, dance, theatre, visual arts, cinema, etc.) and improvement of the promotion and management of the arts,

— promotion of European public awareness of the figures and events which have marked the history and culture of the city,

— organisation of specific activities designed to encourage artistic innovation and to generate new forms of cultural action and dialogue,

— organisation of measures to increase access to and awareness of fixed and movable artistic assets and artistic productions specific to the city,

— organisation of specific cultural projects designed to bring young people to the arts,

— organisation of specific cultural projects designed to increase social cohesion,

— taking the planned activities to a wider public, particularly through the use of multimedia and audiovisual means and a multilingual approach,

— contribution to the development of economic activity, particularly in terms of employment and tourism,

— need to develop high-quality and innovative cultural tourism with due allowance being made for the importance in this connection of managing the cultural heritage on a sustainable basis and reconciling the wishes of visitors with those of the local population,

— organisation of projects designed to encourage the development of links between the architectural heritage and strategies for new urban development,

— joint organisation of initiatives designed to promote dialogue between the cultures of Europe and the cultures of other parts of the world.

STATEMENT OF THE COUNCIL'S REASONS

I. INTRODUCTION

1. On 31 October 1997, the Commission submitted to the Council a proposal for a Decision of the European Parliament and of the Council for the establishment of a Community action in favour of the 'European City of Culture'.

2. The Committee of the Regions delivered its opinion on 13 March 1998.

3. The European Parliament delivered its opinion on 29 April 1998.

4. On 28 May 1998, the Commission submitted an amended proposal.

5. On 24 July 1998, the Council adopted its common position in accordance with Article 189b of the EC Treaty.

II. AIM OF THE PROPOSAL

The proposal is for the implementation at Community level of an action in support of a major annual event, the 'European City of Culture', the aim of which is to showcase the richness and cultural diversity of Europe's cities, while highlighting their shared cultural heritage and the vitality of artistic creation.

1. General remarks

In its common position, the Council, while endorsing the aim of the Commission proposal, has made a number of what it considers to be felicitous changes.

2. Specific remarks

2.1. *Amendments by the Council to the Commission proposal*

2.1.1. *Reference period of the Decision and the system for designating cities*

The Council first of all had to deal with the question of the choice of the European City of Culture for 2001, a year for which seven cities had been nominated [1], while other nominations had been submitted for the years 2002, 2003 and 2004 [2].

Faced with this difficult situation, the Council adopted a two-pronged approach. First, by means of an intergovernmental Decision (of the representatives of the governments of the Member States meeting within the Council), it designated the European Cities of Culture for 2001 to 2004 [3].

At the same time, non-Community applicant cities were invited to organise a European Cultural Month [4]. That solved the thorny problem posed by the nomination of 13 cities — many of which had already done a lot of work in preparation — for the years 2001 to 2004, by spreading 10 of those cities over the four years in question.

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[1] Basle, Genoa, Lille, Oporto, Riga, Rotterdam and Valencia.
[2] Bruges and Salamanca (2002), Graz, Granada and St Petersburg (2003) and Barcelona (2004).
[3] 2001: Rotterdam and Oporto; 2002: Bruges and Salamanca; 2003: Graz; 2004: Genoa and Lille.
[4] Riga and Basle in 2001 and St Petersburg in 2003.

Secondly, with the aim of avoiding the problems inherent in a system of selection based on unanimity (problems which were already conspicuous in 1995 when the European Cities of Culture for 2000 had been designated and which, since then, had been at the root of the failure to find a solution for 2001), the Council devised a selection system of automatic rotation between the Member States, based on the Council Decision of 1 January 1995 (determining the order in which the office of President of the Council shall be held), under which, for the period 2005 to 2019, a different Member State may nominate one city for each year.

By so doing, the Council has both changed the reference period of the Decision as proposed by the Commission — which envisaged the Community initiative beginning in 2002 — and replaced the proposed decision-taking mechanism by a neutral rotation system which is designed to avoid the impasses and hold-ups caused by the need for unanimity. With this system, the formal designation by the Council of the proposed cities will be decided, on a recommendation by the Commission, by a simple majority, after the nominations have been submitted to the European Parliament, the Council, the Commission and the Committee of the Regions, no later than four years before the event is due to begin.

The chronological order may be changed by mutual agreement between the Member States concerned, and indeed a change has already been made by agreement between the Netherlands and Greece.

2.1.2. *Third countries*

There is provision for participation in the event by European third countries which is not subject to the conditions laid down in Article 4 of the Commission proposal (EEA countries, CCEEs, Cyprus and European third countries which have concluded cooperation agreements containing a culture clause with the Community).

European third countries may nominate cities for the event and must notify their nomination to the European Parliament, the Council, the Commission and the Committee of the Regions. The Council, acting unanimously on a recommendation from the Commission, will officially designate one of these cities for each year, bearing in mind the desirability of four years' preparation time.

2.1.3. *Number of cities designated each year*

Under the provisions outlined above, the Council has provided in its common position for the participation of two cities each year (one from a Member State, the other from a European third country).

2.1.4. *Title of the event*

In line with current practice in a number of Member States, the Council has changed the title of the event from European 'City' of Culture to European 'Capital' of Culture.

2.1.5. *Length of the event*

In order to accommodate the wishes that certain cities might have, the Council has made it possible to alter the length of the event, which should in principle last one year but which, as an exception, may be shortened if the designated cities so wish.

2.1.6. *Possibility of participation by the region in which the designated city is situated*

The Council has made provision for designated cities to choose to involve their surrounding region in their programmes.

2.1.7. *Guidance Panel*

The Council's common position provides for the Commission to set up a Guidance Panel consisting of personalities well known in cultural circles, to advise the Commission on the implementation of the Decision. If so requested by the Member States or third countries concerned, the Guidance Panel may offer them advice on the choice of the city they nominate. Two members of the panel would be appointed by the European Parliament, two by the Council, two by the Commission and one by the Committee of the Regions.

2.2. ***European Parliament amendments***

2.2.1. *European Parliament amendments adopted by the Commission*

The Commission accepted, in full, in part or in a recast version, eight of the 14 European Parliament amendments. Those amendments are 1, 2, 3, 4, 5, 6, 9 (in part) and 11.

2.2.2. *European Parliament amendments adopted by the Council*

The Council accepted in full, in part or in their essence, four of the amendments proposed by the Parliament and incorporated by the Commission. Those amendments are 1, 2, 3 and 6.

2.2.3. *European Parliament amendments not adopted by the Council*

Amendment 4

Impact of the event: importance for medium-sized cities

The Council felt that a specific reference to the importance of the event for medium-sized cities might be unclear, as the concept of 'medium-sized city' seemed neither easy nor straightforward to define.

Amendments 5, 11 (second part) and 12 (first part)

Eligibility criteria for projects

The Council did not adopt amendments 5 and 11 (second part), as it considered that the list of planning and evaluation criteria in Annex II to its common position fully covered the Parliament's requirements as set out in its amendments.

Nor did the Council adopt amendment 12 (first part), as it considered that while the solution for European third countries provided by Article 3 of its common position did not call into question the Community's existing commitments in respect of those countries, it offered them greater opportunities for participation.

Amendments 7 and 14

Funding of the event

The Council considered that any reference to funding of the event would seem premature, in view of the fact that it is intended to form an integral part of the European Community framework programme in support of culture recently submitted by the Commission to the European Parliament and the Council.

Amendments 8, 11 (first part) and 12 (second part)

Submission of cities' applications

The Council considers that the support of the competent States is a *sine qua non* for the success of the event, and wanted to avoid applications which, while having very little hope of success, would cost the applicant cities a great deal and end in disappointment.

Amendments 9 and 10

Selection procedure

As explained in paragraph 2.1.1, the Council opted for a mechanism based on automatic rotation in order to avoid the difficulties inherent in unanimous selection. However, in its common position it has provided for the creation of a Guidance Panel, composed of seven members (two appointed by the European Parliament, two by the Council, two by the Commission and one by the Committee of the Regions), to advise on the implementation of the Decision and the Member States and countries concerned on the choice of the city they nominate.

The Council could not therefore adopt European Parliament amendments 9 and 10 concerning the work of the panel provided for in the Commission proposal, nor the arrangements for the selection of the city (unanimity plus Article 189b procedure for the year in question), as the panel and annual selection, as envisaged in the proposal, no longer feature in the common position.

Amendment 13

European Cultural Month

The Council did not adopt this amendment. It considered that after the intergovernmental stage of the event, during which a number of cities in European third countries were allocated a 'European Cultural Month' under the Decision establishing a Community action for the event, the initiative should be the same for all participants.

In Article 4 of its common position, the Council did nevertheless provide for designated cities to opt for a programme of less than one year's duration, as an exception. This should provide for a degree of flexibility in organising the event.