

COUNCIL OF THE EUROPEAN COMMUNITIES
GENERAL SECRETARIAT

PRESS RELEASE

9860/90 (Presse 187)

1445th meeting of the Council
and of the Ministers responsible for Cultural Affairs
meeting within the Council

Brussels, 19 November 1990

President: Mr Ferdinando FACCHIANO
Minister for Cultural Assets
of the Italian Republic

19.XI.90

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The Governments of the Member States and the Commission of the European Communities were represented as follows:

Belgium

Mr Patrick DEWAEEL	Minister for Culture (Flemish Community)
Mr Valmy FEAUX	Chairman of the Executive of the French-speaking Community and Minister with responsibility for Culture
Mr GENTGES	Minister for Culture (German-speaking Community)
Mr P. DE KEERSMAEKER	State Secretary for European Affairs

Denmark

Mr Ole VIG JENSEN	Minister for Culture
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Germany

Mr Hans-Werner LAUTENSCHLAGER	State Secretary, Foreign Affairs
Mrs M. TIDICK	President of the Conference of Ministers for Cultural Affairs of the Länder

Greece

Mr Tzannis TZANNETAKIS	Deputy Prime Minister and Minister for Culture
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Spain

Mr Jorge SEMPRUN	Minister for Culture
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France

Mr Jack LANG	Minister for Culture
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Ireland

Mrs Maire GEOGHEGAN-QUINN	Minister of State for EEC Matters
Mr P. GALLAGHER	Minister of State at the Department of the Gaeltacht

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Italy

Mr Ferdinando FACCHIANO Minister for Cultural Assets

Mr Luigi COVATTA State Secretary for Cultural Assets

Mr Antonio MURATORE State Secretary for Tourism

Luxembourg

Mr René STEICHEN Minister attached to the Ministry of Cultural Affairs

Netherlands

Mrs Hedy D'ANCONA Minister for Culture

Portugal

Mr Pedro SANTANA LOPES State Secretary for Culture

United Kingdom

Mr David MELLOR Minister for the Arts

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Commission

Mr Jean DONDELINGER Member

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PROTECTION OF NATIONAL TREASURES OF ARTISTIC,
HISTORIC OR ARCHAEOLOGICAL VALUE AFTER 1992

The Council and the Ministers for Culture meeting within the Council adopted the following conclusions:

1. The Council and the Ministers of Culture have noted with interest a report of the Committee on Cultural Affairs and the Permanent Representatives Committee in response to the mandate given on 18 May 1990, on problems regarding the protection of national treasures of artistic, historic or archaeological value after the abolition of controls at the internal frontiers of the Community by the end of 1992. With the abolition of these controls the circulation of cultural objects is likely to increase, but this increase should not prevent the Member States from applying Article 36 of the EEC Treaty, as far as those objects which they define as national treasures are concerned, provided that the requirements resulting from this Article are fulfilled. With the abolition of the controls, however, an important means of checking that national treasures remain within the Member States concerned will be taken away.
2. The major effort to protect its national treasures has to be made, then as now, by the Member State concerned. However, in view of the interdependence of the Member States in this area after 1992, they have agreed to collaborate more intensively with each other and the Commission on the protection of national treasures, so that, without any heavy extra administrative burden, information and experience can be exchanged. The Committee on cultural affairs should prepare the modalities of this exchange process.
3. In the framework of the protection of national treasures after 1992, the idea of a system of restitution of cultural objects illicitly exported to other Member States should be further examined. The Ministers invite the Commission to study, together with experts from the Member States, the possibilities of allowing the restitution of such illicitly exported cultural objects and to make a report to the Council.

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4. Further consideration should be given to measures at the external frontiers for the protection of cultural objects, through joint meetings of the Committee on Cultural Affairs and customs experts, as well as in dialogue with the customs mutual assistance Committee of the Commission in the framework of (EEC) Regulation 1468/81.

5. In this connection the Ministers accepted the offer of the Spanish Government to organize a meeting of cultural and customs experts to examine a certificate system and to visit one of the Spanish customs posts specializing in the control of cultural objects. This meeting should be followed by further work in the Committee on cultural affairs with the participation of customs experts.

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VOCATIONAL TRAINING IN THE ARTS FIELD

The Council and the Ministers for Culture meeting within the Council adopted the following conclusions:

"The Council and the Ministers for Culture have noted with interest the Commission communication on vocational training in the arts field.

They consider that this communication forms part of the implementation of the conclusions of 27 May 1988 on future priority actions in the cultural field and is a follow-up to the discussion which they had on 18 May 1990, during which specific actions in this field were called for.

They share the approach of the Commission in its communication involving, in close collaboration with the Member States and with international organizations, particularly the Council of Europe :

- the preparation of a review of the situation and needs in the field of training for the arts, measured against the objectives of the common vocational training policy and taking into account existing Community programmes such as ERASMUS, PETRA and MEDIA ;
- the launching of immediate experimental projects, so as to reinforce efforts already undertaken in the framework of "Cultural Action" (sectors of conservation/restoration and translation), without prejudice to actions which might be desirable in other sectors later.

They invite the Commission to associate the Member States with the evaluation of these two actions and note that the Commission may propose, in a second phase, other priority actions in important sectors for European cultural life and where better use could be made of existing structures and financial resources, in conformity with the principle of subsidiarity."

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MEDIA PROGRAMME

The Ministers held a policy debate on the basis of a progress report on the MEDIA programme.

At the end of the debate, during which the issues outstanding were examined in detail, the Ministers agreed to inform the Ministers for General Affairs of the situation, with a view to approval of the programme at the Council meeting on 4 December.

EUROPEAN CULTURAL MONTH

Further to the proposals from the Polish and Austrian Governments, the Ministers decided that European Cultural Month would take place in Cracow in 1992 and Graz in 1993.

COPYRIGHT

The Council heard a statement by the Commission on its work in the field of copyright.

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OTHER BUSINESS

In the light of a communication from the Belgian delegation, the Ministers discussed the inclusion of the arts in the Treaty.

The Greek delegation informed the Ministers of the result of an international architects competition for a new Acropolis Museum.

The Italian delegation suggested that a meeting of representatives of the Member States' national archives be convened.

Bruxelles, le 19 novembre 1990

NOTE BIO(90) 358 AUX BUREAUX NATIONAUX
CC. AUX MEMBRES DU SERVICE DU PORTE-PAROLE

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CONSEIL CULTURE DU 19 NOVEMBRE 1990 (V. d'UDEKEM)

Les Ministres des Douze responsables des "Affaires culturelles" se sont réunis ce lundi 19 novembre à Bruxelles sous la présidence de M. Ferdinando FACCHIANO, Ministre du Patrimoine Culturel d'Italie. La Commission était représentée par M. J. DONDELINGER, Commissaire.

Les Douze ont poursuivi leurs discussions entamées lors de réunions antérieures, sur les problèmes liés à la protection des trésors nationaux de valeur artistique, historique ou archéologique après 1992.

En 1992, la suppression des contrôles aux frontières à l'intérieur de la Communauté entraînera très probablement une augmentation de la circulation des biens culturels au sein de la Communauté; elle aura également comme conséquence d'éliminer un moyen important de contrôler que les trésors nationaux restent sur le territoire des Etats membres concernés.

En vue de remédier à ce problème, les Etats membres sont convenus de coopérer plus étroitement entre eux et avec la Commission, de manière à permettre l'échange d'informations et d'expériences, sans que cela n'entraîne de lourdes charges administratives supplémentaires. Les modalités pratiques de cet échange devraient être élaborées par le Comité des Affaires Culturelles. La Commission a été invitée à examiner, conjointement avec des experts des Etats membres, les possibilités de permettre la restitution des biens culturels illicitement exportés et à faire rapport sur ce sujet au Conseil.

Enfin, en ce qui concerne la question des mesures à prendre aux frontières extérieures de la Communauté pour assurer la protection de biens culturels, les Douze ont décidé d'organiser des réunions conjointes d'experts culturels et douaniers. Une réunion de ce type sera organisée par le gouvernement espagnol fin novembre pour examiner la possibilité de mettre en place un système de certification.

Concernant la formation professionnelle dans le secteur culturel, les Douze ont accueilli très favorablement la Communication de la Commission (COM(90)472 final) du 25 octobre 1990 visant à dresser un bilan de la situation et des besoins dans ce domaine et à lancer des actions expérimentales immédiates afin de renforcer l'effort déjà engagé dans les domaines de l'Action culturelle (conservation-restauration et traduction).

Concernant le programme MEDIA 1991-1995 (voir note P(90)21), les Ministres, notant que le débat sur la proposition de la Commission aura lieu au Parlement européen ce Jeudi 22 novembre 1990, ont eu un débat d'orientation très positif qui a permis de jeter les jalons en vue d'une approbation du programme lors de la session du Conseil des Ministres des Affaires Etrangères du 4 décembre prochain.

Suite aux propositions des gouvernements polonais et autrichien, les Ministres ont décidé que des mois culturels européens auront lieu à Cracovie (1992), à Graz (1993) et à Budapest.

Suite à une communication de la délégation belge, les Ministres ont procédé à un échange de vues sur l'inclusion de la culture dans le Traité.

Une large majorité s'est dégagée au sein des délégations en faveur de l'inclusion.

Au cours de la conférence de presse qui suivit le déjeuner, le Commissaire DONDELINGER a souligné l'état assez avancé des travaux concernant le programme MEDIA (1990-1995). C'est principalement sur la question de la gestion du programme (autorité habilitée à décider de l'affectation des dépenses) que subsiste des divergences.

Sur le sujet de l'inclusion de la culture dans le Traité de Rome, M. DONDELINGER a rappelé que, dans son avis du 21 octobre 1990, la Commission avait estimé que, tout en respectant le principe de subsidiarité, "il serait bon toutefois de consacrer, dans un article, la dimension culturelle des actions communautaires".

Sur ce point, il a souligné l'importance tant culturelle qu'économique de la plupart des dossiers traités à ce Conseil, (par ex. protection des oeuvres d'art); la culture étant non seulement un élément de la vie des citoyens européens mais également un élément de la vie économique de la Communauté.

Selon le Commissaire, la non-inclusion jusqu'à ce jour de la culture dans le Traité résulte essentiellement du problème objectif de la diversité des compétences au sein des Etats membres dans le domaine culturel : les compétences en matière culturelle reviennent tantôt aux gouvernements nationaux, tantôt aux régions ou encore aux länder.

En incluant la culture dans le Traité, il s'agirait non d'opérer un véritable transfert de compétence vers la Communauté, mais de fournir à la Communauté une possibilité d'action sur le plan culturel au niveau européen, qui, dans le respect du principe de la subsidiarité, ne porterait pas atteinte aux compétences nationales dans ce domaine.

(Améliés,

C) Stathopoulos