

PRESS RELEASE

6575/91 (Presse 84)

1495th meeting of the Council
and of the Ministers responsible for Cultural Affairs
meeting within the Council

Luxembourg, 7 June 1991

President: Mr René STEICHEN,

Minister with responsibility
for Cultural Affairs of the
Grand Duchy of Luxembourg

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

Belgium

Mr Valmy FEAUX	Chairman of the Executive of the French-speaking Community and Minister with responsibility for Culture
Mr Patrick DEWAEL	Minister for Culture (Flemish Community)
Mr Bernd GENTGES	Minister for Culture (German-speaking Community)

Denmark

Mrs Grethe ROSTBØLL	Minister for Culture
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Germany

Mr Hans-Werner LAUTENSCHLAGER	State Secretary, Ministry of Foreign Affairs
Mrs Mariane 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 Jordi SOLE TURA	Minister for Culture
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France

Mr Jack LANG	Minister for Culture
Mr Georges KIEJMAN	Minister with responsibility for Communication

Ireland

Mrs Maire GEOGHEGAN-QUINN	Minister of State for EEC Matters
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Italy

Mr Luigi COVATTA

State Secretary for Cultural Assets

Luxembourg

Mr René STEICHEN

Minister with responsibility for
Cultural Affairs

Netherlands

Mrs Hedy D'ANCONA

Minister for Culture

Portugal

Mrs Maria N. CORREIA GUEDES

Deputy State Secretary for Culture

United Kingdom

Mr Timothy RENTON

Minister for the Arts

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Commission

Mr Jean DONDELINGER

Member

COPYRIGHT AND NEIGHBOURING RIGHTS

The Minister adopted the following conclusions:

"THE MINISTERS FOR CULTURE MEETING WITHIN THE COUNCIL,

referring to the "Green Paper on copyright and the technological challenge" published by the Commission in 1988 for discussion by the Member States and the professional circles concerned,

bearing in mind their wish expressed both at the informal meeting of Culture Ministers on 2 November 1989 at Blois and in the Council on 19 November 1990, that the Commission should propose a comprehensive discussion of questions concerning the rights of authors, artists and producers in the Community, taking into account the completion of the single market on 1 January 1993,

recalling their opinion that the matter of cultural goods and services cannot be addressed in the Community without taking into account their specific nature,

consequently voicing their concern that the completion of the single market should not constitute a threat to cultural identities and to the rich diversity of Europe and that, taking into account the cultural dimension of copyright, internal harmonization at Community level in this area should be implemented only in areas affecting the establishment or functioning of the common market,

considering that the Commission, when approving on 5 December 1990 its work programme in the matter of copyright and neighbouring rights in the form of a communication entitled "Follow-up to the Green Paper", opens up real opportunities in this field for the completion of the single market,

having taken note of the first three documents put forward by the Commission:

- the proposal for a Council Decision concerning the accession of the Member States to the Berne Convention (Parish Act of 24 July 1971) and the Rome International Convention of 26 October 1961,
- the proposal for a Directive on rental right, lending right and on certain related rights,
- the consultative document entitled "Broadcasting and copyright in the internal market", on cable and satellite broadcasting,

welcome the overall approach to the harmonization of copyright and neighbouring rights adopted by the Commission in its work programme,

express their satisfaction that the Commission has clearly demonstrated its will to seek, with a view to the single market, a high level of protection for authors, artists and producers in the whole Community,

point out that concern with the cultural industries should not cause to be relegated to a secondary level the giving of priority attention to the specific problems encountered by professionals,

point out further that the free movement of goods should at no time detract from moral rights and rights to beneficial economic use associated with the different forms of presentation of works to the public,

request that in connection with the harmonization of copyright and similar rights and while respecting the provisions of the Treaty of Rome, the capacity

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of Member States to preserve the balance of creative and artistic activity, particularly in limited geographical or linguistic distribution areas, should not be jeopardized,

request that allowance should be made for the consequences which the adoption of normative measures would have on the conditions of the exercise of the rights granted for the holders of these rights,

invite the Commission to make, as quickly as possible, a study of the conditions of the administration of these rights,

request that in negotiations with third parties (in particular the European Economic Area and countries of Central and Eastern Europe, without neglecting the other regions of the world), the cultural content of copyright and neighbouring rights should be taken into account,

invite the Commission to seek greater co-operation with the Council of Europe in this field."

TRAINING OF ARTS ADMINISTRATORS

The Council and the Ministers for Culture adopted the following Resolution:

"THE COUNCIL AND THE MINISTERS FOR CULTURE MEETING WITHIN THE COUNCIL,

Having regard to their Resolution of 27 May 1988 which singled out training in the arts field as one of four priority sectors,

Having regard to the plan of action proposed by the Commission in its communication on vocational training in the arts field, as well as their conclusions of 19 November 1990 on that subject,

Whereas the extension of the sphere of cultural activity, the closer relationship brought about with the economic aspects of development and the diverse levels at which it must be carried out and sustained (regional, inter-regional, transfrontier, as well as national and international), generate a need for improved training for all those involved in the promotion of the arts,

Convinced that, in addition to institutions and organizations, those involved in the promotion of the arts, especially in arts administration and management, will have an important part to play, following the impetus provided by political leaders, in European cultural co-operation in the years to come and that for this reason special attention must be paid to their training,

Recognizing the efforts already made in this area both by national authorities and international organizations such as the Council of Europe and UNESCO,

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Aware of the need to develop active co-operation in this area with third countries, including those of Central and Eastern Europe, as envisaged in the draft Association Agreements with those countries and in the PHARE Programme,

Wishing to see further development of the part already taken by the training of arts administrators in Community programmes such as ERASMUS,

EMPHASIZE the importance which they attach to the training of arts administrators,

AGREE to give active encouragement under existing programmes to initiatives in this area at European level, involving:

- the exchange and circulation of information about such training,
- the mobility of arts administrators,
- networks of training centres for arts administrators,

CALL UPON the Commission:

to co-operate more closely with the Council of Europe and UNESCO so as to develop concrete measures to strengthen the European dimension of such training."

TEMPORARY ENTRY OF EUROPEAN ARTISTS INTO THE UNITED STATES OF AMERICA

The Ministers adopted the following Resolution:

"THE MINISTERS FOR CULTURE, MEETING WITHIN THE COUNCIL,

Considering that the freedom of movement of performing artists both within and outside the frontiers of the Community is an essential condition for the development of their careers;

Bearing in mind the reform of temporary immigration procedures adopted by the United States Congress on 27 October 1990 which deals in particular with the granting of entry visas to performing artists;

Concerned that in establishing measures for implementing this law, the American Administration should take account of the wish expressed by many artists, organizers of events and others in the entertainment industry for greater flexibility, simplification and speeding-up of the procedures for granting visas;

Recalling that the Member States of the Community have always accorded favourable treatment for access to their territory to nationals of the United States, and in particular to their artists;

Acknowledge the intention of the Government of the United States to clarify and relax the conditions for granting temporary visas to performing artists;

Request that from the outset of the preparatory stage for implementing the new law of 27 October 1990, the Government of the United States show due consideration for the proposals and wishes expressed by the sector concerned in the European Community;

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Hope that by this means the Government of the United States will play its role in the development of a genuine world market for the live performing arts, distinguished by the requisite spirit of reciprocity, in particular between the United States and the European Community;

Invite the Commission to take account of this common concern and of any approaches made by Member States to the Government of the United States."

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

The Council heard a communication from Mr DONDELINGER, Member of the Commission, on the Commission's intention to submit to the Council in the coming weeks texts regarding the protection of national treasures of artistic, historic or archaeological value after 1992 ⁽¹⁾.

These are a draft Directive on the restitution of cultural objects illicitly exported to other Member States and a draft Regulation on controls on cultural objects at the Community's external frontiers.

The Council took note of the Commissioner's account of the proposals to be submitted, and of the Commission's reaffirmed intention of proceeding with proper regard for the powers of the Member States in accordance with Article 36 of the Treaty.

In addition, the French Government had offered to organize a symposium in Paris from 26 to 28 June on closer co-operation between the Member States and with the Commission in the field of national treasures. The Council thanked the French Government for its initiative, the results of which would be examined with interest by the Council's Committee on Cultural Affairs.

(1) See Press Release 9860/90 (Presse 187) of 19 November 1990 (pages 4 and 5): Conclusions of the Council and the Ministers for Culture meeting within the Council on the protection of national treasures of artistic, historic or archaeological value after 1992.

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PROMOTION OF BOOKS AND OF READING

The Council and the Ministers took note of an interim report by the Commission on the implementation of the Resolution of 18 May 1989 concerning the promotion of books and of reading ⁽¹⁾ and asked the Commission to intensify its efforts in this area, taking the fullest possible account of the comments made by delegations during the discussion.

The Council and the Ministers instructed the Committee on Cultural Affairs to continue to monitor the actions concerned.

NEW PRIORITY PROJECTS IN THE CULTURAL FIELD

The Council and the Ministers heard a communication from Mr DONDELINGER, Member of the Commission, on new priority projects in the cultural field, on which the Commission will shortly be submitting a communication to the Council.

(1) See Press Release 6612/89 (Presse 84).

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EUROPEAN CITY OF CULTURE AND EUROPEAN CULTURAL MONTH

The Ministers took stock of recent developments in connection with the European City of Culture and the European Cultural Month.

They were briefed on current contacts with the representatives of Cracov, Graz and Budapest with a view to holding a European Cultural Month in these cities in 1992, 1993 and 1994 respectively. The possibility that Prague might be a candidate for this event in 1995 was mentioned.

The Ministers heard an account from the Irish delegation of the initial results of the "European City of Culture" events which were currently under way in Dublin.

The Ministers noted the request from the Greek delegation, in anticipation of the new designations which might be made at the meeting of the Council and the Ministers in the first half of 1992, that Thessaloniki be designated European City of Culture for 1997.

The President informed Ministers that the Permanent delegation of Turkey to the European Communities had made known its Government's wish that Istanbul be named as European City of Culture for 1997, 1998 or a subsequent year.

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DEVELOPMENT OF THE THEATRE IN EUROPE

The Ministers adopted the following Resolution:

"THE MINISTERS FOR CULTURE MEETING WITHIN THE COUNCIL,

Recognizing that the performing arts, including the theatre, are one of the most important expressions of the cultural life and democratic development of our societies and illustrate the fact that culture is a permanent exchange between those who create, and therefore their works, and men and women who feel the need for cultural experience transcending the logic of daily life,

Aware that the economic base of most theatres in the European Community is precarious but that a dynamic theatrical scene, while an end in itself, is also a source of valuable material for the cinema and television,

Conscious of the fact that in the Solemn Declaration on European Union (Stuttgart, June 1983) the Heads of State or Government advocated joint activities in the dissemination of culture and more extensive contacts between writers and artists of the Member States, and wider dissemination of their works,

Aware that the theatre is closely bound up with the life of local, regional and national communities and that the European Community can take a hand only in accordance with the principle of subsidiarity and of respect for the different cultural identities,

Express their determination to encourage the theatre in Europe and to enhance its European dimension by examining jointly in the context of new priorities for action in the cultural sphere as a whole a series of measures relating to:

- (a) greater mobility for professional theatrical performers and productions;
- (b) communication and artistic development between the various European theatres and between those working in them, in the first place through intergovernmental co-operation;
- (c) translation of dramatic works, involving two types of measure to help make production more accessible: written summaries, simultaneous interpretation, sub-titling or over-titling on the one hand and the translation of quality dramatic works on the other.

The pilot project for financial aid for the translation of contemporary literary works, launched by the Commission in 1989, should cater to a greater degree for the translation of dramatic works of high quality;

- (d) training at European level, by means of exchanges, workshops, traineeships and/or other initiatives;
- (e) information and communication, which are the linchpins of the theatrical professions; a number of bodies already play a vital role in exchanges and understanding within the theatre community. Encouragement should be given to these initiatives and a study made of ways of stepping up exchanges of information, both national and Community, in the professional arts sector;

(f) other initiatives, such as writing for and working in the theatre, experimental theatre, theatre for and by children and theatre for and by young people, video-making around theatre performances and widening of the audience;

Call on the Commission, taking into account other programmes established by the Community and working in co-operation with the Council of Europe and European organizations of theatre professionals, to support preparatory work in this area and, in co-operation with the Committee on Cultural Affairs, report to the Ministers on possible measures."

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The Greek delegation also proposed that an International Theatre Research Centre be set up in each Member State, its main purpose being to provide a base where the theory and practice of the theatre could be studied scientifically, and which would serve students of the subject.

The Italian delegation suggested that 1993 be declared European Year of the Theatre, it being the bicentenary of the death of Carlo GOLDONI.

The Ministers instructed the Committee on Cultural Affairs to consider these two suggestions.

MISCELLANEOUS DECISIONS

Research

Following the three Institutions' formal approval of the inter-institutional political compromise of Strasbourg on 17 April, the Council adopted the decisions on five specific RTD programmes (1990-1994) in the following fields ⁽¹⁾:

- Marine science and technology
- Environment
- Life sciences and technologies for developing countries
- Telematic systems in areas of general interest
- Communications technologies.

The final adoption of these 5 specific programmes, involving a sum of ECU 1 334,49 million out of an overall financial envelope of ECU 5 700 million, is an important step towards implementing the third framework programme (1990-1994) regarding Community research and technological development programmes.

(1) See Press Releases 4863/91 (Presse 26) of 3.3.1991 for the communications technologies programme and 11028/90 Presse 238 of 21.12.1990 for the other four programmes.