



**COUNCIL OF  
THE EUROPEAN UNION**

**Brussels, 27 October 2010 (03.11)  
(OR. fr)**

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**14817/10**

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**CULT 84  
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## **PROGRESS REPORT**

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from: Presidency

to: Coreper/Council

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No. Cion prop.: 7094/10 CULT 21 + ADD 1

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Subject: Proposal for a Decision of the European Parliament and of the Council  
establishing a European Union action for the European Heritage Label

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### **A. CONTEXT**

In its conclusions of 20 November 2008 on the creation of a "European Heritage Label" by the European Union the Council invited the Commission to submit to it an appropriate proposal for the creation of such a label and to specify the practical procedures for implementation of the project.

On 9 March 2010 the Commission accordingly adopted a proposal for a Decision of the European Parliament and of the Council establishing a European Union action for the European Heritage Label.

The proposal was sent to the Council and the European Parliament.

## **B. STATE OF PLAY IN THE COUNCIL**

The Commission proposal, including the impact assessment, was examined four times by the Committee on Cultural Affairs during the Spanish Presidency (at meetings on 16 March, 24 March, 9 April and 28 May 2010).

Pending the opinion of the European Parliament, the Belgian Presidency continued the first reading of the proposal at the Council with four meetings of the Committee on Cultural Affairs (on 3, 14 and 29 September and 11 October 2010)<sup>1</sup>. The Committee also held an informal meeting to discuss it, on 8 July 2010.

## **C. MAIN POINTS OF DISCUSSION AT THE COUNCIL**

Most of the main points of discussion raised in the Committee on Cultural Affairs have been resolved during the Belgian Presidency. Two points, however, remain at issue:

- where the funds allocated to the action for 2013 are to come from;
- which institution is to be competent to award, and if necessary withdraw, the label.

### **1. Questions resolved during the Belgian Presidency**

#### *a. Third-country participation in the action (Article 4)*

The Commission proposed that the action be open to participation by Member States, on a voluntary basis. It said nothing about participation by third countries.

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<sup>1</sup> The text which emerged from these proceedings will be found in the addendum to this report (14817/10 ADD 1). The General Secretariat's "quality of drafting" team helped with the text to ensure that it complies with the Interinstitutional Style Guide.

The Committee on Cultural Affairs takes the view that the action should not in principle be open to third countries. However, it is in favour of sites in third countries participating in the Cultural Programme being allowed, under certain conditions, to be part of transnational sites from the outset.

The Committee also considers that the geographical scope of the action could be one of the points considered in the first evaluation.

*b. How many sites and how often? (Article 10)*

The Commission proposes that each Member State be able to pre-select up to two sites each year, except for years when the monitoring procedure is taking place (every four years). At EU level, not more than one site per Member State would be selected.

However, the Committee on Cultural Affairs wants selection (of national and transnational sites) to take place every two years, not once a year as proposed by the Commission.

The Committee also thinks that one year in four could be solely for selection of transnational sites. Each Member State would be able to pre-select one transnational site, which might or might not be selected at EU level.

*c. Transnational sites and national thematic sites (Articles 12 and 12a)*

The Committee on Cultural Affairs agreed to tighten the eligibility criteria for transnational sites.

It also thinks that applications should be allowed from "national thematic sites", i.e. where a number of sites in the same Member State join forces around a specific theme to put forward a single application. The conditions of eligibility for national thematic sites would be comparable to those for transnational sites.

*d. Transitional procedure (Article 18)*

The Commission proposes a transitional procedure to cover the situation of sites awarded a label in the framework of the intergovernmental initiative.

The Committee on Cultural Affairs considers that during the transitional stage each Member State should be able to pre-select four sites for award of the label. Those which participated in the intergovernmental initiative could propose sites which had already been awarded a label in that context.

The Committee nevertheless considers it essential that all applications (including those for sites awarded a label under the intergovernmental initiative) be subject to the criteria and procedures laid down in the Commission proposal.

The Committee also proposes that the timetable for the transitional procedure be reviewed so that States which took part in the intergovernmental initiative can have more time to adapt sites already awarded a label there to the Commission proposal's criteria.

## 2. Questions at issue

### *a. Source of the funds to be allocated to the action for 2013*

The Commission has said that the 2013 budget for the action would come from the margins of the EU budget.

Several delegations argued as a matter of principle that the margins should be used only in exceptional, unforeseeable circumstances. The 2013 budget for the action should therefore come from existing programmes, such as the Culture Programme.

The majority of delegations took the opposite view, supporting the Commission proposal on the grounds that the Culture Programme existed to finance cultural projects, from a budget that could not be used for any other purpose.

### *b. Institution competent to award, and if necessary withdraw, the label (Articles 13, 15 and 18)*

Under the Commission proposal it is the Commission that would decide which sites are to be awarded the label, or if necessary have it withdrawn. Several delegations supported that proposal.

Other delegations would prefer the decision to be taken by the Council.

The Presidency thinks that the most even-handed solution would be for the decision to be taken by the Commission following an advisory committee procedure, so that Member States could have a say before the Commission reached its decision.

However, the Commission could not endorse such a solution at this stage.

**D. NEXT STEPS**

The European Parliament is due to vote in December 2010 or January 2011. The Council can continue discussing the two outstanding points when it examines the Parliament's amendments.

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