

COUNCIL RESOLUTION

of 19 December 2002

implementing the work plan on European cooperation in the field of culture: European added value and mobility of persons and circulation of works in the cultural sector

(2003/C 13/03)

THE COUNCIL OF THE EUROPEAN UNION,

1. RECALLING that the Council on 25 June 2002 adopted a Resolution on a work plan for European cooperation in the field of culture, and that this work plan includes as priorities the question of analysing and developing methods to identify and evaluate the added value of European actions in the field of culture, as well as the development and promotion of mobility of persons and circulation of works in the cultural sector;
2. FINDING that European added value is a basic and decisive concept in European cultural cooperation, as well as an overall condition for Community cultural action and that it is therefore also an important premise for the continuation of the work plan in the field of culture;
3. FINDING that further promotion of mobility of persons and circulation of works in the cultural sector is an issue of great importance to the future of cultural cooperation, as well as being a crucial measure in achieving European added value and that it thereby furthers the development of a cultural area common to the peoples in Europe;
4. TAKING INTO ACCOUNT the fact that the enlargement of the European Union increases the relevance and importance of dealing with both the concept of European added value and the question of mobility of persons and circulation of works.

I

European added value

5. FINDING that in accordance with the principle of the Treaty establishing the European Community concerning subsidiarity, the European added value of Community cultural actions is to be found in the actions that cannot be sufficiently undertaken at Member State level and therefore, by reason of scale or effects, are better undertaken by the Community;
6. STRESSES that highlighting the concept of European added value has a significant impact on future European cultural cooperation by making cultural actions more consistent, structured, and visible;
7. AGREES that the European added value of Community cultural action is generally understood as the synergy effects which emerge from European cooperation and which constitute a distinctive European dimension in addition to Member State level actions and policies in the field of culture;

8. AGREES that European added value is a dynamic concept and should therefore be implemented in a flexible way;
9. AGREES consequently that the European added value of cultural actions can be identified and evaluated cumulatively through the following points:
 - (i) Actions that encourage cooperation between Member States.
 - (ii) Actions that have a clear multilateral character.
 - (iii) Actions with objectives and effects that are better achieved at Community level than at Member State level.
 - (iv) Actions that address, reach and benefit primarily citizens in Europe, and furthermore enhance mutual knowledge of cultures.
 - (v) Actions that aim at being sustainable and at constituting a long-term contribution to the development of cooperation, integration, and cultures in Europe.
 - (vi) Actions that aim at broad visibility and accessibility;
10. INVITES the Member States and the Commission within their competences and responsibilities, to take into account the content of point 9 in order to achieve and ensure European added value in Community cultural action;
11. AGREES that the Council, until the end of 2004, should take stock of the follow up to points 9 and 10 and INVITES the Commission, in line with its competences, to participate in this process.

II

Mobility of persons and circulation of works in the cultural sector

12. RECALLING that the Council and the European Parliament on several occasions have stressed the importance of measures to promote mobility within the cultural sector — most recently in the Council Resolution of 17 December 1999 on free movement and the European Parliament Resolution of 5 September 2001 on cultural cooperation in the European Union;

13. NOTING, *inter alia*, the report on 'The exploitation and the development of job potential in the cultural sector in the age of digitalisation' and the study on 'Mobility and free movement of people and products in the cultural sector', both published by the Commission, in June 2001 and June 2002 respectively, as well as the expert seminar on mobility in Århus in September 2002;
 14. STRESSES that promotion of mobility of persons and circulation of works in the cultural sector are decisive factors in the dissemination of knowledge, experience, mutual inspiration, and cooperation. The issue of mobility and circulation will thus be an important tool to communicate the diversity of cultures in Europe and strengthen the cultural cooperation;
 15. STRESSES that cultural industries in recent years have experienced major growth with increasing relevance to European economy and employment;
 16. STRESSES that the cultural sector in Europe is characterised by a large number of small and medium-sized enterprises as well as various forms of employment and self-employment, and therefore the sector has a special need for networking, coordination, and dissemination of knowledge and information;
 17. TAKING INTO ACCOUNT that some obstacles to mobility as well as ways to increase mobility apply specifically to the cultural sector, while most issues are to be dealt with in a broader and horizontal context, as mentioned for instance in the Conclusions of the European Council in Barcelona 15-16 March 2002;
 18. UNDERLINES that — in accordance with the Treaty establishing the European Community — the Community is to take cultural aspects into account in its action and should therefore contribute to the creation of the necessary environment for increased mobility, NOTES the relevant activities already underway in a number of forums at Community level, and STRESSES the need for complementarity between them;
 19. AGREES that the issues listed in the Annex form a basis for further initiatives and actions, and that the Council should regularly take stock of the work done until the end of 2004, including horizontal consideration of the relevant work in other policy areas, and INVITES the Commission, in line with its competences, to participate in this process;
 20. INVITES THE MEMBER STATES AND THE COMMISSION, according to their respective competences, after due examination, to take concrete measures on Community and/or Member State level in order to ease or promote the mobility of persons and circulation of works in the cultural sector.
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ANNEX

Possible measures in order to increase the mobility of persons and circulation of works in the cultural sector

In conformity with the principle of subsidiarity and while fully respecting responsibilities within the framework of national legislation, measures should be considered, at Community and Member State level, using as far as possible existing structures and programmes in order to promote mobility and, where appropriate, remove obstacles to mobility.

Measures to promote mobility

1. Develop national information services ('one-stop shops'), in the shape of websites and/or information offices, which coordinate and disseminate practical information (in several languages) on contacts, employment opportunities and conditions, and if appropriate legislation in the European countries;
2. Link-together websites containing information on practical and administrative aspects of mobility, for example within the European cultural portal or the one-stop mobility site currently being developed by the Commission;
3. Improve possibilities for networking among individual artists and cultural operators;
4. Examine ways to disseminate information on and to improve the facilities, such as accommodation and work shops, for visiting artists and cultural operators from Member States;
5. Investigate ways and means to further the general public's knowledge, particularly that of children and young people, of the richness and diversity of the cultures and arts in Europe;
6. Encourage art students and teachers and the like in the cultural field to participate in Community exchange programmes;
7. Facilitate acquisition of mobility skills needed by artists and cultural operators, including linguistic and entrepreneurial skills;
8. Facilitate interdisciplinary and cross-border cooperation between schools and other training institutions in the cultural field, including investigation of ways to improve transparency and recognition of competences and qualifications;
9. Facilitate collection of statistical data on mobility in the cultural field, while taking into account legal and administrative constraints;
10. Promote use of existing support programmes, as well as examine the possibilities of developing national and/or European support mechanisms in order to promote mobility.

Measures to remove possible legal and administrative obstacles to mobility

1. Ensure that citizens are aware of their entitlements under Regulation (EEC) No 1408/71 and under existing reciprocal arrangements concerning social security cover, while they are temporarily resident in another Member State;
 2. For Member States, after due examination, to take the measures they consider appropriate, in accordance with Community law and the framework of their national law, so that persons in the cultural sector travelling to another Member State for professional purposes, are not subject, because of their mobility to discrimination with respect to relevant social protection, including the administrative formalities for this protection, such as in the area of health care and social welfare policies;
 3. For Member States to enter into negotiations with each other, so far as it is necessary, with a view to securing, for the benefit of their nationals, the abolition of possible existing double taxation within the Community, following the provisions of the Treaty.
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