



Brussels, 11 May 2006

**Draft**  
**BACKGROUND NOTE<sup>1</sup>**  
**EDUCATION, YOUTH AND CULTURE COUNCIL**  
**Brussels, 18-19 May 2006**

*The Council's meeting will start with the culture and audiovisual items at **14:00**, on 18 May, under the presidency of **Mr. Franz Morak** Austrian State Secretary, Federal chancellery,. On the second day, the Council will deal with the education items, starting at **9:30**, under the presidency of **Ms. Elisabeth Gehrler**, Austrian Federal Minister for education, science and culture, to.*

*Culture and audiovisual (18 May)*

*The Council is due to reach political agreement on three programmes for the period 2007-2013 – **culture 2007, media 2007 and citizens for Europe** – as well as on a draft recommendation on the **protection of minors and human dignity** and on the right of reply in relation to European audiovisual and online services. It will also reach a general approach on a decision establishing 2008 as **European year of intercultural dialogue**.*

*It will adopt a decision on the conclusion of the **UNESCO** convention on the protection and promotion of the diversity of cultural expressions and will discuss on a draft directive concerning the pursuit of **television broadcasting activities** and on **strengthening the European creative industries**: a contribution to growth and employment.*

*Education (19 May)*

*The Council is due to reach general approaches on 2 draft recommendations on **key competences for lifelong learning** and on the **European quality charter for mobility**. It will also adopt conclusions on the **European indicator of language competence**.*

*The Council will discuss on the financial aspects of the **lifelong learning** programme and on the contribution of education to the **EU sustainable development strategy***

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*The Presidency will hold press conferences at the end of each session of the Council.*

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<sup>1</sup> This note has been drawn up under the sole responsibility of the Press Office.

## Culture and audiovisual

### **Culture 2007 programme (*public deliberation*)**

Now that an agreement on the financial framework for 2007-2013 has been reached, the Council should reach full<sup>2</sup> political agreement on a draft decision establishing the *Culture 2007* programme, aimed at providing financial support for the European cultural sector for the 2007-2013 period.

The main remaining question to be resolved concerns the overall budget breakdown.

It is recalled that the new programme, which will replace the Culture 2000 programme, will give priority support to three objectives:

- promoting transnational mobility for those working in the cultural sector in the EU;
- encouraging transnational circulation of works of art and cultural products;
- encouraging intercultural dialogue.

The draft programme provides for three strands of intervention:

- direct financial support for cultural actions;
- support for bodies active at European level in the field of culture;
- support for analyses, for the collection and dissemination of information and for other activities improving the impact of projects in the field of European cultural cooperation.

It is to be noted that both the Commission and the Council agreed, as proposed by the European Parliament, to transfer strand 2.2 of the Commission's proposal, relating to actions for the preservation of memorials, to the proposed "*citizens for Europe*" programme.

Legal basis proposed: Article 151(5) of the Treaty – unanimity required for a decision by the Council and codecision procedure with the European Parliament applicable.

The European Parliament delivered its first reading opinion on 25 October 2005 (13677/05). A large number of the amendments proposed have been incorporated into the text, either in whole, in part or in essence.

The text agreed will be adopted as a common position by a subsequent Council and sent to the European Parliament for a second reading.

*For further details see the Commission proposal: 11572/04.*

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<sup>2</sup> At the (EYC) Council of 14-15 November 2005, the Council reached a partial political agreement on the proposal.

## **European capital of culture – 2 members of the selection panel**

The Council will take note of the names of the leading figures proposed by Austria and Finland to be nominated as members of the selection panel responsible for the designation of the 2011 "European capitals of culture". The two members will be officially appointed by the Council in the second half of this year.

The two nominees proposed are Mr Thomas ANGYAN (Austria) and Mr Septo KIMANEN (Finland).

It is recalled that under Decision 1479/1999/EC<sup>3</sup> establishing a Community action for the European capital of culture event for the years 2005 to 2019, the Commission each year forms a selection panel which issues a report on the designation of cities as European capitals of culture. The selection panel is composed of seven leading independent figures who are experts on the cultural sector, of whom two are appointed by the European Parliament, two by the Council, two by the Commission and one by the Committee of the Regions. In accordance with Decision 2000/CE/01<sup>4</sup> on the appointment by the Council of two members of the selection panel, the two States holding the Council Presidency during the ongoing year each nominate a leading figure for appointment by a simple majority by the Council for the following year.

The "*European capital of culture*" event was instigated by the Council in 1985, on the initiative of Ms Mélina Mercouri, Greek Minister for culture, in order to help bring the peoples of Europe closer together. The support this event receives from the Community is laid down in Decision 1419/1999/EC.

## **European year of intercultural dialogue 2008**

Pending the first reading opinion of the European Parliament, the Council will reach a general approach on a draft decision designating 2008 as the *European year of intercultural dialogue*.

Intercultural dialogue contributes towards achieving a number of the Union's priorities, in particular:

- by respecting and promoting cultural diversity in Europe and promoting active European citizenship open to the world and based on the common values in the European Union;
- by including the renewed Lisbon strategy, for which the knowledge-based economy requires people capable of adapting to changes and benefiting from all possible sources of innovation in order to increase prosperity;
- by supporting the Union's commitment to solidarity, social justice and greater cohesion in the respect of common values in the European Union;
- by enabling Europe to make its voice better heard in the world and to forge effective partnerships with neighbouring countries, thus extending the zone of stability and democracy beyond the Union and thereby influencing the wellbeing and security of European citizens and all those living in the European Union.

The designation of 2008 as European year for intercultural dialogue will allow the Community to support information and promotion campaigns, events and initiatives, surveys and studies aimed at promoting the intercultural dialogue.

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<sup>3</sup> Decision 1419/1999/EC of the European Parliament and of the Council of 25 May 1999 (OJ L 166, 1.7.1999, p. 1).

<sup>4</sup> Council Decision of 17 December 1999 (OJ C 9, 13.1.2000, p. 1).

The European year initiative will assist European citizens as well as those living in the Union temporarily or permanently.

Legal basis proposed: Article 151 of the Treaty – unanimity required for a Council's decision; co-decision procedure with the European Parliament applicable.

*For further details, see Commission proposal 13094/05.*

### **"Citizens for Europe" programme (*public deliberation*)**

The Council is due to reach political agreement on a draft decision establishing for the period 2007-2013 the programme "*citizens for Europe*" to promote active European citizenship.

Two remaining issues must be resolved by the Council: the budget breakdown and the designated bodies.

The aim of the programme is to safeguard the continuity of the ongoing programme on civic participation<sup>5</sup>. As proposed, the programme aims specifically to:

- promote the mobility of citizens across Europe by bringing them together, in particular at local community level, to share and exchange experiences, opinions and values, to learn from history and to build for the future;
- foster action, debate and reflection related to European citizenship through cooperation between civil society organisations at European level;
- make the idea of Europe more tangible for its citizens by promoting and celebrating Europe's values and achievements, while preserving the memory of its past;
- encourage the balanced integration of citizens and civil society organisations from all Member States, contributing to intercultural dialogue and bringing to the fore both Europe's diversity and unity, with particular attention to activities with Member States that have recently joined the European Union.

The proposed programme comprises, inter alia, actions such as town-twinning, support for research into and consideration of European policies, support for commemorations or for Europe-wide awards.

Legal basis proposed: Articles 151 and 308 of the Treaty – unanimity required for a Council decision and codecision procedure with the European Parliament applicable.

The European Parliament adopted its first reading opinion on 5 April 2006 (8028/06). The text agreed will be adopted as a common position by a forthcoming Council and sent to the European Parliament with a view to its second reading.

*For further details, see the Commission proposal 8154/05.*

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<sup>5</sup> OJ L 30, 2.2.2004, p. 6

## **UNESCO convention on cultural diversity**

The Council will adopt a decision on the conclusion by the European Community of the UNESCO convention on the protection and promotion of the diversity of cultural expressions.

The convention on the protection and promotion of the diversity of cultural expressions was adopted at the general conference of UNESCO in Paris on 20 October 2005. It establishes a series of rights and obligations to protect and promote cultural diversity.

It is important for the European Community to become a party of the convention, together with the Member States. The purpose of the proposal is to authorise the approval of the UNESCO convention by the European Community.

The full participation of the European Community and its Member States in implementing the convention will in particular contribute to:

- establishing a new pillar of world governance with the aim of ensuring protection and promotion of cultural diversity;
- emphasising the specific and dual (cultural and economic) nature of cultural goods and services;
- recognising the role and legitimacy of public policies in the protection and promotion of cultural diversity;
- recognising the importance of, and promoting, international cooperation to respond to cultural vulnerabilities, in particular with regard to developing countries;
- defining appropriate links with other international instruments that enable the convention to be implemented effectively.

Legal basis proposed: Articles 133, 151, 181, 181a, 300 (2) and (3) of the Treaty – unanimity required for a Council decision.

*For further details, see the Commission proposal 5067/06.*

## **Strengthening European creative industries**

The Council will hold an exchange of views on the theme *strengthening the European creative industries: a contribution to growth and employment*.

On 2/3 March 2006 an EU expert seminar on "*content for competitiveness*", organised by the Austrian Presidency, was held in Vienna. The seminar has shown that content and creative industries possess a large potential for creating growth and employment and thus contributing towards the goal set out for Europe in the Lisbon agenda. It also underlined the need for of a coherent policy with regard to content and creative industries, in particular exploiting the full potential of information and communication technologies (ICT).

On the basis of the results of the seminar and of other initiatives, the Presidency suggested the following questions to be addressed by ministers (8954/06):

- 1) *Considering the growing interaction between the cultural, audiovisual and ICT sectors, which are the priorities for content and creative industries that are relevant for the updating of the Work Plan for Culture and implementation of the i2010 initiative?*

2) *Considering the growing interaction between cultural, audiovisual and ICT sectors and the importance of these sectors for growth and employment in Europe, how can the ongoing dialogue between all stakeholders be improved on the European Level?*

**Media 2007 programme (*public deliberation*)**  
(*this item will be included in the "A" items list*)

Now that an agreement on the financial framework for 2007-2013 has been reached, the Council will reach a full<sup>6</sup> political agreement on a decision establishing a programme of support for the European audiovisual sector (*Media 2007*) (8955/06).

It is recalled that the programme, which combines the current Media Plus and Media Training programmes, is intended to support the European audiovisual sector with the aim following objectives:

- preserving and enhancing European cultural diversity and its cinematographic and audiovisual heritage;
- guaranteeing its accessibility to European citizens;
- promoting intercultural dialogue;
- increasing the circulation and viewership of European audiovisual works inside and outside the European Union;
- strengthening the competitiveness of the European audiovisual sector in an open and competitive European market.

Legal basis proposed: Articles 150(4) and 157(3) of the Treaty – qualified majority required for a Council decision and codecision procedure with the European Parliament applicable.

The European Parliament delivered its first reading opinion on 25 October 2005 (13679/05). A large number of the amendments proposed have been incorporated into the text agreed, either in whole, in part or in essence.

The text agreed will be adopted as a common position by a forthcoming Council and sent to the European Parliament with a view to its second reading. The European Parliament has given indications that it could support the text as agreed by the Council.

*For further details see the Commission proposal: 11585/04.*

**Protection of minors and human dignity (*public deliberation*)**

The Council is due to reach political agreement on a draft recommendation on the *protection of minors and human dignity and on the right of reply* in the European audiovisual and online information services industry.

One issue remains to be resolved concerning the inclusion in the scope of the recommendation of *written online media*.

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<sup>6</sup> At the (EYC) Council of 14-15 November 2005, the Council reached a partial political agreement on the proposal.

The draft recommendation calls on the Member States, the industry and interested parties (viewers' associations), as well as the Commission, to enhance the protection of minors and human dignity in the broadcasting and internet sectors. It also recommends that the Member States consider the introduction of measures regarding the right of reply in relation to online media.

It builds upon the Council Recommendation 98/560/EC of 24 September 1998<sup>7</sup>, which remains valid. It responds to the new challenges both in quantitative (more “illegal” content) and qualitative terms (new platforms, new products) that technological developments bring in this field.

The draft recommendation addresses the following questions:

- media literacy;
- rating or classification of audiovisual content;
- portrayal of the sexes in the media and advertising;
- right of reply.

Legal basis proposed: Article 157 of the Treaty – qualified majority required for a Council decision; co-decision procedure with the European Parliament applicable.

The European Parliament delivered its first reading opinion on 7 September 2005 (11955/05). The text agreed will be adopted as a common position by a forthcoming Council and sent to the European Parliament with a view to its second reading.

*For further details see the Commission proposal: 9195/04; Commission amended proposal: 5593/06.*

## **Television without frontiers**

Pending the European Parliament's first reading opinion, the Council will take note of a progress report on the proposal for a directive amending the Directive on the pursuit of *television broadcasting activities*.

On its progress report, the Presidency raises the following question to be debated by the Council:

*How do you assess - in the light of the objectives pursued - the Commission's proposal with regard to:*

- *the appropriateness and the sustainability of the distinction between linear and non-linear services;*
- *the common rules<sup>8</sup> applying to both categories of services;*
- *the extent of the modernisation and simplification of the television advertising and teleshopping rules<sup>9</sup>?*

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<sup>7</sup> OJ L 270, 7.10.1998, p. 48.

<sup>8</sup> Identification of the media service provider, the protection of minors, the prohibition of incitement to hatred, the promotion of cultural diversity, some qualitative restrictions for as well as the identification of commercial communication.

<sup>9</sup> Regulations about recognisability and separation as well as insertion of television advertising and teleshopping, about the time limit and about the regulations for television broadcasts exclusively devoted to advertising and teleshopping.

The proposed directive aims to introduce common minimum rules for all audiovisual media services irrespective of the transmission platform technology used to deliver those services, thus ensuring platform neutrality, and to modernise advertising rules.

It introduces the notion of audiovisual media services and distinguished between "linear" services (e.g. scheduled broadcasting via traditional TV, the internet or mobile phones, which "pushes" content to viewers) and "non-linear" services (such as video-on-demand, which the viewer "pulls" from a network). Only a basic tier of rules would apply to non-linear services.

Advertising rules, which concern only linear services, are simplified. The daily limit on advertising is dropped, but the 12 minute upper limit per hour is maintained. The 20 minutes minimum interval between advertising breaks is also abolished, but cinematographic works, news and children's programmes can be interrupted only once every 35 minutes. Rules on product placement, not currently addressed by the TVWF Directive, are introduced.

Legal basis proposed: Articles 47 and 55 of the Treaty – qualified majority required for a Council decision; codecision procedure with the European Parliament applicable.

*For further details, see the Commission proposal 15983/05.*

## **Education**

### **European indicator of language competence**

The Council will adopt conclusions following the Commission's communication: *the European indicator of language competence (11704/05)*.

One remaining open issue concerns the most suitable level at which testing should be carried out: *lower* (15 years old) or *upper* (16-17 years old) secondary level.

The draft conclusions are aimed at initiating the process of establishing an indicator of foreign language competence at European level following a request first issued by Heads of State and government in Barcelona in 2002<sup>10</sup>. Foreign language competence represents one of the last areas for which an indicator has yet not been created under the "Education and training 2010" work programme.

### **Key competences for lifelong learning**

Pending the European Parliament first reading opinion, the Council will reach a general approach on a draft recommendation on *key competences for lifelong learning (8641/06)*.

The proposal responds to a mandate given by the 2000 Lisbon European Council ("*Every citizen must be equipped with the skills needed to live and work in this new information society*") and reiterated and developed in the "*Education and Training 2010*" work programme adopted by the Barcelona Council in March 2002, which also called for further action to "*improve the mastery of basic skills*" and to strengthen the European dimension in education. This work was to focus on

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<sup>10</sup> Having set the objective of making European Union education and training systems a worldwide quality reference by 2010, Heads of State and government in Barcelona in March 2002 called for "*further action (...) to improve the mastery of basic skills, in particular by teaching at least two foreign languages from a very early age (...)*". At the same time, they called for "*the establishment of a linguistic competence indicator (...)*".

identifying the basic skills and how, together with traditional skills, they could be better integrated in the curricula, learned, and maintained through life. Basic skills should be genuinely available for everyone, including for those with special needs, school drop-outs and adult learners. Validation of basic skills should be promoted to support further learning and employability.

The draft recommendation is aimed at establishing a European reference framework defining the basic skills (*key competences*) which all citizens need to acquire, through lifelong learning, in order to achieve personal fulfilment, increase active participation and improve employability in modern knowledge-based economies and societies.

The key competences are:

- communication in the mother tongue
- communication in foreign languages
- mathematical competence and basic competences in science and technology;
- digital competence;
- learning to learn;
- social and civic competences;
- sense of initiative and entrepreneurship; and
- cultural awareness and expression.

The proposal further establishes how the key competences can be accessed through lifelong learning.

Legal basis proposed: Articles 149 and 150 of the Treaty – qualified majority required for a Council decision; co-decision procedure with the European Parliament applicable.

An agreement with the European Parliament might be reached in first reading.

### **European quality charter for mobility**

Pending the European Parliament first reading opinion, the Council will reach a general approach on a draft recommendation on transnational mobility within the Community for education and training purposes: *European quality charter for mobility*.

This proposal builds on the "Education and training 2010" work programme and sets a common statement of principles aimed at increasing efficiency in all organised mobility for learning purposes. The proposed charter consists of ten practical and easily accessible guidelines covering the period prior to departure, during the stay and after the person's return.

Legal basis proposed: Articles 149 and 150 of the Treaty – qualified majority required for a Council decision; co-decision procedure with the European Parliament applicable.

*For further details, see the Commission proposal 13423/05.*

## Lifelong learning programme

Following the partial political agreement reached on 15 November 2005 (14690/05), the Council will hold an exchange of views on financial aspects of the *lifelong learning* programme in the light of the result of the negotiations on the draft financial perspective 2007-2013.

The Presidency has suggested the following question to be addressed by the ministers (8725/06):

*On 14 November 2005, Ministers reached a partial political agreement - that is, excluding the financial aspects - on the proposed decision of the European Parliament and of the Council establishing an integrated action programme in the field of lifelong learning.*

*Following the 4 April 2006 interinstitutional triologue on the 2007-2013 financial perspective, the budget allocation for the lifelong learning programme stands at EUR 6,970<sup>11</sup> million (in cash prices).*

*In the light of this development, and on the basis of the partial political agreement reached in November 2005, what view do Ministers take regarding the use of the financial resources available for the lifelong learning programme?*

The objective is to invite ministers to express their views on the relative importance to be attached to each of the four sub-programmes (*Comenius*, *Erasmus*, *Leonardo da Vinci* and *Grundtvig*) taking into account the resources now available.

It is recalled that the new integrated programme will comprise four sub-programmes already existing within the current *Socrates* programme: *Comenius* (school education); *Erasmus* (higher education); *Leonardo da Vinci*, (vocational education and training); *Grundtvig* (adult education). It will also include a “transversal” programme incorporating four key activities (policy development, language learning, innovative approaches and dissemination of project results), plus a *Jean Monnet* programme to support action related to European integration and European institutions and associations. A single programme should permit greater synergies between the different fields of action as well as more coherent, streamlined and efficient modes of action.

It aims both to contribute through lifelong learning to the development of the Community as an advanced knowledge society, with sustainable economic development, more and better jobs and greater social cohesion, while ensuring good protection of the environment for future generations, and to foster interchange, cooperation and mobility between education and training systems within the Community, so that they become a world quality reference.

Legal basis proposed: Articles 149(4) and 150(4) of the Treaty – qualified majority in the Council and codecision procedure with the European Parliament.

The European Parliament delivered its first reading opinion on 25 October 2005 (13675/05). A large number of the amendments proposed have been incorporated into the text, either in whole, in part or in essence.

*For further details, see the Commission proposal: 11587/04.*

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<sup>11</sup> The Commission had proposed € 13.6 billion (11587/04).

## Review of the EU's sustainable development strategy

The Council will hold a policy debate on the contribution of education to sustainable development, in the context of the review of the EU's sustainable development strategy.

In December 2005, the European Council took note of the presentation by the Commission of its communication on a renewed sustainable development strategy for the next 5 years<sup>12</sup> and looked forward *"to adopting in June 2006 an ambitious and comprehensive strategy, comprising targets, indicators and an effective monitoring procedure, which should integrate the internal and external dimensions and be based on a positive long-term vision, bringing together the Community's sustainable development priorities and objectives in a clear, coherent strategy that can be communicated simply and effectively to citizens."*<sup>13</sup>

The Commission's "SDS review package" consists of:

- the communication itself proposing six priority issues, the integration of the external dimension into internal policy making as well as an effective monitoring procedure and follow-up process
- guiding principles for SD adopted in June 2005 by the European Council (Annex 1)
- objectives, targets, policies and actions (Annex 2)
- a Commission communication adopted in February 2005, taking stock of progress and proposing initial orientations (Annex 3).

The Presidency is currently consulting all the relevant Council configurations with a view to the adoption of the renewed EU sustainable development strategy by the June 2006 European Council

The debate will be based on the following questions suggested by the Presidency:

- *Do you consider the objectives, targets, key actions and the implied mix of policy instruments proposed in the SDS Review package, in particular Annex 2,<sup>14</sup> are appropriate and sufficient to meet the challenges of Sustainable Development and to efficiently address unsustainable trends in your policy area? Are greater prioritisation and/or stronger efforts necessary to achieve this?*
- *How can your Council formation best contribute to delivering visible results and measurable progress in implementing the EU SDS? What should be done to enhance synergies and coherence across policies and processes, including the Lisbon agenda?*
- *How can an ambitious EU SDS ensure coherence between EU internal policies and its international commitments and contribute to sustainable development at both EU and global level, in particular in your specific policy area?*

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<sup>12</sup> 15796/05.

<sup>13</sup> Paragraph 13 of the December 2005 European Council conclusions (15914/1/05).

<sup>14</sup> doc. 15796/05 (COM(2005) 658 final)

## **Other business**

The Council will be briefed on the following items:

- Inclusion in the list of "European Heritage"  
= Information from the French and Spanish delegations
  - Communication of the European Commission to the Council: Carrying out the necessary reforms needed to modernise European higher education (follow-up to Hampton Court Summit)  
= Information from the Commission
  - Consultation on the future European credit accumulation and transfer system for vocational education and training (ECVET)  
= Information from the Commission
  - "Education for sustainable development towards responsible global citizenship" conference (Vienna, 13-15 March 2006)  
= Information from the Presidency (8735/06)
-