

EUROPEAN PARLIAMENT

# Working Documents

1982-1983

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28 May 1982

DOCUMENT 1-206/82

REPORT

drawn up on behalf of the Committee on Youth, Culture,  
Education, Information and Sport

on the protection of the architectural and  
archaeological heritage

Rapporteur: Mr W. HAHN



At its meeting of 10 December 1980 the Bureau of the European Parliament authorized the Committee on Youth, Culture, Education, Information and Sport to draw up a report on the protection of the architectural and archaeological heritage.

At its meeting of 28 January 1981 the committee appointed Mr HENCKENS rapporteur: at its meeting of 23 and 24 September 1981 it subsequently appointed Mr HAHN to replace him.

The committee also decided to consider within the framework of this own-initiative report the following motions for resolutions referred to it by the European Parliament:

- on the financing of a project to renovate, improve and protect the Trulli in the region of Puglia (Doc. 1-566/80)
- on the archaeological excavations at Skyllation (Doc. 1-876/80)
- on safeguarding the historical and artistic centres of Orvieto and Todi (Doc. 1-912/80)
- on saving the cultural and architectural heritage of the Campania and Basilicata regions, which were hit by the earthquake (Doc. 1-52/81)
- on environmental damage in Eleusis and the destruction of ancient archaeological sites (Doc. 1-363/81)
- on measures to preserve the walls of Lucca (Doc. 1-504/81)
- on the protection of valuable Bronze Age sites in the Netherlands (Doc. 1-680/81).
- on the need for intervention by the European Community to protect the sites and monuments of the Acropolis in Athens (Doc. 1-557/81),

The Committee on Budgets, the Legal Affairs Committee and the Committee on the Environment, Public Health and Consumer Protection were each asked to deliver an opinion on a number of these motions for resolutions. The Committee on Budgets subsequently decided not to draw up an opinion.

As part of its work on the report the committee held a hearing with Mr Oddo BIASINI on 19 May 1981 in Brussels and subsequently at its meeting of 20 and 21 October 1981 in Sorrento with Mr Vincenzo SCOTTI, pro tempore Italian Ministers for Cultural Assets.

On 20 October 1981 the committee visited the excavations at Pompei to see work on the salvaging and restoration of excavation work damaged by the earthquake in southern Italy.

At its meeting of 28 January 1982, the committee organized a hearing on this matter with Professor I. CLAYES-BOUUAERT, author of a study commissioned by the Commission of the European Communities on 'The fiscal problems of stately homes in the Member States of the European Community'.

The present motion for a resolution was considered by the committee at its meetings of 1 and 2 December 1981, 28 and 29 January 1982, 29 and 30 March 1982 and 27 and 28 April 1982. At this last meeting it was adopted unanimously with one abstention.

The following took part in the vote: Mr Beumer, chairman; Mr Schwencke, vice-chairman; Mr Hahn, vice-chairman and rapporteur; Mr Arfé, Mr Bøgh, Miss Brookes, Mr Cottrell, Mr Fanti, Mrs Gaiotti di Biase, Mr Gerokostopoulos, Mr Hutton, Mr Marck (deputizing for Mr Pedini), Mr Papageorgiou, Mr Papapietro (deputizing for Mr Bucchini) and Mrs Viehoff.

The opinions of the Legal Affairs Committee and the Committee on the Environment, Public Health and Consumer Protection.

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The Committee on Youth, Culture, Education, Information and Sport hereby submits to the European Parliament the following motion for a resolution together with explanatory statement:

MOTION FOR A RESOLUTION

on the protection of the architectural and archaeological heritage

The European Parliament,

A. having noted the following motions for resolutions:

- on the financing of a project to renovate, improve and protect the Trulli in the region of Puglia (Doc. 1-566/80)
- on the archaeological excavations at Skyllation (Doc. 1-876/80)
- on safeguarding the historical and artistic centres of Orvieto and Todi (Doc. 1-912/80)
- on saving the cultural and architectural heritage of the Campania and Basilicata regions, which were hit by the earthquake (Doc. 1-52/81)
- on environmental damage in Eleusis and the destruction of ancient archaeological sites (Doc. 1-363/81)
- on measures to preserve the walls of Lucca (Doc. 1-504/81)
- on the protection of valuable Bronze Age sites in the Netherlands (Doc. 1-680/81),
- on the need for intervention by the European Community to protect the sites and monuments of the Acropolis in Athens (Doc. 1-557/81),

B. acknowledging the remarkable work of the Council of Europe, and in particular the European Architectural Heritage Charter and the Amsterdam declaration of 1975, which was European Architectural Heritage Year, and the outcome of the European Congress held under the joint patronage of the Council of Europe and the Community in Brussels in 1980 on the subject of the preservation of the architectural heritage, and UNESCO's recommendations on the world-wide protection of monuments and the priorities it set for this purpose,

C. concerned at the dangers confronting the European architectural and archaeological heritage in the form of decay, modern traffic planning, the construction of new buildings, the impact of technical and industrial developments and the destruction of historical settings and the environment,

D. whereas the architectural and archaeological heritage to be protected includes not only urban and rural architectural works but also archaeological monuments and sites,

- E. aware of the importance of the architectural and archaeological heritage for our European culture and awareness of our European identity, in conformity with the declaration issued by the Heads of State or Government in Copenhagen on 15 December 1973 'concerning European identity',
- F. aware of the moral obligation to ensure that future generations inherit a humane world marked by culture,
- G. aware of the need for the pursuit, at both Member State and Community level, of a genuine overall conservation policy,
- H. acknowledging the interest shown by large sections of the populations of all the Member States in the protection of the architectural and archaeological heritage and their desire to be able to visit these monuments,
- I. recalling that the restoration of monuments and connected activities create jobs for young people too, particularly in small and medium-sized craft undertakings, and that they also require little investment and consume very little energy,
- J. considering that the protection of old cities and city areas can stimulate tourism and create new jobs and sources of income,
- K. whereas efforts must be made to achieve a more satisfactory inter-relationship between tourism with the increasing construction of hotels, restaurants and infrastructure, and the conservation of the cultural heritage, an essential aspect of which is the appropriate rural and regional planning,
- L. aware that public resources must be made available and private incentives introduced for this purpose;
- M. recalling its previous reports of
  - 13 May 1974 on measures to protect the European cultural heritage (Doc. 54/74)<sup>1</sup>,
  - 8 March 1976 on Community action in the cultural sector (Doc.542/75)<sup>2</sup>,
  - 18 January 1979 embodying the opinion of the European Parliament on the communication from the Commission of the European Communities to the Council<sup>3</sup> on Community action in the cultural sector (Doc.1-325/78)<sup>4</sup>,

<sup>1</sup>OJ No. C 62, 30.5.1974, p.5

<sup>2</sup>OJ No. C 79, 5.4.1976, p.6

<sup>3</sup>Doc. 437/77 - OJ No. C 34, 10.2.1978, p.2

<sup>4</sup>OJ No. C 39, 12.2.1979, p.50

- N. having regard to Articles 2, 128 and 130(a) and (c) of the EEC Treaty,
- O. having regard to the Resolution of the Council of the European Communities and of the Representatives of the Governments of the Member States meeting within the Council of 17 May 1977 on the continuation and implementation of a European Community policy and action programme on the environment<sup>1</sup>
- P. having regard to the report by the Committee on Youth, Culture, Education, Information and Sport and the opinions of the Legal Affairs Committee and the Committee on the Environment, Public Health and Consumer Protection, (Doc. 1-206/82),
1. Calls for the creation of a 'European Historical Monuments and Sites Fund' for the preservation of the European architectural heritage;
  2. Hopes that in the meantime the Commission of the Community will use the resources available under the European Social Fund (which could use conservation work as a means of combating unemployment) the European Agricultural Guidance and Guarantee Fund, the European Monetary System and the New Community Instrument (Orto) Facility) in this field;
  3. Supports the Council of Europe's proposals as set down in the European Architectural Heritage Charter and the Amsterdam declaration and refers to not only the urban and rural heritage but also archaeological monuments and sites;
  4. Points out that it is essential for effective measures to be taken to improve the quality of the environment in areas of architectural interest, for example by creating pedestrian precincts and parks, placing restrictions on advertising, protecting the grounds of stately homes, eliminating sources of pollution etc., thus making it possible to improve the quality of life and protect public health at the same time;
  5. Asks the governments of the Member States, if they have not already done so, to enact effective laws for the protection of monuments, and in particular, to draw up lists of monuments to be preserved, protected and used on their territory for social purposes, and to make the destruction or alteration of such scheduled monuments subject to agreement by the authority responsible for the protection of monuments;

<sup>1</sup> OJ No. C 139, 13.6.1977

6. Calls for the coordination of the activities of the Member States in the Community with a view to protecting the architectural and archaeological heritage and hopes that a meeting of the Ministers of Culture of the Member States within the Council of the Community will be held as soon as possible;
7. Appeals to governments and to regional and local authorities where this is not already the case to assume responsibility for the protection of architectural works in their area of responsibility, and to seek the advice of monument protection experts at an early stage in any planning procedures;
8. Recommends the creation at national level of a 'supreme authority' which, in the event of any dispute, could make recommendations on restoration, preservation or demolition;
9. Expresses its support for increased financial aid from the Community for the training centres whose work serves to protect architectural monuments, viz:
  - the European Centre for the training of craftsmen for the preservation of the architectural heritage in Venice,
  - the 'Centre d'Etudes Nucléaires' (Centre for Nuclear Studies) Grenoble,
  - the (Centre d'Etudes pour la conservation du patrimoine urbain et architectural' (Centre for urban and architectural heritage preservation studies) Catholic University, Louvain,
  - the architectural conservation course at the international study centre for the conservation and restoration of cultural works in Rome,
  - the new course for head gardeners for historical parks and gardens, in Munich;
  - the Hellenic Institute for Byzantine and Post-Byzantine Studies in Venice.
10. Calls on the Commission and Council to expedite the recognition at Community level of professional and academic qualifications and titles and recommends that, as part of the training activities financed by the Social Fund, the fullest possible support be given to training courses for restoration workers;
11. Appeals to the governments of the Member States to draw up a plan for the protection of the rural architectural heritage;
12. Looks to the governments to pay particular attention to the surviving schemes and examples of early industrial development which are crucial to our understanding of the origins of our technology and industry and have hitherto not received sufficient attention;

13. Decides to select each year, on a proposal from the Commission, a historical monument especially worthy of aid in one of the Member States in turn, from a list drawn up jointly with the Council of Europe, and to subsidize the restoration and maintenance of this monument from the budget of the European Community, which will require the creation of a special budgetary line;
14. Requests the Commission to draft a recommendation providing for adequate protection of archaeological sites and solving the problem of financial compensation for losses suffered by owners as a result of such sites being temporarily scheduled during archaeological exploration work;
15. Asks the Commission to draw up a recommendation providing for tax arrangements for privately-owned architectural works in the Member States which will enable the owners to restore and maintain these monuments; provision should be made for special aid for architectural works which are accessible to the public. These arrangements should encompass estate duties, income tax and the financial aid to be granted;
16. Also asks the Commission to provide a Community solution to the serious problem caused by the VAT imposed on goods and services used in preservation work;
17. Is pleased to see that the European Investment Bank has given its agreement in principle to the granting of loans for preservation activities qualifying as projects within the meaning of Article 130(a) and (c) of the EEC Treaty but greatly regrets the fact that the Bank has not yet applied this agreement and insists most positively that it should forthwith put this agreement into practice;
18. Asks the Commission of the Community to:
  - (a) commission a group of experts to work out a study which would help national and local authorities to assess easily and precisely the costs and benefits of any conservation work which they are contemplating;
  - (b) formulate and finance a research programme on the many as yet obscure aspects of the sulphation of limestone, marble and brick - its causes, mechanisms, prevention and treatment;
19. Supports restoration efforts, since, far from being a cultural luxury, they constitute an investment and generate new jobs using modern technology and reviving traditional, disappearing, professions;
20. Stresses that the maintenance and restoration of historic houses and districts, where craftsmen traditionally have their homes and workshops, can give the protection of the architectural heritage real cultural dimension provided that they enable the 'natural' inhabitants of such districts to continue living or to return there and are conducive to the development of more intense human and social relationships

in towns thus rendered more attractive, more lively and safer;

21. Believes that a more prominent place must be given in the Community's regional policy to constructive support policy for the architectural and archaeological heritage, since this is vital to the expansion of active cultural tourism and provides a diversity of profitable activities;
22. Calls for continued support to be given to the activities of international organizations devoted to the preservation of the European architectural and archaeological heritage; this applies in particular to the 'Europa Nostra' association and organizations which appeal to young people such as the 'Union des associations de chantiers pour la réhabilitation et l'entretien des monuments et du patrimoine artistique' (Union of associations for monument restoration and maintenance work sites) and the 'Jeunesse et Patrimoine' (Youth and Heritage) association;
23. Hopes that measures coordinated at Community level will serve to encourage, in each Member State, patronage of the arts and particularly the preservation of the architectural and archaeological heritage, for example by adapting national legislation governing foundations active to the demands of such preservation work;
24. Considers it necessary that the public in the Member States should be informed about the problems connected with the protection of architectural works systematically and periodically and recommends, in this connection, the closest possible cooperation with the Council of Europe; this information campaign should be directed towards:
  - experts specializing in the protection of architectural works;
  - officials responsible for this sphere at regional and local level;
  - the public at large;
  - youth, and particularly schoolchildren;
25. Asks the Ministers of Education to give greater importance, in school syllabuses, to the idea of protecting the architectural heritage and the environment, so that young people are educated to understand the importance of the architectural and archaeological heritage;
26. Instructs its President to forward this resolution to the governments of the Member States of the Community, the Council and Commission of the European Communities and the Council of Europe and UNESCO.

EXPLANATORY STATEMENTPRELIMINARY CONSIDERATIONS1. Scope of the report

Your rapporteur fully appreciates the difficulty of defining what is meant by architectural and archaeological heritage before turning to the question of how to protect it which is the subject of this report. Some might indeed prefer the idea of architectural and archaeological 'assets' rather than that of heritage because it seems more specific and conveys a legal connotation, namely the idea of physical assets which are in the possession of a person or a group and can be passed on to their successors.

However the idea of a cultural asset seems more fashionable in its currently used sense which tends to refer less to the historical privileged values of a particular social and cultural group and increasingly if not exclusively to cultural factors only. In a report which does not set out to be a learned treatise it does not matter whether we prefer one expression or the other, the purpose of this report being to identify the areas in which difficulties arise and to indicate a few solutions.

Nor is it the task of your rapporteur to define the criteria by which a specific cultural asset or 'monument' comes to form part of the architectural and archaeological heritage. In any case such criteria vary according to time, taste, sensibility, and the values common to a given society. We shall use these expressions in their commonly accepted sense without considering whether a particular monument, building or site should be regarded as part of the architectural and archaeological heritage because it is so many years old or meets certain criteria. We shall leave it to the experts to decide whether the United Nations building in New York or .... the Palais de l'Europe in Strasbourg should now be regarded as part of that heritage.

Frequently, the notion of an architectural and archaeological asset conjures up in people's minds the idea of an ancient monument which leads on to the subject of promoting archaeological excavations and underwater archaeology<sup>1</sup>.

It should be noted that European Architectural Heritage Year (1975) and the European charter for the architectural heritage rightly placed as much stress on the rural as on the urban heritage. This illustrates the present tendency to view the architectural heritage in much wider than conventional terms.

<sup>1</sup> See 'The cultural heritage of the sea-bed', Report by the Council of Europe's Committee on Culture and Education, rapporteur: John Roper, 1978.

Industrial buildings are also included under this heading. The industrial revolution wrought a radical and in some cases irreversible change not only in human relations but also in whole tracts of land, by creating what can be described as industrial landscapes: factories were followed by other complexes such as working-class districts and workers' housing, railway stations, pumps, warehouses, mines and other industrial plant and associated machinery which goes to make up this landscape. This legacy of the industrial civilization deserves to be remembered when taking any protective measures, so that the specimens which are the most important and most representative of technical development as well as those of artistic and historical value can be preserved. Nowadays, one often finds that factories have fallen into disuse because technical progress has made them obsolete (as in the case of windmills in the Netherlands and Flanders). These buildings are worth preserving for their architectural value alone, but also as reminders of a past civilization.

Furthermore the idea of cultural assets or heritage does not relate only to the object of historical and artistic interest viewed in isolation from its context according to historical or subjective criteria. Indeed a given monument should be seen against the historical background of the town of which it is a product. Historic monuments in their original setting can give today's generation an idea of the society and time that created them<sup>1</sup>.

## 2. Growing public and media interest in cultural assets

### Heritage as a factor in European cultural identity

What your rapporteur wishes to stress in these preliminary considerations is the fact that our society, so often accused of indifference and materialism, is showing a growing interest in cultural assets and an increasing appetite for culture. A cultural asset is not only an object of aesthetic contemplation but it is an expression of a whole set of values contributing to the individual and collective enrichment of society. The architectural and archaeological heritage is therefore one, but not the least, component of society's cultural past and present. In becoming aware of this heritage, society discovers the constituent parts of its own cultural or other identity. This cultural identity today constitutes one of the essential focal points for the perception and even definition of European identity.

Although usually regarded as originating in the civilization of one country or one region, cultural assets reflect the universal values of art which cannot be reduced to purely nationalist terms. But this does not prevent us from using the general expression of European cultural identity or European culture since we are dealing in this case with our entire

<sup>1</sup>See the 'Amsterdam declaration', which emerged from the 1975 congress on the European architectural heritage organized by the Council of Europe

continent. This is why we insist that awareness of European culture is essential if we are to define and give substance to European identity.

It is in no way inconsistent with the foregoing to reaffirm that the architectural and archaeological heritage is a universal asset. It tells us about the past and constitutes a legacy handed down to us by previous generations who themselves in many cases received it from those who went before them. It is the duty of our whole civilization to enjoy it and to pass it on for the cultural benefit of the whole world.

### 3. The deterioration of the architectural and archaeological heritage Towns and their historic centres

All too often we find architectural assets in a state of decay or even in ruins. It is our duty to restore, safeguard and protect these assets and to see that they are used by the greatest number of persons for the good of society as a whole.

The idea of an architectural and archaeological asset brings together two distinct concepts: the first is that of 'total conservation'. For example it is impossible to restore or conserve an historic monument in a given place and to destroy the minor buildings which also form part of the same place.

The other concept concerns human needs and the environment. To save a monument while destroying its natural surroundings would be a hypocritical form of conservation. For example, it would be absurd and criminal to restore a town house or villa while cutting them off from the historic grounds with which they were created.

In many cases groups of buildings, temples or historic sites constituting a harmonious whole with their surroundings have been ruined by the hideous buildings of invading suburbs or are being attacked and progressively disfigured by the pollution created by our civilization of industry and machines.

To restore monuments attacked by pollution, and also to prevent such pollution in the first place, we must find out more about the causes and processes of the sulphation of limestone, marble and brick. Detailed research in this field should be carried out at Community level by the Commission; fundamental (e.g. microbiological) research would thus be encouraged at European level and would find broader and more profitable applications in the protection of architectural assets.

Nor should it be forgotten that some modern buildings - even though they are not always universally considered to be architectural and archaeological assets - will in the not-too-distant future become part of the architectural heritage handed down by our century. The problem of maintenance is as relevant for these new buildings as it is for old ones since it is better to preserve today than restore tomorrow.

The subject of the protection of the architectural heritage automatically leads on to the problem of town planning in our historic towns, their social rehabilitation and the social environment<sup>1</sup>. Historically, the town was the natural and generally, though not exclusively, preferred centre where architecture of a high historical and cultural value developed.

The destruction of our towns in the second world war had a big effect on the urban architectural and archaeological heritage. To compound the serious mistakes made before the war<sup>2</sup>, faults were made in the reconstruction work as planners often took the war damage as a pretext for the further destruction and alteration of the urban fabric of the towns.

Added to this there were serious town planning programming errors and speculation which, while claiming to restore or revive, in fact gutted mansions and historic houses and converted them into luxury apartments - with the local authorities turning a blind eye or even lending their assistance - for the benefit of the wealthy few or the prestigious head office of privileged undertakings in the tertiary sector, thereby helping to empty the town of its inhabitants.

This lack of feeling in town planning for culture and humanism has in many cases transformed our historic town centres into a jungle of tertiary sector buildings whose natural inhabitants have been forced to move out into hideous suburbs which lack all kinds of basic urban amenities.

This unending cancer of suburban growth and the 'tertiarisation' of historic city centres or at best their conversion into ghost towns represents a shameful example of a development which we must remedy if it is still possible.

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<sup>1</sup> See the Architectural Heritage Charter and the Amsterdam Declaration.

<sup>2</sup> For example the destruction in Rome of the mediaeval township surrounding St. Peter's Square to build the 'via della Conciliazione' bordered by new and sham period houses or the work on the 'via dei Fori imperiali' which buried archaeological remains and spoiled this incomparable site.

It should not be overlooked, however, that increased awareness on the part of authorities and citizens alike in the last few years has led to greater care in restructuring. Successful examples of renovation of old town centres, where the buildings restored were put to a harmonious blend of individual, public and private sector uses, are also to be welcomed.

In the past the city was the expression - etymologically too - of civilization and citizenship; but many cities have become, both externally and internally, a reflection of **social planning errors, mistaken choices of cultural models and a lack of civic sense.** Instead of **developing towns as the natural centres for harmonious relations between cultural, economic and social elements, architecture and town planning have together wrought a profound alteration if not the complete destruction of their social fabric.**

The town has ended up reflecting the political, social and economic contradictions of our modern society; it should be reconceived on the model of the towns of the past. Especially as regards its architecture, we should strive for the complete preservation of its historical monuments bearing in mind the social value of the utilization of the recovered assets.

As the situation varies from one country to another and sometimes from region to region within the same country, it is difficult - and would be outside the scope of this report - to offer standard solutions.

To take one country as an example, one could cite the difference in the historic centres of cities such as Milan, Palermo and Naples. Milan is a typical example of the city whose historic centre has been 'tertiarized'. The well-to-do people of Palermo have preferred to move to residential districts outside the city centre rather than live in abandoned town houses and ensuring their survival by maintaining and restoring them. The unaffected inhabitants of Naples still live in the town centre, in the 'Spanish quarters' where the social and economic fabric of the 'Vicoli' is still largely intact. But this harmonious architectural heritage is in such a state of disrepair - aggravated by the earthquake - that one must fear for its collapse or even demolition by speculators.

Your rapporteur has cited the example of a number of Italian towns since they present a symptomatic picture of the 'pathology' of our towns. The arguments would be the same if we took Brussels instead of Milan, or cited Metz or Nancy ... The old Latin saying 'Quod non fecerunt Barbari, fecerunt Barberiri' still holds good today.

All these different situations call for integrated aid from the State, local authorities and also private bodies, with the assistance and support of international organizations such as UNESCO and of course our Community and its Member States<sup>1</sup>.

4. The task of the European Parliament and the Community in this field

Your rapporteur has asked himself what, in a report on such a broad subject, the European Parliament can and should say and more generally what the Community as such and in particular its institutions and its Member States can and should do?

It would be wrong and misleading on this question to convey to the public the impression that the Community could use its resources and powers or, worse still, draw on its budget to resolve the problem of how to protect the architectural and archaeological heritage.

A hundred Community budgets devoted solely to the restoration and protection of architectural assets would not be enough. What Parliament can do however is to assert its political and moral authority and use its prestige in the eyes of the public which elected it, and also to ask the Commission and the governments of the Member States, if they have not already done so, to take a number of legislative and administrative measures. Together these measures should provide the framework of a genuine preservation policy worthy of the Community in the context of Community activities in the cultural sector outlined by the Commission in its communication to the Council in 1977 and mentioned by Commission President THORN in his speech to our committee of 25 November 1981 (see PE 76.244):

- Given the dilapidated state of many historic monuments and the dangers to which they are exposed from atmospheric conditions, e.g. exhaust fumes, traffic planning, etc., a list should be drawn up in each country - if this has not been done already - of single works and groups of works of architectural value which are to be preserved. The monuments scheduled on this list would be notified to the European Communities and could not then be demolished or radically altered except with the agreement of the authorities responsible for the protection of architectural works. These lists should be drawn up immediately in order to prevent the disappearance of cultural assets which are at present being destroyed.

<sup>1</sup> In his speech to the committee in Sorrento on 20 October 1981, Mr SCOTTI, the Italian Minister for Cultural Assets, mentioned particularly the programme of the Italian authorities for the recovery of the architectural heritage affected by the earthquake (see PE 76.243/Ann.)

- In each country responsibility for the protection of architectural objects should be clearly defined. The final decision should rest with a ministry in view of the frequent conflicts of interests observed at local and regional levels.
- Whenever planning impinges on monuments or groups of buildings scheduled for preservation, the authorities responsible for the protection of architectural works must be able to intervene in good time, i.e. before decisions are taken.
- The local, regional and national authorities are directly responsible for the protection, safeguarding and restoration of monuments. The European Parliament expressly appeals to them to take action to save and protect the architectural and archaeological heritage. The responsibility for this action should be shared by all these authorities according to the circumstances and the resources available and in proportion to the importance of any given monument. For certain large-scale projects contributions should come from the international community as was the case with the temples of Abu Simbel, Venice and the Acropolis in Athens. In this connection Parliament must warmly commend organizations such as UNESCO and the Council of Europe for promoting such campaigns and also making their own contribution in the form of preparatory consideration and studies. Mention should also be made of the European architectural heritage congress held in Brussels in March 1980 under the joint aegis of the Council of Europe and the Commission of the European Communities and organized by 'Europe Nostra' which introduced an entirely new and valuable assessment of the problem;

The European Parliament should also propose that the Community undertake the following tasks:

- (a) - alongside the present Regional and Social Funds, the European Parliament must call for the creation of a European Fund for historical monuments and sites as part of the Community budget. The need for such a Fund was recognised in the report by Lady Elles on the protection of Europe's cultural heritage, which was adopted on 13 May 1974, and reiterated during the European Parliament's debate on 17 January 1979 on Mr Amadei's report on Community action in the cultural sector. The need is all the greater in view of the fact that the Regional or Social Funds, the Ortolini facility and the EAGGF do not have the financial resources required.
- (b) - as a symbolic gesture by the European Community, the European Parliament could support, with a substantial sum from the Community budget, the restoration of one historic monument per year in turn in each Member State of the Community;

- (c) - the European Parliament should also recommend calling on international aid for the protection of monuments selected in the meantime by the Community from a list to be compiled of European architectural works of exceptional universal value following the lead given by UNESCO for the world as a whole. This work should be based on contributions from the Member States such as they undertook to make on a more general level in signing the 1972 UNESCO international convention on the protection of the world's natural and cultural heritage. Certain responsibilities in this connection could be entrusted to the Commission of the European Communities;
- (d) - any Community financial contribution to conservation should be purely complementary in nature, such subsidies presupposing prior initiatives at the national, regional or local level;
- (e) - the Commission of the Communities should carry out a study which would help national and local authorities to assess easily and with certainty the costs and benefits of any preservation project they are contemplating;
- (f) - that Member States should adopt, and coordinate at Community level, fiscal and other measures to encourage patronage of the arts with a view to the preservation and restoration of architectural and archaeological works; one can only deplore the virtual disappearance in our day of patronage of the arts. Firms and private individuals prefer to link their name with the sponsoring of sports teams and hardly ever consider making a contribution to cultural activities. Here there is no doubt a lacuna to be filled and this will be all the easier if coordinated measures are taken at Community level, for instance to improve national laws governing foundations.

5. The proposals put forward by the Brussels Congress on the protection of the architectural and archaeological heritage. Privately-owned works of architectural or archaeological value; tax problems related to historic buildings.

The 1980 Brussels Congress on the protection of architectural heritage proposed the following measures to help maintain and preserve historic houses:

1. Tax relief should be granted in respect of estate duty, wealth tax, gift tax and capital gains tax on the following assets:
  - (a) buildings which the governments of the Member States consider to have a historical and architectural value, including adjacent land necessary to preserve their character and privileged situation;
  - (b) pictures, engravings, books, manuscripts, works of art, scientific or other collections, and non-lucrative objects which belong to the house;
  - (c) plots of land of exceptional interest from the point of view of landscape or for historical or scientific reasons;
  - (d) assets intended to constitute a source of revenue for the maintenance of the above assets.

The public must be given a reasonable measure of access to the property concerned, and appropriate measures be taken to maintain, repair and preserve the property and in the case of land to preserve the character of the landscape.

2. Income tax relief should be granted if the property and adjacent land come under 1(a), (b) or (c) above and the conditions regarding access and maintenance are fulfilled, and this in such a way that, for the purpose of establishing the basis for the assessment of income tax, the sum of maintenance expenses, reduced where appropriate by a sum representing rent for private use, shall be deductible from the owner's revenue, whatever the source of such revenue.
3. More generous grants should be given for buildings and adjacent or other land as referred to in 1(a) and (c) above on condition that the public should have reasonable access to the property, having regard to major restoration and maintenance work, these grants not being taxable.

Professor I. Claeys Bouüaert<sup>1</sup>, in a paper presented to the committee on 28 January 1982, also examined certain aspects of the taxation of historic buildings, looking in particular at income tax, tax on capital assets and value-added tax.

#### 1. Income tax

The fact that a house is classified as a historic building indicates that there is public interest in preserving it. As a result the owner necessarily incurs costs (for upkeep and maintenance) which are higher than those required for a normal house. Thus the question is raised as to how far these costs can be deducted from the owner's total income (including income from other sources) for tax purposes. A number of precedents already exist: in the Netherlands and Italy a relatively limited tax relief is granted and in the United Kingdom there is the 'Maintenance Fund'. French law goes further and distinguishes between various categories in which up to 100% of the costs of maintaining and repairing historic buildings are tax-deductible from the owner's total income.

#### 2. Taxes on capital assets (estate duty and wealth tax)

It is important here to distinguish between the cultural value and the sale value of an asset and to avoid taxing that part of the asset which it is in the public interest to maintain and which may

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<sup>1</sup> Professor Claeys Bouüaert is the author of a study commissioned by the Commission of the European Communities on the taxation aspects of historic buildings.

benefit the general public. This applies in the case of a large number of buildings which are under protection orders and which are important tourist attractions. Attempts have been made to deal with this problem in the Netherlands, where various levels of tax relief (ranging from one-third to three-quarters) are granted by law, and in the United Kingdom, where 100% tax relief is granted, but only in very few cases. The most ambitious approach to this problem has been in Germany where a reduction in the value of the asset for tax purposes to 40% of its estimated value is permitted, provided it meets certain criteria relating to the general interest.

### 3. Value-added tax

The object here is to ensure that value-added tax is not added to the invoices for maintenance and repair which have to be paid by the owner, but which include costs incurred in the general interest because the building is a protected monument. No attempt has been made to tackle this problem. There are, however, a number of possible solutions, including granting tax relief in respect of the contractor's invoice or refunding the tax paid by the owner. One must be careful, however, that this kind of system does not result in a VAT exemption, thus breaking the sequence of VAT payments and leading to a loss of tax revenue.

The aim of these measures is not to create a privileged class of taxpayer, but to ensure that the tax burden on those who take on responsibilities which reduce their revenue-raising power, but which benefit the general public, is a fair one.

The European Parliament should support these measures and, in particular, ask the Commission to draw up directives for the tax arrangements referred to in this section

### 6. The role of the European Investment Bank

In its resolution of 18 January 1979 the Parliament asked the European Investment Bank to grant conservation loans.

The Bank agreed in principle to such loans provided they satisfied its own economic and social criteria for eligibility.

For each of the projects referred to it the Bank will have to assess the possible economic and social impact, in particular regarding the creation of employment, for example in the tourism sector.

It should be noted that the Bank has also agreed to take into consideration conservation projects corresponding to the terms of Article 130(c) of the EEC Treaty: 'projects of common interest to several Member States which are of such a size or nature that they cannot be entirely financed by the various means available in the individual Member States.'

Clearly sub-paragraph (c) will apply only in exceptional cases. Nonetheless it is very gratifying to know that such support should be available for the preservation of a group of buildings or single monument which, by reason of its uniqueness or beauty, is of permanent importance to Europe and whose decay would represent a serious loss for the Community as a whole. One naturally thinks of Venice... or the Acropolis.

The European Parliament's attention has also been directed to individual monuments, such as the Trulli in the Puglia region, the historic buildings of Orvieto, Todi and Lucca, the archaeological sites of Skyllation and Eleusis and the Bronze Age sites in the Netherlands.

The Bank's interest rates are lower than those prevailing on the capital market.

But they are still too high for preservation work. A restored monument will not produce the same kind of return (and consequently the means of repayment) as the construction or enlargement of a factory.

#### 7. The restoration of the architectural and archaeological heritage and job creation

It should again be underlined that, above and beyond its evident cultural and historical objective, the restoration of the architectural heritage embraces a social component which, although difficult to pin down precisely, is of particularly great importance during a period of unemployment. Indeed, the restoration of historic monuments and sites cannot be seen simply as a financial burden and a profligate use of funds - which could be used more effectively elsewhere - for activities which may seem at first sight to be more profitable. It must be remembered that the preservation of the architectural heritage is a source of employment and represents a sometimes vital support for firms and industries which would otherwise collapse. It also makes it possible to combat the abandonment of certain rural areas, there being many people who are prepared to live in the country if they are given the means to do so.

Often the restoration of historic monuments and sites means initiating large projects. Workers have to be taken on and orders given to businesses (architects, masons, carpenters, stone quarries, etc.). It would be a good thing for local industry to be involved as much as possible so that the restoration work is integrated into the economic life of the place where the monument is situated. The conservation of the architectural heritage also makes it possible to a large extent to give a boost to professions and crafts which are on the point of disappearing along with their ancient traditions and secret specifications. But this is not simply a return to the past: conservation also requires high-level technologies as can be seen from the restoration of pictures and frescoes. It should also be remembered that the preservation of the architectural heritage also calls on non-energy-consuming techniques.

Once restoration has been completed, the maintenance and use of the restored premises generates a variety of activities, particularly in the tertiary sector, such as the reception of visitors, the organization of exhibitions and conferences, etc.

Some of these economic effects are easy to quantify: one can, for example, put a figure to the number of jobs directly created by such work. But it is more difficult to assess the number of 'tourist' jobs which would be created. Finally, there are benefits which cannot be foreseen with any clarity.

Within the context of the policy of exchanges for young workers and students, particular attention should be given to exchange opportunities centred on restoration projects and to exchanges between training establishments for restoration workers.

The Commission and the Council should act quickly to support occupational training courses and establishments of higher education which concentrate on the preservation of the architectural and archaeological heritage by ensuring that the diplomas and qualifications obtained from such courses are recognized throughout the Community, so as to provide a basis for the free movement of those employed in this sector.

It is also necessary, as pointed out by Mr BIASINI, the Italian Minister for the Cultural Assets and the Environment<sup>1</sup>, to formulate a common strategy for projects to save the architectural and archaeological heritage. In his view, there is a need not only for the harmonization of the different bodies of legislation and municipal regulations but also of the financing regulations and financial estimates. This would guarantee efficient management and would create a common market of specialized firms drawn from the liberal professions (architects, art historians and town planners), the crafts and skilled labour, from which every State could benefit.

For the moment, Community action could take the form of increased financial support for institutions providing training in the specialized field of the protection of architectural works, and in particular: the 'Centre d'Etudes Nucléaires' (Centre for Nuclear Studies) in Grenoble, the 'Centre d'Etudes pour la conservation du patrimoine urbain et architectural' (Centre for urban and architectural heritage preservation studies) at the Louvain Catholic University, the architectural conservation course at the international study centre for the preservation and restoration of cultural works in Rome, the European Centre for the training of craftsmen for the conservation of the architectural heritage, in Venice and the course for head gardeners for historical parks and gardens, in Munich and the Hellenic Institute for Byzantine and post-Byzantine studies in Venice. Other training establishments which might be considered worthy of support are the Greek Society for Archaeology in Athens and the Centre for further training in crafts and the preservation of monuments at Johannesburg/Fulda.

<sup>1</sup> Summary of speech by Mr Oddo BIASINI, Italian Minister for Cultural Assets and the Environment, Notice to Members, PE 73.437, 2 June 1981

Mention should be made in this connection of the EEC Council Resolution of 17 May 1977 on the continuation and implementation of a European Community policy and action programme on the environment<sup>1</sup>. This stresses the shortage of qualified personnel in the field of the conservation of historic monuments and states that 'training programmes for specialists are needed although not always justified on a purely national basis. Co-ordination and stimulation of such programmes at Community level could improve results.'

Furthermore, in order to give maximum support to restoration efforts, the Social Fund should finance programmes alternating training and work experience which coordinate specific projects at local level for the restoration of particularly significant buildings and thereby create new jobs.

#### 8. Cultural tourism and regional development

The very rich architectural and archaeological heritage of the Community is attracting increasing numbers of tourists. Tourism is a source of cultural enrichment, since it fosters contacts, and provides an opportunity to see other ways of life and local customs; it also generates economic benefits including the development of infrastructure facilities and the creation of service employment. At the same time 'tourism for tourism's sake' can be a danger to the historic sites and monuments which are to be protected. For this reason the kind of tourism desired and the limits to be imposed should be defined.

The conservation and exploitation of both the urban and rural architectural and archaeological heritage tends to decentralize tourism. Thus, apart from the very well-known historic sites which have always attracted and will continue to attract large numbers of people, particularly in the summer, we are witnessing the growth of a new form of tourism which aims to combine the requisite leisure with cultural curiosity. This new demand could give rise to particularly dynamic developments in the field of the conservation of the architectural heritage and particularly in the economically backward areas, most of which have some treasures to offer. Therefore, any public or private initiative to boost the cultural prestige of the countries of the Community should be supported.

The dangers of unbridled development of this kind of tourism should also be noted. Hotel construction may impair a historic site, motorways and car parks can disfigure the area around a historic monument. Even courageous and well-intentioned plans may, for lack of ability or proper counsel, be the cause of irremediable errors in the restoration work.

Historic buildings that are no longer used should be given a new role in the service of modern man; they must be restored in a way which reconciles both present-day requirements and the need to protect historic monuments.

<sup>1</sup> OJ No. C 139, 13.6.1977, p.24

These problems, which are mainly linked to the rapid development of the tourism industry, are aggravated by the frequent absence of overall long-term planning. There is therefore also an urgent need in this field for the Commission to take steps to coordinate the activities undertaken by the individual Member States. The Community Funds, and particularly the Regional Fund, the Social Fund and the EAGGF (for rural tourism) should also support the development of tourism. In this respect, a Council Regulation of 7 October 1980 instituting a specific Community regional development measure contributing to the development of certain French and Italian regions in the context of Community enlargement<sup>1</sup> expressly provides for specific Regional Fund activities to promote rural tourism, stating that provisions should be made for the 'provision of facilities and infrastructure directly linked to the development of tourism, including recreational activities and cultural activities'.

We should however go even further on the basis of projects such as that presented by Mr SCOTTI, Italian Minister for Cultural Assets, to the Committee on Youth, Culture, Education, Information and Sport<sup>2</sup>. The Italian Government is working out a project for the Mezzogiorno region combining the restoration of the architectural and archaeological heritage and important historical sites with their exploitation for the development of tourism in this region, by opening up tourist routes that link the major areas of cultural interest of the Community. There are major tourist circuits: Greece, the circuit linking the worlds of Homer and Virgil, the Norman-Swabian circuit, the Baroque Capitals, and the Romanesque churches of the Poitou-Charente area... Circuits of this kind should be eligible for support from the various Community funds.

#### 9. Public relations

There is a need to provide the public in the Member States with systematic and regular information on the problems of protecting historic monuments, and close cooperation with the Council of Europe is to be recommended. This public relations effort should be directed at:

- experts in the protection of monuments
- officials at local and regional level
- the public at large
- young people, especially in schools.

The architectural and archaeological heritage is one of the foundations of European cultural identity<sup>3</sup>. The architectural and

<sup>1</sup> OJ No. L 271, 15.10.1980

<sup>2</sup> Speech by Mr Scotti - Notice to Members - PE 76.243, 3 December 1981

<sup>3</sup> The Council and the representatives of the Governments of the Member States acknowledge, in their Resolution of 17 May 1977 on the continuation and implementation of a European Community policy and action programme on the environment that 'our architectural and natural heritage is a "non-renewable" resource of the Community, an important element in its environment and the major physical manifestation of the cultural and historical identity of Europe'.

archaeological monuments left to us by the past must play a part in the awareness, especially of young people, of our European identity. Young people from every country already come together every year at these monuments to further their history or geography studies. Particular encouragement should be given to voluntary restoration work involving young people, like the exemplary 'Europa Nostra' scheme.

It is also vital that school textbooks should emphasize this wealth of architecture so that even the youngest children will learn to take pleasure in getting to know and in preserving the Community's cultural heritage.

#### CONCLUDING POINTS

Your rapporteur is aware of the fact that this paper presents a far from exhaustive treatment of the vast theme of the architectural heritage and its conservation. For a more detailed analysis reference is made to the many existing documents and studies, in particular those of the Council of Europe, UNESCO and the Commission of the European Communities<sup>1</sup>.

The main aim of this report, in line with the instructions received from the Committee on Culture, is to sketch the main lines of Community action which the Member States, local authorities, the Community and its institutions could carry out in this field.

There is a long way to go before a genuine overall policy worthy of the name is formulated and produces results concomitant with the task. But time and public opinion in our countries seem to be ripe for a large-scale project of this kind.

One proof of this is the entry by the European Parliament - at the request of our committee - of an appropriation, albeit a small one, for the restoration of architectural assets in the general budget of the European Communities for 1982.

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For example, see 'The Rural Architectural Heritage' by Mr SCHWENCKE, 1979 Council of Europe Doc. 4421; 'Les Communautés européennes et la sauvegarde du patrimoine architectural - Analyses et propositions' by Professor R. M. LEMAIRE, 1980 and 'Problèmes Fiscaux des maisons historiques dans les Etats de la CEE' by Professor I. CLAYES-BOUUAERT. 'The conservation of cultural property, museums and monuments XI, UNESCO 1979; The man-made landscape, museums and monuments XVI, UNESCO 1977 'La Convention du patrimoine mondial' UNESCO 1981; 'Man and his environment, an overview of UNESCO's involvement', UNESCO 1979.

What is at stake here seems to go far beyond the saving of architectural and archaeological assets and to concern more general and profound issues of our modern society.

This report has thrown light on the close links between the saving of architectural and archaeological assets and other problems with which we are confronted - life in our towns and the relationship between our work and leisure which has to be reviewed on the basis of new criteria (economic, social and political). In this connection, we would stress that conservation of our cultural wealth, of which the architectural and archaeological heritage is a major part, represents not so much an expense as an investment. Indeed it has become clear that we must rethink our concept of civilization in this period prior to the 21st century.

This rethinking is inevitable and the experience today of the heritage of the past can provide us with a valuable way of adding a cultural factor to our human, social and political relationships.

The younger generation who will be taking over from us in the future as the guardians of the public interest must be offered a new cultural concept of work and its social environment, based on humanism and the cultural heritage of this Europe in which we have our roots but which we all too often ignore.

In the shorter term we must endow our Community enterprise, born of the integration of economic factors, with more attractive energy and ideals which will win over young people and fill them with enthusiasm, and offer them, in an international spirit, concrete and tangible proof of a solidarity and common destiny which we all already share to such a large extent.

# European Communities

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## EUROPEAN PARLIAMENT

# Working Documents

1980 - 1981

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6 November 1980

DOCUMENT 1-566/80

**MOTION FOR A RESOLUTION**

tabled by Mr CARIGLIA

pursuant to Rule 25 of the Rules of Procedure

on the financing of a project to renovate,  
improve and protect the Trulli in the region  
of Puglia

The European Parliament,

- whereas the protection of the Trulli has been declared to be of vital cultural interest and is also essential for the economic development of the Puglia region,
  - whereas, as a result of the inertia of the owners or the enforced abandonment of buildings and farms because of emigration, a lack of action is jeopardizing the overall renovation of sections or unified examples of these monuments,
  - having regard to the proposal by the inter-provincial Consortium of the territory of the Trulli and Grotte to renovate the architectural heritage of the region and to make appropriate provision for the development of tourism which would have favourable repercussions on the local economy, through integration with agricultural and craft activities,
  - having regard to the inadequacy of the credits allocated by the region of Puglia for measures to acquire, restore and conserve the Trulli,
1. Requests the European Community to provide financial support for the implementation of the project to restore the Trulli existing in the Puglia region;
  2. Instructs its President to forward this resolution to the Council and Commission.

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EUROPEAN PARLIAMENT

Working Documents

1980 - 1981

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6 February 1981

DOCUMENT 1-876/80

MOTION FOR A RESOLUTION

tabled by Mr ALMIRANTE, Mr ROMUALDI,  
Mr BUTTAFUOCO and Mr PETRONIO

pursuant to Rule 25 of the Rules of Procedure

on the archeological excavations at Skylletion

The European Parliament,

- considering that the excavations in the area of the ancient Graeco-Roman city of Skyllition, at Roccelletta in the commune of Borgia (Catanzaro) have led to the discovery and identification of a large number of monumental structures including a Roman theatre, an amphitheatre, a capitol, a mausoleum and baths, as well as Norman ruins such as the abbey of Santa Maria della Roccelletta, all remains of a period of history stretching in an unbroken line from the fifth century to the eleventh century AD,
- noting, therefore, the need for further systematic intensification of research to complete the excavations, to make the best possible use of this area and to create an archeological park which the public can freely enjoy,
- noting that to implement such work, whose main aim is the recovery of an immensely valuable cultural heritage, which if no action is taken could deteriorate beyond repair, it is necessary to make special financial provisions as quickly as possible,

Instructs its President to forward this resolution to the competent Community bodies whom this project may concern.

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EUROPEAN PARLIAMENT

Working Documents

1980 - 1981

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12 February 1981

DOCUMENT 1-9.2/80

MOTION FOR A RESOLUTION

tabled by Mr FILIPPI, Mr PEDINI, Mr GONELLA, Mr NARDUCCI,  
Mr DEL DUCA, Mr MACARIO, Mr ADONNINO, Mrs CASSANMAGNAGG CERRETTI,  
Mr LIGIOS, Mr BARBAGLI, Mr SASSANO, Mr GIAVAZZI, Mr GI IMMARCO,  
Mr GHERGO, Mr COLLESELLI, Mr BARBI and Mr ANTONIOZZI

pursuant to Rule 25 of the Rules of Procedure

on safeguarding the historical and artistic centres  
of Orvieto and Todi

The European Parliament,

- having regard to the fact that many Italian historical and artistic centres seem to be increasingly at risk from an ecological point of view and that irreparable damage may thus be done to a cultural and human heritage of very great value,
- whereas the two important towns of Orvieto and Todi are faced with serious threats of this kind and whereas, in particular, the tufa rock on which the ancient town of Orvieto rests is slowly crumbling because of corrosion caused by water seepage thus seriously endangering this historic centre,
- concerned that there may be many more instances of this kind of deterioration than the two in question, thus threatening to damage for ever the artistic heritage of Europe,

1. Considers that:

- the appropriate Community authorities should examine as soon as possible the problems posed by this very grave situation;
- the same authorities should immediately set about listing all those instances of ecological deterioration which may have particularly harmful consequences for the artistic and cultural heritage of Europe;
- the possibility of using the resources of the European Regional Development Fund to tackle the most serious cases - such as Orvieto and Todi - which threaten to undermine the economic prospects and tourist potential of the areas concerned should be considered as a matter of urgency;
- a general plan of action should be drawn up at Community level to cope with the increasing prevalence of such cases;

2. Calls on the Commission to find the necessary monies to carry out the above measures from the appropriate chapters of the budget;

3. Instructs its President to forward this resolution to the Council and Commission.

## EUROPEAN PARLIAMENT

## Working Documents

1981 - 1982

18 March 1981

DOCUMENT 1-52/81

## MOTION FOR A RESOLUTION

tabled by Mr LEZZI, Mr PEDINI, Mr ARFE',  
Mr BARBI, Mrs CASTELLINA, Mr COHEN, Mr DIANA,  
Mr FERRI, Mr GLINNE, Mrs MACCIOCCHI, Mr MARTINET,  
Mr PANNELLA, Mr PAPAPIETRO, Mr PESMAZOGLOU,  
Mr PISANI, Mr PULETTI, Mr RUFFOLO, Mr RADOUX,  
Mr SPINELLI, Mrs WIECZOREK-ZEUL and Mr CARIGLIA

pursuant to Rule 25 of the Rules of Procedure

on saving the cultural and architectural heritage  
of the Campania and Basilicata regions, which were  
hit by the earthquake

The European Parliament,

- whereas the serious damage caused by the earthquake has affected the outstanding cultural and architectural heritage of the southern Italian regions of Campania and Basilicata, consisting of historic centres and monuments;
- whereas it is a matter of urgency to save this heritage in full, since it constitutes a supreme testimony to civilization, a relic of the past which must be preserved and a necessary element of continuity in the social and economic rehabilitation of the local population which has been severely hit;

Requests the Commission and Council to support and encourage the Italian Government in its commitment to carry out the work necessary to save this heritage and to make every effort to ensure that adequate financial resources are allocated to this end.

EUROPEAN PARLIAMENT

Working Documents

1981 - 1982

3 July 1981

DOCUMENT 1-363/81

MOTION FOR A RESOLUTION

tabled by Mrs WEBER, Mr NIKOLAOU, Mr PLASKOVITIS,  
Mrs VIEHOFF, Mrs SEIBEL-EMMERLING, Mr GEORGIADIS,  
Mrs KROUWEL-VLAM, Mr MUNTINGH, Mr COLLINS,  
Mr ENRIGHT, Mr KEY, Mr SCHWENCKE, Mr WAGNER  
and Mr SCHMID

pursuant to Rule 47 of the Rules of Procedure

on environmental damage in Eleusis and the destruction  
of ancient archeological sites

The European Parliament,

- having regard to the unique artistic and historical value of the ancient archeological site of Eleusis,
  - having regard to the steadily increasing threat to the health of the population as a result of the ever-rising number of industrial plants, which are destroying the environment by their production activities,
  - having regard to the fact that the classical archeological site is being eroded year after year by the unbridled expansion of cement factories and that irreparable damage is therefore being caused by the destruction of these ancient sites,
  - having regard to similar serious problems in other areas of Greece,
1. Calls on the competent committees to look into the above problems without delay and to put forward proposals to reduce the risks to the health of the population of Eleusis and conserve the ancient sites;
  2. Calls on the Commission to take immediate administrative and financial action to prevent further damage as far as possible;
  3. Instructs its President to forward this resolution to the Commission.

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EUROPEAN PARLIAMENT

Working Documents

1981 - 1982

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17 SEPTEMBER 1981

DOCUMENT 1-504/81

MOTION FOR A RESOLUTION

tabled by Mr ROMUALDI, Mr ALMIRANTE,  
Mr BUTTAFUOCO and Mr PETRONIO

pursuant, to Rule 47 of the Rules  
of Procedure

on measures to preserve the walls of Lucca

The European Parliament.

- whereas the walls of Lucca are an important feat of engineering begun at the end of the second century AD and are almost unique,
- whereas they constitute an extremely valuable asset and form part of the artistic and cultural heritage,
- whereas they have also prevented the unbridled urban development of Lucca,
- having regard to the risk of deterioration due to natural causes such as bad weather and subsidence as a result of erosion caused by thermal expansion,
- whereas the deterioration process tends to become irreversible.

Calls on the Community to intervene immediately and provide the aid and resources needed to preserve this symbol of the common heritage of European civilization.

Instructs its President to forward this motion for a resolution to the competent authorities.

EUROPEAN PARLIAMENT

# Working Documents

1981 - 1982

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November 1981

DOCUMENT 1-680/81

MOTION FOR A RESOLUTION

tabled by Mr J. VANDEMEULEBROUCKE

pursuant to Rule 47 of the Rules of Procedure

on the protection of valuable Bronze Age sites  
in the Netherlands

The European Parliament,

- referring to the need to ensure the fullest possible protection of archeological sites as an outstanding record of our civilization,
  - drawing attention to the Boshoverheide in the Netherlands, a large area of moorland situated between Budel and Weert in the Netherlands and the Belgian-Limburg border, where extremely important Bronze Age sites containing burial urns and burial mounds are to be found,
  - noting that the Dutch government has designated the Boshoverheide as a military exercise area and intends to permit further exercises to take place there,
  - noting that the military exercises carried out on the Boshoverheide, particularly those by the German forces stationed in Budel, are the cause of many infringements of Dutch law on the preservation of monuments, and that in many cases recognized areas of archeological importance are being irreparably damaged or destroyed,
1. Considers that there is an urgent need for the appropriate Community services to investigate this serious situation as soon as possible;
  2. Calls on the Commission and the Council to press the Dutch and German governments to take steps to ensure that the unique urn fields and burial mounds of the Boshoverheide are more securely protected;
  3. Instructs its President to forward this resolution to the Council and the Commission of the European Communities.

# European Communities

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EUROPEAN PARLIAMENT

# Working Documents

1981 - 1982

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1 October 1981

DOCUMENT 1-557/81

MOTION FOR A RESOLUTION  
tabled by Mr BEYER DE RYKE

for entry in the register  
pursuant to Rule 49 of the Rules of Procedure

on the need for European action to protect the  
site and buildings of the Acropolis of Athens

The European Parliament,

- considering the continuing deterioration of the buildings and site of the Acropolis of Athens,
  - having regard to the major conservation and protection effort hitherto undertaken by the Greek state,
  - considering the appeal launched by UNESCO for aid in conserving the Acropolis,
  - considering, moreover, the historical importance for the cultural inheritance of humanity and the political importance for the idea of democracy that these historic buildings represent in the eyes of the citizens of the EEC,
  - having regard to the report by the Committee on Youth, Culture, Education, Information and Sport (PE 73.257),
1. Congratulates the Greek government on the major efforts undertaken to conserve and protect the buildings and site of the Acropolis of Athens;
  2. Hopes that the UNESCO appeal for protective action will be more widely disseminated to all member countries of the UNO and among all those concerned with such action;
  3. Asks for specific action to be taken by the governments of the EEC Member States through their appropriate departments in the fields of scientific research, culture and education;
  4. Asks the Commission, with the cooperation of the Member States, to provide, as a research project priority, appropriations for a study of the deterioration of the Acropolis marble;
  5. Asks the Commission, with the cooperation of the Member States, to initiate an information campaign on the site and buildings of the Acropolis and the need to protect them aimed at educational establishments and young people;
  6. Calls on the citizens of the European Community to take note of the effort to conserve the Acropolis of Athens as the cradle of democracy and European civilization and the common heritage of Europe's peoples and societies;
  7. Instructs its President to forward this resolution to the Commission of the European Communities, the Council and the Governments of the Member States.

## Justification

The Acropolis of Athens is sick. No cure for its sickness has as yet been found. It is falling victim to the modern scourge of pollution and has no resistance to the strains of twentieth century living.

These are the opening words of a series of articles published in the Belgian press. After reading these articles I attended a Congress in Athens at the end of June. I saw the state to which this unique monument to our civilization has been reduced.

The deterioration of the Acropolis is an emotive subject; for it means that the symbol of our cultural heritage, the embodiment of Europe's entire history, is succumbing to the onslaught of technical progress.

The deterioration of the surface of the marble of the last remnants of Athenian democracy is heralded by the formation of a sugar-like layer on the stone that no modern technique is capable of combating at present levels of research.

Chemical phenomena are responsible for the deterioration of the site: motor vehicle and heating exhaust gases, pollution of the air by sulphuric acid. As a general rule, when the marble is attacked by the sulphurous concoction that passes for air, it assumes the consistency of plaster. The parts most exposed to the elements are deteriorating even more rapidly, in particular the Erechtheion.

Another cause of deterioration is the dust that pervades the atmosphere in the Greek capital; as it accumulates on the marble a soap-like substance is formed that causes swellings and cracks in the stone.

In view of the scale of the disaster, the Greek authorities have of course taken countermeasures. According to sources which I have been able to verify, Mr Dondas, Director of the Acropolis and Ephor-General of Antiquities, has organized a gigantic effort to protect the site and its buildings.

All the sculptures, including the Caryatides and the friezes from the West pediment of the Pantheon have been taken to a place of safety. All the iron brackets, used to secure the buildings and dating from the nineteenth century have been replaced by titanium brackets.

This work on the Erechtheion alone will entail erecting and dismantling concrete blocks until 1984. As to the stone itself, the deterioration of the marble appears to be irreversible; even the techniques developed in France and the USA are less than ideal, since they cannot halt the process of deterioration.

Such approaches as protecting the stone by applying a layer of transparent plastic have been rejected for budgetary and scientific reasons.

As you know, Athens was hit last February by an earthquake. The Pantheon was seriously shaken, and some of the temple pediments and architraves were moved.

The spectacle of the Pantheon and the Erechtheion surrounded by scaffolding, the sight of a crane that will start dismantling operations in the autumn, are both poignant and ridiculous at the same time.

I am told that there are 40 workmen on the site, supervised by 12 experts and technicians. The Director of the Acropolis stresses that the workmen have the same delicate touch as the masons of antiquity and are true artisans.

Needless to say, this work costs a lot of money. Mr Andrianopoulos, the Greek Minister for Culture, reassured us on the fate of the Acropolis. In 1979 a special committee to study the problems of the Acropolis was set up, and he also supervises a committee for the preservation of the buildings.

This scientific committee comprising archeologists and chemists is studying the problems of the work that needs to be done to conserve ancient buildings. The equivalent of Bfrs 113 million has been allocated to conservation work over a ten-year period.

President Karamanlis has authorized special aid equivalent to Bfrs 430 million to cover the complete programme of work to be carried out.

UNESCO has launched an appeal. The response, however, has been poor. UNESCO aid has hitherto been confined, for lack of funds, to financing specialized material and equipment and to setting up a laboratory to study the properties of marble and its conservation.

I understand that Greece has decided to join forces with countries such as Italy in seeking solutions to the problems of stone deterioration.

Anti-pollution measures (no more coaches or cars allowed in the vicinity, a ban on certain kinds of heating oil) have been taken.

Finally, it must be remembered that more than two million tourists visit the site every year.

Greece has been a member of the European Community and its institutions since 1 January 1981. I believe, as a member of the committee of the European Parliament responsible for cultural affairs, that it is doubly important for Parliament to act on the need to conserve the Acropolis.

Firstly, because it goes without saying that the European Parliament is a remote descendant of the Parliament of Athens, and the birthplace of democracy certainly merits the attention of the elected Members of the European Assembly.

And then because the site has a symbolic value in itself. In spite of economic and social difficulties, institutions survive in the thinking of civilizations and individuals. The Parthenon is unquestionably a part, together with other sites in Egypt or South America or, nearer home, in Rome, of the heritage, or rather, of the record of the Human Adventure. And we are responsible before Humanity.

And lastly because our solidarity and interest in conserving the Acropolis will also amount, on the political level, to a display of solidarity and interest in safeguarding and maintaining Greek democracy within the European Community.

That is why I propose that our committee should adopt a motion for a resolution with the aim of arousing public opinion in Europe to the need to protect the site and buildings of the Acropolis of Athens.

Opinion of the Legal Affairs Committee

Draftsman: Mrs M.L. Cinciari Rodano

On 5 November 1981 the Legal Affairs Committee was asked for an opinion.

On 25 November 1981 Mrs Cinciari Rodano was appointed draftsman.

At its meeting of 27 and 28 January 1982, the Legal Affairs Committee considered the draft opinion (PE 76.537) and approved the conclusions (cf. below) by 14 votes to 4 with one abstention.

A number of comments by the draftsmen on the draft report by Mr Hahn are attached.

Present: Mr Luster, first Vice-Chairman and acting Chairman;  
Mr Turner, Vice-Chairman; Mrs Cinciari Rodano, draftsman; Mrs Baduel-Glorioso (deputizing for Mr Chambeiron), Mr Dalziel, Mr D'Angelosante, Mr Fischbach, Mr Gontikas, Mr Goppel, Mr Malangré, Mr Megahy, Mr Poniridis, Mr Prout, Mr Schwencke (deputizing for Mr Ferri), Mr Sieglerschmidt, Mr Tyrrell, Mrs Vayssade, Mr Vetter and Mr Vié.

1. The Legal Affairs Committee agrees in principle with most of the suggestions put forward in the motion for a resolution in Mr Hahn's draft report.

2. In particular, it agrees with the proposal to set up a European Cultural Fund (see paragraph 1 of PE 73.257/rev.II) for the protection of the architectural heritage.

However, the Legal Affairs Committee feels that the scope of the fund should not be restricted to protecting Europe's architectural heritage; the Community should be asked to use the fund to finance worthwhile initiatives covering both cultural and environmental assets in the fullest sense of the term, including the protection, restoration and improvement of historical sites.

The Legal Affairs Committee also suggests that the motion for a resolution should call for greater involvement on the part of the Community (or the Social Fund) in training experts in restoration work, as this falls within the Community's field of competence.

3. The Legal Affairs Committee proposes Article 235 of the EEC Treaty, in conjunction with Article 2, as a suitable legal basis for a directive:

Article 235

'If action by the Community should prove necessary to attain, in the course of the operation of the common market, one of the objectives of the Community and this Treaty has not provided the necessary powers, the Council shall, acting unanimously on a proposal from the Commission and after consulting the Assembly, take the appropriate measures.'<sup>1</sup>

<sup>1</sup> See the statement by the Italian Minister, Mr Biasini, to the Committee on Youth, Culture, Education, Information and Sport on 19 May 1981 (PE 73.437/Ann.)

## COMMENTS OF THE DRAFTSMAN

1. The proposal that the Member States should compile lists of monuments to be protected (see paragraph 3 of Mr Hahn's draft report - PE 73.257/rev.II) appears a very useful one.

However, if the lists are also to be used as a basis for future Community action, it is absolutely essential that they be drafted on the basis of comparable criteria. The draftsman would therefore be strongly in favour of a Commission recommendation to the Member States laying down criteria to be used by the latter in compiling the lists.

2. The draftsman also considers that support should be given to the proposal (paragraph 13) that the European Parliament select each year an historic monument of exceptional and universal value with a view to financing its restoration, and the proposal in paragraph 21 drawing attention to the leading role which cultural initiatives may play in the economy of certain regions (for example, the Mezzogiorno) where tourism should be promoted more intensively not only because of its undeniable value as a source of knowledge and mutual esteem for the peoples of various countries, and thus in the final analysis as a way of promoting social progress and peace, but, above all, because it is a factor of prime economic importance for the development of certain regions.

3. Paragraph 15 of the draft motion for a resolution 'Asks the Commission to draw up a directive providing for tax arrangements for architectural works in the Member States - and particularly those in private ownership - which will enable the owners to restore and maintain them; these arrangements should encompass death duties, the granting of low-interest loans for restoration work, reduced VAT rates for supplies and services connected with preservation work, income tax, etc.'.

4. Tax concessions should be granted only if those concerned carry out the preservation or restoration work under the supervision of the authorities responsible in each Member State for the protection of cultural assets.

5. As regards the necessary legal basis for the proposed directive, the Community's objectives are set out in Article 2 of the EEC Treaty, which is why reference is made to Article 235 in conjunction with Article 2 of the EEC Treaty in paragraph 3 of the committee's opinion (cf. above), Article 2 reads:

'The Community shall have as its task, by establishing a common market and progressively approximating the economic policies of Member States, to promote throughout the Community a harmonious development of economic activities, a continuous and balanced expansion, an increase in stability, an accelerated raising of the standard of living and closer relations between the States belonging to it.'

Protecting the architectural heritage will undoubtedly contribute (see paragraph 2 above) to a 'continuous and balanced expansion' and will improve relations between the Member States of the Community.

6. As the speech made by President Thorn on 25 November 1981 to the Committee on Youth, Culture, Education, Information and Sport (see PE 76.244) shows, the Commission fully shares these views.

Furthermore, Foreign Ministers Genscher and Colombo have pointed to the importance of cultural cooperation for giving fresh impetus to political cooperation.

7. Consultation of the European Parliament on the one hand and unanimity in the Council on the other will provide the necessary guarantees that the approval of the representatives of the people will be sought and that the respective duties and responsibilities of the Community institutions and the Member States will be respected.

Opinion of the Committee on the Environment, Public Health  
and Consumer Protection

Draftsman: Mrs Squarcialupi

On 20 October 1981 the Committee on the Environment, Public Health and Consumer Protection appointed Mrs Squarcialupi draftsman of the opinion.

It considered the draft opinion at its meetings of 27 October and 9 November 1981 and at the latter meeting adopted it unanimously with two abstentions.

Present: Mr Collins, chairman; Mrs Weber, vice-chairman; Mrs Squarcialupi, draftsman; Mr Bombard, Mr Ghergo, Miss Hooper, Mrs Krouwel-Vlam, Mrs Lentz-Cornette, Mrs Maij-Weggen, Mrs Schleicher, Mrs Seibel-Emmerling and Mr Sherlock.

#### A. INTRODUCTION

The six resolutions contained in a report by the Committee on Youth, Culture, Education, Information and Sport on which the Committee on the Environment, Public Health and Consumer Protection was asked for an opinion have one common objective - the protection and restoration of monuments and artistic, historic and cultural treasures - even if the grounds for them are different:

1. in the case of the Trulli in Puglia (resolution tabled by Mr Cariglia - Doc. 1-566/80) emphasis was placed on the inertia of the owners, forced abandonment because of emigration, a lack of action and the inadequacy of the appropriations at present available;
2. in the case of the Graeco-Roman and Norman excavations in Skyllation (resolution tabled by Mr Almirante and others - Doc. 1-876/80) there was an urgent need to step up research and proceed with the full recovery of the site, a project which has been hampered by a lack of funds;
3. in the case of the towns of Orvieto and Todi in Umbria (resolution tabled by Mr Filippi and others - Doc. 1-912/80) requests were made for further action to combat the crumbling of the tufa rock which is being corroded by water seepage, and on which the two cities of incomparable historical, artistic and architectural interest rest;
4. in the case of the regions of Campania and Basilicata destroyed or damaged by the disastrous earthquake of 23 November 1980 (resolution tabled by Mr Lezzi and others - Doc. 1-52/81) it was pointed out that there was an urgent need to recover the cultural and architectural heritage of the region which, if lost, would seriously undermine the very sense of identity of the local population.
5. in the case of the archeological sites in Eleusis (resolution tabled by Mrs Weber and others - Doc. 1-363/81) requests were made for immediate financial and administrative action to prevent further damage as far as possible;
6. in the case of the walls of Lucca (resolution tabled by Mr Romualdi and others - Doc. 1-504/81) requests were also made for Community aid to protect this important architectural work from further deterioration.

On the basis of these six specific cases of great cultural significance, it must be pointed out that the protection of the environment and our cultural treasures is a vital element in human progress. The land and environment, with its monuments and other cultural treasures, are valuable but, despite their number, finite assets which must be preserved if the general impoverishment and even destruction of the historical and physical identity of towns and villages is to be avoided.

European architecture is our common heritage and we must, therefore, give it equal protection in all the countries of Europe as it forms the background of daily life and hence a memorial of the history of the peoples of Europe.

#### B. MAN AND HIS ENVIRONMENT

According to the declaration issued at the United Nations' conference on the environment held in Stockholm in June 1972, man has a right to freedom, equality and satisfactory living conditions in an environment which permits him to live with dignity and in well-being. Moreover, man is duty-bound to preserve and improve the environment for future generations.

In the past, man nearly always succeeded in respecting the environment, making changes that were in harmony with it. Very often, urban developments made an improvement to the countryside by accentuating its natural features but above all, they blended in with all kinds of economic activity, including agriculture, fishing, the timber industry, craft industries and commerce.

#### C. DETERIORATION OF THE ENVIRONMENT AND OUR ARCHITECTURAL HERITAGE

Deterioration due to natural causes always poses an extremely serious threat to irreplaceable treasures, but even more to blame are external agents, both chemical, like air pollution, and physical, e.g. the effects of traffic; or the kind of demolition which assures property developers of large profits. Furthermore, it is especially difficult in Europe to make a distinction between our cultural and natural heritage, because high population density has, in fact, led to extensive overlapping of the two.

It will be readily perceived that the deterioration and pollution of our natural resources are due to the same causes as the damage and destruction of our cultural treasures. Decisions are therefore required to promote health protection and to preserve the environment, which often mean the same thing and are indeed absolutely vital to the survival of our architectural and cultural treasures.

## D. CULTURAL TREASURES AND DEVELOPMENT

Our cultural and environmental heritage is a valuable possession and, at the same time, an economic resource. If we are to rise above the argument "conservation-zero development", we must fully realize that our cultural heritage is not a stumbling-block to development or the debt we pay to history and to our need for roots and an identity, but that it is of profound social and economic importance for the well-being of our peoples. Historical and cultural assets as well as non-renewable natural resources should be properly utilized so as to bring about a new kind of development, catering for the need clearly felt by the vast majority of people for a sense of identity.

## E. CONCLUSIONS

The Committee on the Environment, Public Health and Consumer Protection requests that the committee responsible :

- a) reassert that the conservation of areas which are important for their architecture and monuments also entails the conservation of the surrounding environment. It is, therefore, essential to introduce effective measures to improve the quality of the environment in areas of architectural interest by building pedestrian precincts, providing for green areas, restricting advertising, improving the landscape, and also by eliminating the sources of pollution which, besides destroying the environment, are also detrimental to public health and our architectural heritage, as in the case of the horses on St. Mark's basilica and the Eretheion in Athens;
- b) support the idea that, for the improvement of the urban environment, there is a need to implement integrated policies, including the restoration of old buildings (which is less costly than the construction of new ones) and to allow residents to remain in their old districts with their traditional activities, while at the same time creating new jobs, social and cultural activities, an efficient transport system, and continuing to improve and safeguard the surrounding environment;
- c) recognize that such conservation and renewal policies require extensive funding but that they are, at the same time, the only possible means of coping with the many delicate economic and social problems that face us, including the moral degradation which often accompanies physical degradation, particularly in urban areas;

- d) support the urgent need to take into account the importance of the conservation of our architectural heritage in all stages of planning;
- e) ask the Commission to consider, on the basis of a study already carried out for the purpose:
  1. ways of reducing added value taxes on buildings destined to become part of our cultural heritage,
  2. financial contributions for the protection of monuments (those deemed to be in the public interest) in favour of consortia or public bodies willing to undertake such work,
  3. reduction of taxes, VAT in particular, on building materials used in restoration;
- f) make provision for the inclusion in the Social Fund of more adequate funds for the wider promotion and improvement of the training of personnel specializing in the safeguarding and restoration of our architectural and cultural heritage, and also in the listing of buildings of historical and artistic interest, the purpose being to conduct, as soon as possible, a Community-wide survey of buildings to be saved and restored;
- g) ask the Commission and Member States to support initiatives which create jobs for the safeguarding of architectural treasures, particularly for young people who are particularly affected by unemployment;
- h) reassert that, through the coordination of economic activities and production, ample scope should be given to the protection of the environment and of man's contribution to it;
- i) request aid from the Regional Fund insofar as the deterioration of areas of historical and artistic interest also compromises economic activity, particularly tourism, in those areas.

B.

EXPLANATORY STATEMENT

1. The Commission's proposal is based on the view that the dangers which may arise from the marketing and use of consumer goods justify a system for the rapid exchange of information in the Member States of the Community. Following further lengthy deliberations the majority of the committee have adopted this position, having originally taken the opposite view in its first report (Doc. 1-70/81).
2. In particular the committee took the view that the present informal system for the exchange of information between European countries through the OECD is inadequate, as demonstrated in Summer 1981 by the case of the toxic Spanish oil which caused numerous deaths.
3. The rapporteur, and some members of the committee, also considered that in addition to providing for the exchange of information, the system should guarantee that products shown to be dangerous were withdrawn from the market.
4. The rapporteur justified this proposal inter alia on the basis of the European Parliament's resolution of 15 October 1981<sup>1</sup> which (in relation to the Spanish oil scandal) stressed the need to develop a Community system by means of which products acknowledged as dangerous could be rapidly withdrawn from the market. However the rapporteur was unable to obtain majority support in the committee for this view. Her proposal was rejected on a tied vote (8/8). The proposal's opponents considered that the withdrawal of consumer goods and other appropriate measures should remain the responsibility of the Member States.

<sup>1</sup>OJ No. C 287 of 9.11.1981 (page 95)

4. Welcomes the Commission's statement that the implementation of this Decision will not require the setting up of new national or Community services; stresses, however, that it will be essential, immediately after the Decision has been adopted by the Council, for the Member States to inform the Commission as to which services are responsible for the transmission and receipt of information;
5. Assumes that exchanges of information within the Community will only take place after exhaustive investigations and on the basis of well-founded suspicions in acute and urgent cases; also assumes that exchanges of information will not be used to enable unfair competitors to gain an advantage over their rivals, and therefore welcomes the proposal that such information be kept confidential although, of course, the producers concerned should be notified;
6. Urges the Commission to ensure that this Decision is not wrongly used to serve protectionist ends, and requests it to report to Parliament should such a tendency emerge in practice;
7. Believes that protection against dangerous products should not be confined to consumers in the Community; therefore considers it necessary that the Commission should also make its findings on the hazards associated with products which are manufactured in the Community and/or exported available to the third countries concerned;
8. Calls on the Commission, pursuant to the second paragraph of Article 149 of the Treaty establishing the European Economic Community to incorporate the amendments adopted by Parliament in its proposal.

MOTION FOR A RESOLUTION

embodying the opinion of the European Parliament on the proposal from the Commission of the European Communities to the Council for a Decision introducing a Community system for the rapid exchange of information on dangers arising from the use of consumer products

The European Parliament,

- A. having regard to the proposal from the Commission of the European Communities to the Council (COM(79) 725 final)<sup>1</sup>,
- B. having been consulted by the Council (Doc. 1-632/79),
- C. having regard to the Decision of the Council of 23 July 1981<sup>2</sup> on the introduction of a Community information system on accidents resulting from the use of certain products,
- D. recalling its resolution of 15 October 1981<sup>3</sup>, which stresses the importance of developing a Community system to allow products liable to endanger health to be removed from the market,
- E. having regard to the recommendation of the OECD Council of 28 April 1981 to the Member States on measures to be taken to inform consumers speedily of dangers associated with the use of certain products and to have the latter recalled where necessary,
- F. having regard to the second report of the Committee on the Environment, Public Health and Consumer Protection (Doc. 1-207/82),
1. Welcomes the Commission's proposal for setting up a Community system for the rapid exchange of information on dangers arising from the use of certain consumer products;
  2. Notes that exchanges of such information hitherto (e.g. within the OECD) have been of an informal nature, and have failed to ensure the necessary rapid protection of consumers (as shown by the Spanish oil scandal in the summer of 1981, for example);
  3. Considers it advisable in the interests of rapid exchange of information that the Decision should apply to all products without distinction; at the same time, however, disapproves of the intention to exclude all products intended for professional use, and demands that the protection afforded by the Decision should also be extended to those products which are used for both private and professional purposes;

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<sup>1</sup> OJ No. C 321, 22.12.1979, p. 7

<sup>2</sup> OJ No. L 229, 13.8.1981, p.1

<sup>3</sup> OJ No. C 287, 9.11.1981, p. 95

AMENDMENT No. 3

Article 4

Each Member State shall designate the service within its national authority which shall be responsible for forwarding or receiving the information referred to in Articles 1 and 3.

Article 4

Each Member State shall designate one or more national authorities to forward or receive the information referred to in Articles 1 and 3.

AMENDMENT No. 2

Article 2

'For the purposes of this Decision, consumer products means the following articles:

- food products for human consumption
- products intended for household or recreational use
- pharmaceutical products, cosmetics and chemicals
- clothing and toys
- motor vehicles for the transport of persons, two-wheeled vehicles and parts thereof

However, all products intended solely for professional use are excluded from the field of application of this Decision.'

Article 2

For the purposes of this Decision, consumer products means all articles such as:

- food products for human consumption;
- household appliances, including those for 'do-it-yourself', gardening, games or sports;
- pharmaceutical products, cosmetics, chemicals, textiles and toys;
- motor vehicles, bicycles, motor-cycles or other machines used for transport.

However, all products for professional use are excluded from the field of application of this Decision.

The Committee on the Environment, Public Health and Consumer Protection hereby submits to the European Parliament the following amendments and motion for a resolution, together with explanatory statement:

Amendments proposed by the Committee on the Environment, Public Health and Consumer Protection

Text proposed by the Commission of the European Communities<sup>1</sup>

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AMENDMENT No. 1

Article 1

Any Member State noting that on its territory a consumer product (or a batch of this product) marketed in a Member State of the Community, presents an immediate and acute risk to the health or safety of users shall wherever possible first contact the producer, distributor or importer of the product in question and shall immediately inform the other Member States as well as the Commission.

The information forwarded shall contain all relevant data concerning the product and the nature and gravity of the risks noted and details of the measures taken or to be taken.

At the request of the Member State concerned, the content of the information notified may be treated as confidential.

Article 1

Any Member State noting that on its territory a consumer product or a batch of this product, used in normal and foreseeable conditions, marketed in one or more Member States of the Community, presents an immediate and acute risk to the health or safety of users shall inform the other Member States likely to be affected, as well as the Commission, without prejudice to Community provisions relating to specific products.

To facilitate the adoption of a decision by the other Member States and, if applicable, the adoption of appropriate measures by the Commission, the information forwarded shall contain all relevant data concerning the type of product involved, its characteristics, the nature and gravity of the risks noted and details of the measures taken or to be taken by the Member State concerned.

At the request of the Member State concerned, the content of the information notified may be treated as confidential.

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<sup>1</sup>OJ No. C 321 of 22.12.1979, p.7

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By letter of 21 December 1979 the President of the Council of the European Communities requested the European Parliament to deliver an opinion on the proposal from the Commission of the European Communities to the Council for a Decision introducing a Community system for the rapid exchange of information on dangers arising from the use of consumer products.

On 14 January 1980 the President of the European Parliament referred this proposal to the Committee on the Environment, Public Health and Consumer Protection.

On 25 January 1980 the Committee on the Environment, Public Health and Consumer Protection appointed Mrs SEIBEL-EMMERLING rapporteur. It considered the proposal for a decision at its meetings of 23 June 1980 and 19 March 1981. At the latter meeting the draft report by Mrs SEIBEL-EMMERLING was rejected. In its place the committee adopted a draft motion for a resolution tabled by Mrs LENTZ-CORNETTE in the form of a set of amendments (PE 67.926/Amd. 5-6) by 14 votes to 4 with 2 abstentions.

Present: Mr COLLINS, chairman; Mr ALBER, vice-chairman; Mrs WEBER, vice-chairman; Mr ADAM (deputizing for Mr O'CONNELL), Mr COMBE, Mr FORTH (deputizing for Mr JOHNSON), Mr GHERGO, Miss HOOPER, Mrs KROUWEL-VLAM, Mrs LENTZ-CORNETTE, Mr MERTENS, Mr MICHEL (deputizing for Mrs MAIJ-WEGGEN), Mr MUNTINGH, Mr PEONIS (deputizing for Mrs ROUDY), Mr ROGERS (deputizing for Mrs SEIBEL-EMMERLING), Mrs SCHLEICHER, Mrs SCRIVENER, Mr SHERLOCK, Mrs SPAAK, Mrs SQUARCIALUPI, Mr VERROKEN and Mr VISAS.

At the plenary sitting of 19 June 1981<sup>1</sup> the report failed to secure a majority. It was therefore referred back to the Committee on the Environment, Public Health and Consumer Protection<sup>2</sup>.

At its meeting of 19 October 1981 the committee resumed consideration of the report in the presence of the Commission Member Mr NARJES. At its meeting of 28 April 1982 it considered a draft second report, and adopted the proposal for a decision by 15 votes to 1 and the motion for a resolution by 15 votes to 3.

The following took part in the vote: Mr Collins, chairman; Mr Johnson, vice-chairman; Mrs Seibel-Emmerling, rapporteur; Mr Bombard, Mr Del Duca, Mr Dury (deputizing for Mr Muntingh), Mr Forth, Mr Geurtsen (deputizing for Mr Berkhouwer), Miss Hooper, Mrs Krouwel-Vlam, Mrs Lentz-Cornette, Mr Mertens, Mr Protopapadakis (deputizing for Mr Ghergo), Mr Pruvot (deputizing for Mrs Scrivener), Mrs Schleicher, Mr Sherlock, Mrs Spaak, Mrs van Hemeldonck.

<sup>1</sup> OJ No. C 172, 13.7.1981, p. 135

<sup>2</sup> OJ No. C 234, 14.9.1981, p. 7



## EUROPEAN PARLIAMENT

# Working Documents

1982-1983

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28 MAY 1982

DOCUMENT 1-207/82

### SECOND REPORT

drawn up on behalf of the Committee on the Environment,  
Public Health and Consumer Protection

on the proposal from the Commission of the European  
Communities to the Council (Doc. 1-632/79 - COM(79)  
725 final) for a Decision/introducing a Community system  
for the rapid exchange of information on dangers arising  
from the use of consumer products

Rapporteur: Mrs L. SEIBEL-EMMERLING