



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 08.07.1996

COM(96) 333 final

95/0078 (COD)

Amended proposal for a

EUROPEAN PARLIAMENT AND COUNCIL DECISION

**ESTABLISHING A COMMUNITY ACTION PROGRAMME  
IN THE FIELD OF CULTURAL HERITAGE  
THE RAPHAEL PROGRAMME**

(presented by the Commission pursuant to Article 189 a (2)  
of the EC-Treaty)

## Explanatory memorandum

### RAPHAEL

Amended proposal for a Parliament and Council Decision establishing a Community action programme in the field of cultural heritage – the Raphael Programme.

1. On 6 April 1995, the Commission presented a proposal for a Parliament and Council Decision establishing a Community action programme in the field of cultural heritage – the Raphael Programme (COM(95) 110 final 95/0078 (COD)).

On 12 October 1995 Parliament adopted a legislative resolution<sup>1</sup> endorsing the Commission proposal, subject to the amendments it wished to make.

This amended proposal incorporates the amendments the Commission accepted during its discussions with Parliament. More than half the proposed amendments have been included in one way or another, some in full and some only partially, while, for others, the spirit has been incorporated. This last category comprises amendments which are in keeping with the spirit of the Programme but which need to be reformulated or reorganized either because they are already contained in the original version or one of the other amendments or because they cover several points and are therefore a potential source of confusion.

2. The amendments which have been accepted are, for the most part, additions providing greater detail on information measures (information for various target groups, including operators, on Community support and in relation to other Union policies) and on measures to increase cooperation both inside the Union and with non-member countries; other amendments which have been accepted help achieve the Commission's objective of promoting access, (virtual or otherwise) to culture for everyone (e.g. for particular groups, such as young people).

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<sup>1</sup> OJ C 287, 30.10.1995.

3. Amendments were rejected primarily for legal reasons or for reasons connected with the scope of the powers conferred by Article 128, as for instance with the amendments relating to budgetary matters, where Parliament's concerns have been taken into account, in full compliance with the Interinstitutional Agreement, and the amendments which come under other legal bases or other Community policies.

Secondly, the ideas behind the rejected amendments were, in most cases, already contained in the version presented by the Commission, which used more standard legal phraseology.

4. Thus the Commission has produced this amended version of the proposal taking account of the amendments and then "tidying up" the drafting and the legal aspects of the sections on budget matters and committee procedure.

## ANNEX

### Commission position on Parliament's amendments

#### A. Amendments incorporated as they stand

No 6 promoting virtual access to avoid risk of irreversible damage

No 9 reference to cultural tourism

No 11 stresses importance of information and education

No 12 outcome of consultation conducted by Commission

No 14 footnote reference to Parliament resolution

No 15 need to reach wide audience with information on programme

No 16 dialogue with non-member countries promotes tolerance

No 23 *modus vivendi*

No 25 reference to spirit of Programme (cooperation on restoration)

No 29 presentation of Community logo and publicity for funds granted

No 30 reference to Raphael's role in providing information on and protecting common cultural heritage

No 36 keeping operators and networks informed

No 38 reference to participation by non-member countries

No 42 add "and restoration" to read "preservation and restoration of cultural heritage"

**B. Amendments accepted in part and amendments kept in "spirit"**

These amendments are in keeping with the spirit of the Programme but need to be reformulated either because their purpose is already partially served by other amendments, making them redundant, or because they cover several points, generating confusion. All these amendments require better phrasing, comparable to that of the amendments already incorporated as they stand.

The amendments in questions are 1, 2, 8, 18, 20, 21, 33, 34, 37, 39, 40, 41, 47, 50, 51, 53, 55, 56, 58, 59, 64, 67 and 69.

**C. Amendments rejected**

No 3 redundant – already covered by the existing proposal

No 4 the Commission's wording embraces all categories while the amendment leaves some out

No 5 the Commission's wording is broader

No 7 references to the past are not appropriate in a Decision establishing a new programme

No 10 rejected because it advocates the establishment of a foundation

No 13 does not fit in with any part of the Decision

No 17 already dealt with (opening up the programme to non-member countries)

No 19 already dealt with

No 22 the wording in the existing proposal uses the standard legal phraseology

No 24 though Raphael is primarily a cultural programme, it goes without saying that economic and social factors should be taken into consideration

No 26 wording in the initial proposal is broader

No 27 already dealt with and preference for wording used in the Treaty

No 28 the Commission stands by its initial proposal regarding the total amount; Parliament's concerns will be taken into account in accordance with the Interinstitutional Agreement. As for the transitional phase, the Commission agrees with the spirit of the amendment.

No 31 will be taken into consideration when the Programme is implemented

No 32 the Commission took all groups into account, not just young people

- No 35 committee procedure
- No 37 amendment contains two separate paragraphs – one on the interplay between the Programme and other common policies (already dealt with in the initial proposal) and the other on activity reports (dealt with elsewhere)
- No 40 the first date put forward (30 June 1998) is not as realistic as the initial proposal, though the second (30 March 2001) is acceptable to the Commission. The report must refer to the objectives of the Programme.
- No 43 too early to say, but current projects can be brought within the scope of the Programme
- No 44 application of the Interinstitutional Agreement (see No 28)
- No 45 detailed proposals to be examined by the Committee
- No 46 our studies will be European in scope
- No 48 the phrase "cooperation between countries" is not acceptable
- No 49 the Commission stands by its initial wording
- No 52 not the right place for this study proposal
- No 54 most of the section on training is already dealt with in the proposal
- No 57 too specific for the main body of the Decision, but will be taken into account at implementation stage
- No 60 proposal covered by other Community programmes
- No 61 no, because all professionals must be covered; no particular group should be singled out
- No 62 not within the scope of this programme (more to do with free movement)
- No 63 not within the scope of this programme (more to do with research)
- No 65 already dealt with in less specific way
- No 66 initial wording is better – does not specify in advance which studies are to be done
- No 68 beyond the scope of the Programme
- No 70 allocation of resources between various countries will depend on the assessment of the quality of the projects submitted and the criteria laid down in Programme

No 71 not covered by Article 128

Nos 72 and 73 already covered by the initial text, with broader wording.

*Proposal for*

**A EUROPEAN PARLIAMENT AND COUNCIL  
DECISION ESTABLISHING A  
COMMUNITY ACTION PROGRAMME  
IN THE FIELD OF CULTURAL  
HERITAGE - THE RAPHAEL  
PROGRAMME**

THE EUROPEAN PARLIAMENT AND  
THE COUNCIL OF THE EUROPEAN  
UNION,

Having regard to the Treaty establishing the European  
Community, and in particular Article 128 thereof,

Having regard to the proposal from the Commission,

Having regard to the Opinion of the Committee of  
the Regions,

Acting in accordance with the procedure provided for  
in Article 189b of the Treaty,

Whereas Title IX of the Treaty is devoted specifically  
to Culture and states that the Community shall  
contribute to the flowering of the cultures of the  
Member States, while respecting their national and  
regional diversity and at the same time bringing the  
common cultural heritage to the fore;

Whereas Article 128 of the Treaty identifies cultural  
heritage as a specific field of action and that cultural  
heritage is the expression of national and regional  
identities and the links between peoples; whereas it  
must be preserved and the public's access to it  
improved (including for those who face particular  
problems of access) in order to contribute to greater  
mutual understanding and respect;

*Amended proposal for*

**A EUROPEAN PARLIAMENT AND COUNCIL  
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THE EUROPEAN PARLIAMENT AND  
THE COUNCIL OF THE EUROPEAN  
UNION,

Having regard to the Treaty establishing the  
European Community, and in particular Article 128  
thereof,

Having regard to the proposal from the  
Commission,

Having regard to the Opinion of the Committee of  
the Regions,

Acting in accordance with the procedure provided  
for in Article 189b of the Treaty,

Whereas the most tangible and influential reality of  
Europe as a whole is not merely its geographical,  
political, economic and social features, but also  
essentially, its culture;

Whereas Title IX of the Treaty is devoted  
specifically to Culture and states that the  
Community shall contribute to the flowering of the  
cultures of the Member States, while respecting  
their national and regional diversity and at the same  
time bringing the common cultural heritage to the  
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Whereas Article 128 of the Treaty identifies  
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and regional identities and the links between  
peoples; whereas it must be preserved and the  
public's access to it improved (including for those  
who face particular problems of access) in order to  
contribute to greater mutual understanding and  
respect;



Whereas consideration must be given to the irreversible damage caused to certain monuments and/or sites by an excessive number of visitors; whereas provision must be made for greater use of new technologies in order to enable everyone to have virtual access;

Whereas Community action can contribute to better preservation of the cultural heritage by promoting the exchange of experiences and expertise and encouraging operational synergies and partnership;

Whereas, because of its socioeconomic dimension, the preservation of the cultural heritage is an element in a design for society and can contribute significantly to job creation and regional development and to improving the quality of life and the day-to-day environment of ordinary people;

Whereas the culture is an important area for action in the context of the information society, as highlighted in the Commission communication entitled *Europe's way to the information society: an action plan*<sup>1</sup>;

Whereas Community action in research, technological development and demonstration is undertaken in accordance with the technological research and development Framework-Programme,<sup>2</sup> which could be of benefit to this programme;

Whereas Community action can contribute to better preservation of the cultural heritage by promoting the exchange of experiences and expertise and encouraging operational synergies and partnership;

Whereas, because of its socioeconomic dimension, the preservation of the cultural heritage is an element in a design for society and can contribute significantly to job creation and regional development and to improving the quality of life and the day-to-day environment of ordinary people;

Whereas the enhancement of the cultural heritage encourages the development of a type of tourism which, if properly managed, will be a source of enrichment since it allows people to come more into contact with and learn about different ways of life and different customs;

Whereas the culture is an important area for action in the context of the information society, as highlighted in the Commission communication entitled *Europe's way to the information society: an action plan*<sup>1</sup>;

Whereas Community action in research, technological development and demonstration is undertaken in accordance with the technological research and development Framework-Programme,<sup>2</sup> which could be of benefit to this programme;

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<sup>1</sup> COM(94) 347 final

<sup>2</sup> Parliament and Council Decision 1110/94/EEC of 26 April 1994 concerning the fourth framework programme of the European Community activities in the field of research and technological development and demonstration (1994 to 1998), OJ n° L 126 from 18.05.1994, p. 1-33.

<sup>1</sup> COM(94) 347 final

<sup>2</sup> Parliament and Council Decision 1110/94/EEC of 26 April 1994 concerning the fourth framework programme of the European Community activities in the field of research and technological development and demonstration (1994 to 1998), OJ n° L 126 from 18.05.1994, p. 1-33.

Whereas the theft of cultural assets and vandalism are among the most serious causes of impoverishment of the European cultural heritage, a heritage which cannot be replaced; whereas serious consideration should be given to the best way of combating these problems, with particular emphasis on measures in the field of information and education which could help to increase respect for Europe's cultural heritage;

Whereas the Commission has gained experience through the activities undertaken to date in the field of architectural heritage;

Whereas the Commission has gained experience through the activities undertaken to date in the field of architectural heritage and the results of consultations it has held with all the parties concerned;

Whereas the European Parliament attaches importance to Community action in favour of heritage, and in particular to training, research, raising the awareness of young people and adolescents, cooperation with non-member countries and the Council of Europe and links with other Community policies, particularly as regards training and regional development<sup>3</sup>;

Whereas the European Parliament attaches importance to Community action in favour of heritage, and in particular to training, research, raising the awareness of young people and adolescents, cooperation with non-member countries and the Council of Europe and links with other Community policies, particularly as regards training and regional development<sup>3</sup>;

3

European Parliament resolution on protecting the European cultural heritage, OJ No C 62, 30.5.1974, p. 5-7.

European Parliament resolution on the protection of the architectural and archaeological heritage, OJ No C 267, 11.10.1982, p. 25-29.

European Parliament resolution on the conservation of the Community's architectural and archaeological heritage, OJ No C 309, 5.12.1988, p. 423-427.

European Parliament resolution on preserving the architectural heritage and protecting cultural assets, OJ No C 72, 15.3.1993, p. 160-166.

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Whereas the European Parliament has passed resolutions on the contribution of the Community to work on restoring outstanding examples of the architectural heritage<sup>4</sup>;

Whereas the Council has expressed an interest in closer cooperation in the areas of architectural heritage, works of art, artefacts and archives, in particular as regards the exchange of knowledge, documentation and training and in view of the important role of networks of cultural organizations in cultural cooperation in Europe<sup>5</sup>;

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4

European Parliament resolution on economic aid to Mount Athos (monastery region), OJ No C 144, 15.6.1981, p. 92.

European Parliament resolution on aid for the reconstruction of the Chiado district of Lisbon, OJ No C 262, 10.10.1988, p. 110.

European Parliament resolution on the conservation of the Community's architectural and archaeological heritage, OJ No C 309, 5.12.1988, p. 423-427.

European Parliament resolution on the fire at the Gran Teatro del Liceo (Barcelona), OJ No C 61, 28.02. 1994, p. 184.

4

European Parliament resolution on economic aid to Mount Athos (monastery region), OJ No C 144, 15.6.1981, p. 92.

European Parliament resolution on the participation of Community financial instruments in the restoration of the historic centre of the city of Palermo, OJ C 187, 18.7.1988, p.160.

European Parliament resolution on aid for the reconstruction of the Chiado district of Lisbon, OJ No C 262, 10.10.1988, p. 110.

European Parliament resolution on the conservation of the Community's architectural and archaeological heritage, OJ No C 309, 5.12.1988, p. 423-427.

European Parliament resolution on the fire at the Gran Teatro del Liceo (Barcelona), OJ No C 61, 28.02. 1994, p. 184.

5

Resolution of the Ministers responsible for Cultural Affairs meeting within the Council of 13 November 1986 on the protection of Europe's architectural heritage, OJ No C 320, 13.12.1986, p. 1.

Resolution of the Ministers with responsibility for Cultural Affairs meeting within the Council of 13 November 1986 on the conservation of works of art and artefacts, OJ No C 320, 13.12.1986, p. 3.

Resolution of the Council and the Ministers of Culture meeting within the Council of 14 November 1991 on arrangements concerning archives, OJ No C 314, 5.12.1991, p. 2.

Council conclusions of 17 June 1994 concerning greater cooperation in the field of archives, OJ No C 235, 23.8.1994, p. 3.

Résolution of the Council and the Ministers of Culture meeting within the Council of 14 November 1991 on European cultural networks, OJ No C 314, 5.12.1991, p. 1.

5

Resolution of the Ministers responsible for Cultural Affairs meeting within the Council of 13 November 1986 on the protection of Europe's architectural heritage, OJ No C 320, 13.12.1986, p. 1.

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Whereas in its communication "New prospects for Community cultural action"<sup>6</sup> the Commission states that Community action should be extended to the movable heritage and steps taken to promote dialogue and cooperation between those involved and encourage the dissemination of experiences and specialized information; whereas the European Parliament and Council have encouraged this approach<sup>7</sup>;

Whereas the European institutions have stressed the importance of integrating the different aspects of cultural heritage in a coherent Community action<sup>8</sup> which takes account of the richness and diversity of the movable and non-movable heritage and supports the work of the numerous parties involved;

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<sup>6</sup> COM(92) 149 final.

<sup>7</sup> European Parliament resolution on the Commission communication entitled 'New prospects for Community cultural action', OJ No C 42, 15.2.1993, p. 173-181.  
European Parliament resolution on Community policy in the field of culture, OJ No C 44, 14.2.1994, p. 184-188.  
Conclusions of the Council and Ministers of Culture meeting within the Council of 12 November 1992 on guidelines for Community cultural action, OJ No C 336, 19.12.1992, p. 1-2.

<sup>8</sup> European Parliament resolution on preserving the architectural heritage and protecting cultural assets, OJ No C 72, 15.3.1993, p. 160-166.  
Council conclusions of 17 June 1994 on drawing up a Community Action Plan in the field of cultural heritage, OJ No C 235, 23.8.1994, p. 1.

<sup>6</sup> COM(92) 149 final.

<sup>7</sup> European Parliament resolution on the Commission communication entitled 'New prospects for Community cultural action', OJ No C 42, 15.2.1993, p. 173-181.  
European Parliament resolution on Community policy in the field of culture, OJ No C 44, 14.2.1994, p. 184-188.  
Conclusions of the Council and Ministers of Culture meeting within the Council of 12 November 1992 on guidelines for Community cultural action, OJ No C 336, 19.12.1992, p. 1-2.

<sup>8</sup> European Parliament resolution on preserving the architectural heritage and protecting cultural assets, OJ No C 72, 15.3.1993, p. 160-166.  
Council conclusions of 17 June 1994 on drawing up a Community Action Plan in the field of cultural heritage, OJ No C 235, 23.8.1994, p. 1.

Whereas it remains necessary to communicate to as wide a public as possible, by means of general information, the importance of protecting the cultural heritage;

Whereas Community action should take account of the changing nature of the definition of heritage and include all types of heritage by encouraging multidisciplinary approaches;

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Whereas the Commission has organized consultations with all interested parties, particularly the departments in the Member States, the professionals, non-governmental organizations, foundations and associations, with a view to preparing an action programme in the field of cultural heritage;

Whereas the Commission has organized consultations with all interested parties, particularly the departments in the Member States, the professionals, non-governmental organizations, foundations and associations, with a view to preparing an action programme in the field of cultural heritage;

Whereas cultural dialogue between the European Union Member States and third countries, both European and non-European, plays a key role in promoting mutual understanding, cooperation, tolerance and peace;

Whereas there are numerous links between the cultural heritage in Europe and other non-Community countries; whereas, therefore, this area is ideally suited to developing forms of cooperation with non-member countries and the competent international organizations, in accordance with the requirements of the Treaty and the conclusions of the resolutions cited above;

Whereas the conclusions of the Copenhagen European Council of 21-23 June 1993 call for Community programmes to be opened up to the countries of Central and Eastern Europe that are party to association agreements; whereas the Community has signed cooperation agreements that include a section on culture with certain third countries;

Whereas the present decision establishes, for the total duration of the programme and in the spirit of point 1 of the declaration of 6 March 1995 by the Parliament, the Council and the Commission, a budgetary envelope which constitutes a privileged reference for the budgetary authority in the framework of the annual procedure;

Whereas there are numerous links between the cultural heritage in Europe and other non-Community countries; whereas, therefore, this area is ideally suited to developing forms of cooperation with non-member countries, the Council of Europe and the competent international organizations in the field of the cultural heritage (for example UNESCO), in accordance with the requirements of the Treaty and the conclusions of the resolutions cited above;

Whereas the conclusions of the Copenhagen European Council of 21-23 June 1993 call for Community programmes to be opened up to the countries of Central and Eastern Europe that are party to association agreements; whereas the Community has signed cooperation agreements that include a section on culture with certain third countries;

Whereas the present decision establishes, for the total duration of the programme and in the spirit of point 1 of the declaration of 6 March 1995 by the Parliament, the Council and the Commission, a budgetary envelope which constitutes a privileged reference for the budgetary authority in the framework of the annual procedure;

Whereas the importance accorded to protecting the cultural heritage, which has been heightened by the Treaty on European Union, implies that adequate funding should be committed under the Raphaël programme, thereby making it possible to implement effective and coherent measures of support for Europe's cultural heritage;

Whereas measures under this programme will also take account of the complementary nature of measures which may be taken under other Community policies;

Whereas the implementation of the present programme relies on close cooperation with national authorities, with a view to ensuring that Community action supports and supplements activities at national level in confirming respect for the principle of subsidiary, as it is defined by Article 3b of the Treaty;

Whereas that, in the execution of its tasks, the Commission is assisted by an advisory committee consisting of representatives of the Member States;

Whereas the implementation of the present programme relies on close cooperation with national authorities, with a view to ensuring that Community action supports and supplements activities at national level in confirming respect for the principle of subsidiary, as it is defined by Article 3b of the Treaty;

Whereas that, in the execution of its tasks, the Commission is assisted by an advisory committee consisting of representatives of the Member States;

Whereas an agreement on a *modus vivendi* between the European Parliament, the Council and the Commission with regard to the implementing measures of the acts adopted in accordance with the procedure referred to in Article 189b of the Treaty was reached on 20 December 1994;

HAVE DECIDED AS FOLLOWS:

**Article 1**

A Community action programme in the field of cultural heritage, to be known as the Raphael Programme, is hereby established, with the aim of encouraging and supplementing action taken by the Member States. The Programme shall run from 1 January 1996 to 31 December 2000.

**Article 2**

The specific objectives of the Raphael Programme shall be to:

- contribute to the development and promotion of cultural heritage;
- encourage cooperation and the European-level pooling of knowledge, expertise and practices in matters of heritage preservation;
- improve access to heritage and the supply of information on it for the public at large so as to contribute to the affirmation of a European citizenship through greater knowledge of heritage;
- support the stepping-up of research and common practices in the heritage field in order to realize Europe's potential;
- foster cooperation with non-member countries and other competent international organizations, in particular the Council of Europe.

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**Article 1**

A Community action programme in the field of cultural heritage, to be known as the Raphael Programme, is hereby established, with the aim of encouraging and supplementing action taken by the Member States. The Programme shall run from 1 January 1996 to 31 December 2000.

**Article 2**

The specific objectives of the Raphael Programme shall be to:

- contribute to the development and promotion of cultural heritage;
- encourage cooperation and the European-level pooling of knowledge, expertise and practices in matters of heritage preservation and restoration;
- improve access to heritage and the supply of information on it for the public at large so as to contribute to the affirmation of a European citizenship through greater knowledge of heritage;
- support the stepping-up of research and common practices in the heritage field in order to realize Europe's potential;
- foster cooperation with non-member countries and other competent international organizations, in particular the Council of Europe.



### Article 3

The Raphael Programme shall cover the movable and non-movable cultural heritage and consist of five types of action:

- I. Development and promotion of cultural heritage;
- II. Networks and partnerships;
- III. Access to heritage;
- IV. Innovation, training and professional mobility;
- V. Cooperation with third countries and international organizations.

The total appropriation for the implementation of this programme shall be ECU 67 million for the period 1996-2000.

Annual appropriations shall be authorized by the budgetary authority within the limits of the financial perspectives.

The measures described in the Annex shall be applied to achieve the objectives laid down in Article 2. They shall be implemented on the basis of the priorities set by the annual work plans adopted in accordance with the procedure provided for in Article 6.

The programme shall run for five years. It shall enter into force on 1 January 1996.

### Article 3

The Raphael Programme shall cover the movable and non-movable cultural heritage and consist of five types of action:

- I. Development and promotion of cultural heritage;
- II. Networks and partnerships;
- III. Access to heritage;
- IV. Innovation, training and professional mobility;
- V. Cooperation with third countries and international organizations.

The total appropriation for the implementation of this programme shall be ECU 67 million for the period 1996-2000.

Annual appropriations shall be authorized by the budgetary authority within the limits of the financial perspectives.

The measures described in the Annex shall be applied to achieve the objectives laid down in Article 2. They shall be implemented on the basis of the priorities set by the annual work plans in accordance with the procedure provided for by the second paragraph of Article 5.

The programme shall run for five years. It shall enter into force on 1 January 1996.

### Article 3a bis

All projects receiving financial support under the Raphael programme shall be required to display the European Union flag and acknowledge funding.

### Article 4

In order to achieve the stated objectives, projects undertaken in the framework of the Raphael Programme must:

- have a European dimension and offer genuine added value with respect to action taken in the Member States;
- help to promote cultural heritage;
- contribute to the development of better practices and greater knowledge and expertise in matters of conservation;
- be of relevance at Community level because of their exemplary or innovative and informative nature, or have a multiplier effect in cultural, educational or socioeconomic terms.

### Article 4

In order to achieve the stated objectives, projects undertaken in the framework of the Raphael Programme must:

- have a European dimension and offer genuine added value with respect to action taken in the Member States;
- help to promote cultural heritage;
- help to provide information on and promote the common cultural heritage;
- contribute to the development of better practices and greater knowledge and expertise in matters of conservation;
- be of relevance at Community level because of their exemplary or innovative and informative nature, or have a multiplier effect in cultural, educational or socioeconomic terms.

#### Article 5

The Commission shall be assisted by an Advisory Committee, provided for in Article 4 of the European Parliament and Council Decision establishing a programme to support artistic and cultural activities having European dimension (Kaleidoscope 2000 Programme), consisting of one representative from each Member State and presided by a representative of the Commission.

The Committee may consider any matter relating to the implementation of the programme. The Commission may consult the committee on general guidelines and on any other matter not provided in Article 6.

#### Article 6

The representative of the Commission shall submit to the committee a draft of the measures to be taken and specifically the annual plan of work for Actions I1, I12, I113, I114, V. The Committee shall deliver its opinion on the draft, within a time limit which the chairman may lay down according to the urgency of the matter, if necessary by taking a vote.

The opinion shall be recorded in the minutes; in addition, each Member State shall have the right to ask to have its position recorded in the minutes.

The Commission shall take the utmost account of the opinion delivered by the Committee. It shall inform the Committee of the manner in which its opinion has been taken into account.

#### Article 5

The Commission shall be assisted by an Advisory Committee, provided for in Article 4 of the European Parliament and Council Decision establishing a programme to support artistic and cultural activities having European dimension. (Kaleidoscope 2000 Programme).

The representative of the Commission shall submit to the committee a draft of the measures to be taken. The Committee shall deliver its opinion on the draft, within a time limit which the chairman may lay down according to the urgency of the matter, if necessary by taking a vote. The opinion shall be recorded in the minutes; in addition, each Member State shall have the right to ask to have its position recorded in the minutes.

The Committee may consider any matter relating to the implementation of the programme.

#### Article 6 (new)

The Commission shall give priority to publicity and the dissemination of information on this programme so as to ensure that all cultural operators and networks are informed about and aware of the activities which concern them.

**Article 7**

The Commission shall ensure that the Raphael Programme is compatible with and complements other Community programmes and policies on cultural heritage.

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The Commission shall ensure that the Raphael Programme is compatible with and complements other Community programmes and policies on cultural heritage.

**Article 7 a**

The associated countries of Central and Eastern Europe may participate in this programme in accordance with the conditions set out in the additional protocols to the association agreements relating to participation in Community programmes which have been concluded or will be concluded with those countries. Cyprus and Malta may participate in this programme and other non-member countries which have concluded association or cooperation agreements including cultural clauses may cooperate with it, on the basis of additional appropriations to be provided in accordance with procedures to be agreed with those countries.

**Article 7 b**

The Community shall encourage cooperation with the Council of Europe and other relevant international organizations in the field of the cultural heritage (for example UNESCO) while ensuring that the instruments employed complement each other in keeping with the identity and freedom of action of each institution and organization.

#### Article 8

Three years after commencement of the Raphael Programme or by 30 September 1999, whichever shall be the earlier, the Commission, having consulted the Committee, shall present a report to the European Parliament, the Council and the Committee of the Regions evaluating the results achieved, together with appropriate proposals, where necessary, for adapting the programme in line with requirements arising in the course of implementation.

After the end of the Raphael Programme but no later than 30 September 2001, the Commission, acting in accordance with the procedure laid down in Article 5, shall present a report on the implementation and results of the programme to the European Parliament, the Council and the Committee of the Regions.

#### Article 9

This Decision shall enter into force on the twentieth day following its publication in the Official Journal of the European Communities.

Done at Brussels,

For the European Parliament,  
The President

For the Council,  
The President

#### Article 8

Two years and six months after commencement of the Raphael Programme and within six months following that period, the Commission shall present a report to the European Parliament, the Council and the Committee of the Regions evaluating the results achieved, together with appropriate proposals, where necessary, for adapting the programme in line with requirements arising in the course of implementation. This report shall evaluate in quantitative and qualitative terms to what extent the programme has made it possible to achieve the objectives listed in Article 2.

After the end of the Raphael Programme but no later than 30 September 2001, the Commission, acting in accordance with the procedure laid down in Article 5, shall present a report on the implementation and results of the programme to the European Parliament, the Council and the Committee of the Regions.

#### Article 9

This Decision shall enter into force on the twentieth day following its publication in the Official Journal of the European Communities.

Done at Brussels,

For the European Parliament,  
The President

For the Council,  
The President

**COMMUNITY ACTION PROGRAMME  
IN THE FIELD OF CULTURAL HERITAGE  
THE RAPHAEL PROGRAMME**

The aim of the Raphael Programme is to support actions at European level in all heritage disciplines - non-movable heritage, archaeological heritage, underwater heritage, movable heritage, museums and collections, archives, etc.

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**Action I - Development and promotion of cultural heritage**

- The aim of this action is to contribute to the development and promotion of cultural heritage and to encourage the development and pooling of better conservation practices, by creating an environment conducive to the preservation of cultural heritage.
- The action involves the following measures:
  1. Support for projects to preserve the movable or non-movable heritage that qualify as "European heritage laboratories" by virtue of the interest or exemplary value of their content. The conservation work must relate to works, monuments or sites of exceptional historic importance which are special landmarks in Europe. The projects will be spread over several years and will seek to recruit the most highly-skilled staff, by appointing a multidisciplinary European team to study particularly difficult conservation problems and develop appropriate approaches, methods and/or techniques. Particular attention will be paid to sharing the experience gained in the course of this work.

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2. Support for "European heritage sites" concerned with common themes related to the preservation of the movable and/or non-movable heritage. The projects must have exemplary value and a multiplier effect. They may be spread over several consecutive years. The experience gained with regard to the management and/or conservation problem in question will be widely disseminated among the professionals. Themes will be selected according to the concerns of the various heritage disciplines.

3. Support for the development of European standards and/or recommendations with a view to improving good heritage conservation and management practice and, where appropriate, encouraging exchanges. The aim is to develop standards and/or recommendations at European level on, for example, documenting cultural goods, the conditions for loans of works of art for exhibitions, the passive conservation of works of art, fire protection for works of art, monuments, etc. Community support could be used for surveys, seminars, studies, etc. organized in the context of this work.

4. Support on an experimental basis for the acquisition and joint management of major works of art by several European partners, in order to keep these works in Europe and present them to the public.

5. Development of projects and studies with a cultural focus to complement other Community activities. Financial support could be given to projects that back up or complement Community action already taken pursuant to other Treaty provisions and are of particular interest to the heritage sector, to round tables and comparative studies aimed at collecting factual information on the situation in the Member States, and to impact assessments carried out as part of the preparation for new Community measures.

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## Action II - Networks and partnerships

- The aim of this action is to encourage the development of networks and partnerships to enhance transnational cooperation and contribute to exchanges, the pooling of experiences and the presentation of the European dimension of heritage.

- The action involves the following measures:

1. Support for the creation of networks of "European heritage sites". The networks will be organized by theme and will, where necessary, bring public and private institutions, research centres and private companies with a special interest in heritage into contact with those responsible for managing the sites. The aim of the networks is to encourage the exchange of experience between project managers themselves and between them and other interested parties. Community support could, for example, be used to set up networks, organize seminars on the problems encountered on site and the work planned, and to disseminate the results to other interested parties.

2. Collection and dissemination of specialized information aimed at the heritage sector, using appropriate information channels or relays (competent authorities, professional and non-governmental organizations, associations, etc.) and suitable media (paper, CD-ROM, CD-I, on-line). The information will relate to the drafting of comparative studies of practices and systems in the Member States that might be of common interest, European cultural statistics and indicators, practical guides, manuals, directories and listings of innovative projects and Community activities of relevance to the cultural heritage.

3. Support for transnational cooperation projects between museums and/or monuments using multimedia or other forms of communication to highlight the European dimension of heritage and to show visitors to museums, monuments or sites examples of other related works, monuments or sites in other European countries.

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3. Support for transnational cooperation projects between museums and/or monuments using multimedia or other forms of communication to highlight the European dimension of heritage and to show visitors to museums, monuments or sites examples of other related works, monuments or sites in other European countries.

Support for the creation of multinational networks linking museums or sites with cultural or historic similarities in order to promote a better understanding of each cultural heritage, in particular in order to reconstruct the common roots of the European regions.

4. Support for cooperation projects between training institutes and/or research centres involved in heritage work. The measure is intended to develop the necessary instruments for setting up networks and/or partnerships, strengthening cooperation between them and pooling their experience. The financial aid awarded under these cooperation projects could be used for:

- drawing up inventories, by discipline, of further training courses;
- developing methods for evaluating training courses and carrying out joint analysis;
- conducting comparative studies on diplomas and qualifications in the field of cultural heritage and access to the heritage professions in the Member States;
- setting up networks and keeping their members informed;
- grants and exchanges for teachers, students and/or researchers;
- disseminating information about ongoing or completed research, particularly to people working in the heritage field;
- information on and/or access to new technologies and their use in the field of cultural heritage, etc.

Synergies with other Community programmes, in particular in the fields of education and training, research and technological development should be clearly indicated.

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### Action III - Access to heritage

- The aim of this action is to improve public access to the common heritage by encouraging projects to raise awareness that have a European dimension and by promoting the use of advanced information and communication technologies and services.

- The action involves the following measures:

1. Inclusion of steps to raise public awareness in all projects receiving Community support under the Raphael Programme. Project sponsors will be asked to present ongoing or completed work to the public. The Commission will pursue the initiatives already developed in this field, such as the travelling exhibition and the audiovisual material to be devoted particularly to the European heritage laboratories and sites.

2. Support for events to raise public awareness at European level, such as the European Heritage Days, events to mark Europe Day (9 May), the Mies van der Rohe European Architecture Prize, European, etc.

3. Support for multilingual presentations in museums, monuments and sites aimed at nationals of other Member States. Projects might relate to presentational material, brochures, exhibition panels, electronic guide systems, audiovisual or multimedia products, etc.

4. Support for applications of advanced information and communication technology and services giving professionals and the general public greater access to heritage. Projects must be of interest at European level and serve as models.

Community support could be used for studies or seminars on a particular problem relating to the use of such technologies and services in the heritage sector or for pilot projects for studying and introducing practical applications.

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#### **Action IV - Innovation, further training and professional mobility**

- The aim of this action is to encourage the exchange of experiences and promote cooperation, professional mobility and training for professionals in the heritage field.

- The action involves the following measures:

1. Support for identifying requirements for heritage research at Community level, for the dissemination of the results of research to professionals in the heritage field and the development of practical applications for use by professionals working in the field. The measures will be conducted in conjunction with the framework programme on research, technological development and demonstration; any research measures will be carried out as part of the research and technological development framework programme in accordance with the provisions governing that programme.

2. Support for the organization of conferences and colloquia or other similar training activities with a European character.

3. Support for projects setting a European professional exchange programme for the various heritage disciplines and enabling people who already have solid professional experience to work for several months in an equivalent professional setting in another European country.

Community support would cover organizing exchanges and the additional costs incurred, such as travel and accommodation.

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#### **Action V - Cooperation with third countries and international organizations**

- The aim of this action is to develop projects with third countries and create synergies with activities undertaken by other international organizations, in particular the Council of Europe.
- The action would involve the following measures:
  1. Support for projects to preserve the movable and non-movable heritage, relating in particular to monuments and sites on the World Heritage List;
  2. Participation in projects related to the networks and partnerships or the extension of certain projects, such as comparative studies, to non-Community countries;
  3. Participation in projects to make the heritage more accessible to the public, such as European Heritage Days;
  4. Encouragement for professionals in the heritage field to participate in activities to promote research, further training and professional mobility.
- Community support for cultural cooperation projects with third countries is organized in a similar way to that for projects relating to countries in the European Union, on the basis of the agreements in force.

Efforts will be made to achieve synergies with the competent international organizations, particularly the Council of Europe, while respecting the identity and freedom of action of each institution and organization.

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