



**COUNCIL OF
THE EUROPEAN UNION**



C/04/310

Brussels, 15-16 November 2004

14380/04 (Presse 310)

PRESS RELEASE

2616th Council Meeting
Education, Youth and Culture
Brussels, 15-16 November 2004

President **Ms Maria VAN DER HOEVEN**,
Minister for Education, Culture and Science,
Ms Clémence ROSS,
State Secretary for Health, Welfare and Sport,
Ms Medy VAN DER LAAN,
State Secretary for Education, Culture and Science

of the Netherlands

P R E S S

Rue de la Loi 175 B - 1048 BRUSSELS Tel.: +32 (0)2 285 8716 / 6319 Fax: +32 (0)2 285 8026
press.office@consilium.eu.int <http://ue.eu.int/Newsroom>

14380/04 (Presse 310)

1
EN

Main Results of the Council

The Council adopted a Decision authorising the Commission to participate, on behalf of the Community, in the negotiations within UNESCO on a convention on the protection of the diversity of cultural contents and artistic expressions. It further appointed Mr Charles Hennessy (Irish) and Mr Bert van Meggelen (Dutch) as members of the "European Capital of Culture" selection panel, representing the Council for 2009.

The Council adopted a Directive of the European Parliament and of the Council aiming at reducing the concentration of arsenic, cadmium, mercury, nickel and polycyclic aromatic hydrocarbons in the air.

It also adopted a Decision expanding a freeze on all funds and economic resources to cover all persons indicted by the International Criminal Tribunal for the former Yugoslavia for war crimes who are not in the custody of the Tribunal and a Decision setting up an European Administrative School.

The Council adopted common positions on a draft Regulation updating Regulations Nos 1408/71 and 574/72 on the application of social security schemes to persons moving within the EU and on a draft Directive aiming at harmonising rules in the EU on unfair commercial practices.

By the written procedure, the Council adopted a common position on a draft Regulation laying down conditions for third-party access to the gas transmission network in the EU.

CONTENTS¹

PARTICIPANTS	5
ITEMS DEBATED	
EDUCATION ⁷	
– Lifelong learning programme	7
– Role of education and its cultural aspects	8
– European cooperation in vocational education and training	8
– Mid-term review of the Lisbon strategy (Kok report)	11
YOUTH	12
– Youth programme	12
– Evaluation of the youth programme 2000-2006	12
– Voluntary activities of young people	14
– Greater understanding and knowledge of youth	17
CULTURE	19
– Culture 2007 programme	19
– Work plan for Culture 2005-2006	20
– European Capital of Culture – members of the selection panel	24
– Draft convention on the protection of cultural and artistic diversity (UNESCO)	24
AUDIOVISUAL	24
– Media 2007 programme	24
– Film heritage and competitiveness of related industrial activities	25
– Protection of minors and human dignity and right of reply	25
– Public service broadcasting	26
OTHER BUSINESS	26

OTHER ITEMS APPROVED

EXTERNAL RELATIONS

Support for the International Criminal Tribunal for the former Yugoslavia (ICTY) - Freezing of funds 27

Preparation of the Euro-Mediterranean ministerial meeting 27

EUROPEAN SECURITY AND DEFENSE POLICY

Croatia - Exchange of classified information 27

TRADE POLICY

Steel imports from Russia 28

Anti-dumping and Anti subsidy - Polyethylene terephthalate - India, Brazil and Israel 28

DEVELOPMENT POLICY

Togo - Restoration of democracy 28

ACP - Budget of the Technical Centre for Agricultural and Rural Cooperation 28

SOCIAL POLICY

Social security* 29

INTERNAL MARKET

Consumer protection - Unfair commercial practices * 29

ENVIRONMENT

Air quality 29

INSTITUTIONAL AFFAIRS

European Administrative School* 30

APPOINTMENTS

Committee of the Regions 30

DECISION TAKEN BY WRITTEN PROCEDURE

ENERGY - Gas networks - Conditions for third-party access * 31

PARTICIPANTS

The Governments of the Member States and the European Commission were represented as follows:

Belgium:

Ms Marie-Dominique SIMONET

Vice President and Minister for Higher Education, Scientific Research and International Relations (French Community)

Ms Fadila LAANAN

Minister for Culture, Media and Youth (French Community)

Mr Bert ANCIAUX

Minister for Culture, Youth, Sport and Brussels Affairs (Flemish Community)

Mr Geert BOURGEOIS

Minister for Administrative Affairs, Foreign Policy, Media and Tourism (Flemish Community)

Czech Republic:

Ms Petra BUZKOVÁ

Minister for Education, Youth and Sport

Ms Petra SMOLÍKOVÁ

Deputy Minister for Culture

Denmark:

Mr Henrik NEPPER-CHRISTENSEN

State Secretary of Education and Research

Germany:

Ms Ute ERDSIEK-RAVE

Minister for Education, Science, Research and Culture, Schleswig-Holstein

Mr Peter RUHENSTROTH-BAUER

State Secretary

Mr Ulrich KASPARICK

State Secretary at the Ministry of Education and Research

Ms Christina WEISS

Minister of State to the Federal Chancellor, Federal Government Representative for Culture and Media

Estonia:

Mr Tiit NABER

Deputy Permanent Representative

Mr Siim SUKLES

Secretary General, Ministry of Culture

Greece:

Ms Marietta GIANNAKU

Minister for Education and Religious Affairs

Ms Margarita PAPADA-CHIMONA

Secretary General

Spain:

Ms María Jesús SANSEGUNDO GÓMEZ DE CADIÑANOS

Minister for Education and Science

France:

Mr Renaud DONNEDIEU de VABRES

Minister for Culture and Communication

Ireland:

Ms Mary HANAFIN

Minister for Education and Science

Ms Sile de VALERA

Minister of State at the Department of Education and Science (with special responsibility for Adult Education, Youth Affairs and Educational Disadvantage)

Mr John O'DONOGHUE

Minister for Arts, Sport and Tourism

Italy:

Ms Valentina APREA

State Secretary for Education, the Universities and Research

Mr Giuliano URBANI

Minister for Cultural Assets and Activities

Mr Giancarlo INNOCENZI

State Secretary for Communications

Cyprus:

Mr Pefkios GEORGIADES

Minister for Education and Culture

Latvia:

Ms Helēna DEMAKOVA

Minister for Culture

Lithuania:

Mr Saulius VENGRIS
Ms Violeta MURAUSKAITE
Mr Gintaras SODEIKA

Under Secretary, Ministry of Education and Science
Under Secretary, Ministry of Social Security and Labour
Deputy Minister for Culture

Luxembourg:

Ms Mady DELVAUX-STEHRÉS
Ms Marie-Josée JACOBS

Mr Jean-Louis SCHILTZ

Ms Octavie MODERT

Minister for Education and Vocational Training
Minister for the Family and Integration, Minister for Equal Opportunities
Minister for Cooperation and Humanitarian Action,
Minister with responsibility for Communications
State Secretary for Culture, Higher Education and Research

Hungary:

Mr Péter MEDGYES

Deputy State Secretary, Ministry for Education

Malta:

Mr Louis GALEA

Minister for Education, Youth and Employment

Netherlands:

Ms Maria van der HOEVEN
Mr Mark RUTTE
Ms Clementia Ignatia Johanna Maria ROSS-van DORP
Ms Medy van der LAAN

Minister for Education, Cultural Affairs and Science
State Secretary for Education, Culture and Science
State Secretary for Health, Welfare and Sport
State Secretary for Education, Culture and Science

Austria:

Ms Elisabeth GEHRER
Ms Ursula HAUBNER

Mr Franz MORAK

Federal Minister for Education, Science and Culture
State Secretary, Federal Ministry of Social Security,
Generations and Consumer Protection
State Secretary, Federal Chancellery

Poland:

Mr Mirosław SAWICKI
Mr Ryszard MIKLIŃSKI

Minister for National Education and Sport
Deputy State Secretary, Ministry of Culture

Portugal:

Ms Maria do Carmo Félix da COSTA SEABRA
Mr Pedro SAMPAIO NUNES
Mr Pedro DUARTE
Ms Maria João BUSTORFF SILVA

Minister for Education
State Secretary for Science and Innovation
State Secretary for Youth
Minister for Culture

Slovenia:

Ms Lučka LORBER

Ms Andreja RIHTER

State Secretary for Post-Secondary Vocational Education
and Higher Education
Minister for Culture

Slovakia:

Mr László SZIGETI
Ms Ágnes BIRÓ

State Secretary at the Ministry of Education
State Secretary, Ministry of Culture

Finland:

Ms Tuula HAATAINEN
Ms Tanja KARPELA

Minister for Education
Minister for Culture

Sweden:

Mr Ibrahim BAYLAN
Ms Agneta KARLSSON

Minister for Schools, Ministry of Education and Science
State Secretary, Ministry of Education and Science

United Kingdom:

Mr Kim HOWELLS
Mr Peter PEACOCK

Lord McINTOSH OF HARINGEY

Minister of State, Department for Education and Skills
Minister for Education and Young People (Scottish Executive)
Parliamentary Under-Secretary for Media and Heritage

Commission:

Ms Viviane REDING

Member

ITEMS DEBATED

EDUCATION

– *Lifelong learning programme*

The Council held a policy debate on an action programme proposed by the Commission in July 2004, in the field of lifelong learning, covering the period of 2007-2013.

The delegations agreed on the main lines of the programme, the debate further focussing on the following items:

(a) Transversal programme (*see below*)

There was a general agreement among the delegations regarding the importance of the content of the transversal programme. A number of them wondered, however, if its operational objectives, such as language learning and information and communication technologies, could not be better achieved through integration in the other sub-programmes.

(b) Second foreign language

The delegations generally recognised the importance for European citizens of learning foreign languages, without neglecting a sound knowledge of the mother tongue. Some delegations stressed that no priority should be given to any specific language.

Measures aimed at ensuring effective language learning should include the improvement of teacher's language skill and of teaching methods.

(c) Quality of mobility and European charter for mobility

There was consensus in favour of a Commission proposal for a European "charter" establishing principles for successful mobility. A number of delegations further mentioned the need for a better preparation and monitoring (before, during and after) of mobility activities, in order to increase their usefulness for the actors themselves as well as for the origin and host Member States.

The action programme will be adopted by a Decision of the European Parliament and of the Council under the codecision procedure, the opinion of the European Parliament being still awaited. In this context, the aim of today's debate was to give delegations the opportunity to express their opinion, at ministerial level, on a number of issues identified by the Presidency (13453/04), in preparation for further examination of the file.

As proposed by the Commission (11587/04) the integrated programme will comprise four programmes already existing within the current Socrates programme: Comenius (general education); Erasmus (higher education level); Leonardo da Vinci, (vocational education and training); Grundtvig (adult education). It will also include a "transversal" programme incorporating four key activities (policy development, language learning, innovative approaches and dissemination of project results), plus a Jean Monnet programme to support action related to European integration and European institutions and associations.

– ***Role of education and its cultural aspects***

The Council adopted a report on *Education and citizenship: the broader role of education and its cultural aspects* (13452/04).

Prepared in response to a request from the Spring 2003 European Council, the report should be submitted to the December European Council. Its essential message is the Council's commitment to strengthening citizenship and social integration through education as an extra effort in reaching the Lisbon strategy goals.

– ***European cooperation in vocational education and training***

The Council and the Representatives of the Governments of the Member States, meeting within the Council, adopted the following conclusions:

"THE COUNCIL OF THE EUROPEAN UNION AND THE REPRESENTATIVES OF THE GOVERNMENTS OF THE MEMBER STATES MEETING WITHIN THE COUNCIL,

AWARE that

The Council (Education, Youth and Culture) approved on 12 November 2002 a Resolution on the promotion of enhanced European cooperation in vocational education and training¹. This was then largely reflected in the declaration adopted by the Ministers of Vocational Education and Training of the EU Member States, the EFTA/EEA and candidate countries, the Commission and the European Social Partners at their meeting in Copenhagen on 29-30 November 2002, as the strategy for improving the performance, quality and attractiveness of VET (Copenhagen process).

The Council and Commission Joint Interim Report² '*Education and Training 2010*' (26 February 2004) to the 2004 Spring European Council, includes a progress report on the first concrete results of the Copenhagen process, and recognises its role in encouraging reform, supporting lifelong learning and developing mutual trust between Member States as well as between all key players in VET.

The Interim report calls for the development of European common references and principles as a matter of priority, and their implementation at national level, taking account of national situations and respecting Member States' competences.

Since November 2002, the Council has adopted a series of acts resulting from enhanced cooperation in VET and lifelong learning, in particular in relation to human capital for social cohesion and competitiveness³, guidance throughout life⁴, principles for the identification and validation of non-formal and informal learning⁵ and quality assurance in VET⁶; it has also adopted a common position on the Europass single framework for the transparency of qualifications and competencies.

RECOGNISE that

The Copenhagen process has raised the profile of VET at the European level and in the Lisbon strategy. Member States and stakeholders have reached a common understanding of the challenges, agreed on strategies to address these and developed means of implementing these strategies.

¹ Adopted on 19 December 2002. OJ C 13, 18.1.2003, p. 2.

² 2004 Joint Education Council/Commission Report on the implementation of the Lisbon Strategy: "Education & Training 2010: the success of Lisbon hinges on urgent reforms".

³ OJ C 295 of 5.12.2003.

⁴ 9286/04 EDUC 109 SOC 179, May 2004.

⁵ 9600/04 EDUC 118 SOC 253, May 2004.

⁶ 9599/04 EDUC 117 SOC 252, May 2004.

However, to achieve the Lisbon goals for education and training, a greater impetus is needed in relation to VET within the context of "Education and Training 2010". Greater emphasis is needed under the Copenhagen process on implementation at national and EU levels, taking particularly into account common European references and principles as agreed by the Council.

STRESS that

The Copenhagen process will continue to set political priorities for achieving the Lisbon objectives in the field of VET within the "Education and Training 2010" work programme, in order to attain a genuine European labour market. The Joint Interim Report identifies a number of levers and priorities for implementation based on reforms and investment in key areas to make education and training systems a world quality reference by 2010 and lifelong learning a concrete reality. These include the need to mobilise the necessary investments effectively and to focus on the development of key competencies of citizens throughout life, for example learning to learn, innovate and develop a spirit of enterprise.

In conformity with the principles of the Council Resolution of 19 December 2002, "measures should be voluntary and principally developed through bottom-up cooperation.

VET is increasingly taking place at all educational levels and, therefore, the complementarity and links between VET and general education, in particular with higher education, need to be particularly addressed.

AGREE that

At the national level, priority should be given to:

- i) the use of common instruments, references and principles to support the reform and development of VET systems and practices, for example regarding transparency (Europass), guidance throughout life, quality assurance and identification and validation of non formal and informal learning. This should include the strengthening of mutual links between these instruments and raising stakeholders' awareness at national, regional and local levels in Member States to enhance visibility and mutual understanding;
- ii) improving, where appropriate, the "training incentive effects of tax and benefit systems" as recommended by the Lisbon European Council¹;
- iii) the use of the European Social Fund and the European Regional Development Fund to support the development of VET. Subject to an agreement on the future EU structural funds, and in accordance with the policy orientations of those funds during 2007-2013, they should support the key role of education and training in promoting economic development and social cohesion, as well as the "Education and Training 2010" objectives, in particular the needs of small and medium sized enterprises and the challenge of renewing and updating the skills of an ageing population.
- iv) the further development of VET systems to meet the needs of people and groups at risk of labour market and social exclusion, in particular early school leavers, low skilled, migrants, persons with disabilities and the unemployed. This should be based on a combination of targeted investment, assessment of prior learning and tailored training and learning provision.

¹ Presidency Conclusions - point 23.

- v) the development and implementation of open learning approaches, enabling people to define individual pathways, supported by appropriate guidance and counselling. This should be complemented by the establishment of flexible and open frameworks for VET in order to reduce barriers between VET and general education and increase progression between initial and continuing training and higher education. In addition, action should be taken to integrate mobility into initial and continuing training.
- vi) the increased relevance and quality of VET through the systematic involvement of all relevant partners in developments at national, regional and local level, particularly regarding quality assurance. To that effect, VET institutions should be enabled and encouraged to participate in relevant partnerships. More emphasis on the early identification of skill needs and planning of VET provision is particularly important and key partners, including the social partners, will play a major role in this.
- vii) the further development of learning-conducive environments in training institutions and at the workplace. This entails enhancement and implementation of pedagogical approaches which support self-organised learning and utilise the potential provided by ICT and e-learning, thus improving the quality of training.
- viii) continuing competencies development of teachers and trainers in VET, reflecting their specific learning needs and changing role as a consequence of the development of VET.

AGREE that

At the European level, priority should be given to:

- i) the consolidation of priorities of the Copenhagen process and facilitating the implementation of concrete results.
- ii) the development of an open and flexible European qualifications framework, founded on transparency and mutual trust, which will stand as a common reference covering both VET and higher education, based mainly on competencies and learning outcomes.
- iii) the development and implementation of a European Credit Transfer System for VET (ECVET) in order to allow learners to build upon the achievements resulting from their learning pathways when moving from one national VET system to another.
- iv) the examination of specific learning needs and changing role of vocational teachers and trainers and of possibilities of making their profession more attractive, including the continuous updating of their professional skills.
- v) the improvement of the scope, precision and reliability of VET statistics in order to enable evaluation of progress.

INVITE THE MEMBER STATES AND THE COMMISSION WITHIN THEIR RESPECTIVE COMPETENCES

- To rationalise and streamline, in accordance with the Joint Interim Report, the education and training processes at European level by bringing the priorities of the above conclusions and the Copenhagen process groups within the framework of the Education and Training 2010 work programme.
- To prepare and examine proposals for a European Qualifications Framework and a European Credit Transfer System for VET.

- To develop a coherent approach and closer cooperation, both at national and European level, with:
 - Higher Education, including developments under the Bologna process
 - European Economic, Employment, sustainable development and Social Inclusion Policies (for example in relation to National Action Plans)
 - and between research, practice and policy by networking and exchange of innovation and good examples of policy and practice.
- To provide information on progress made and future actions for development of VET involving all relevant stakeholders, at national level as part of the integrated biennial report on "Education and Training 2010", in the context of implementing national lifelong learning strategies.
- To develop closer links with key partners, including the social partners at European, national, regional and sectoral levels, taking into account the social partners' "Framework of actions for the lifelong development of competencies and qualifications"¹.
- To use fully the current Leonardo da Vinci programme and the future integrated action programme in the field of lifelong learning to support the development, testing, and implementation of innovative actions to advance VET reform."
- ***Mid-term review of the Lisbon strategy (Kok report)***

Following the presentation by Mr Will Hutton² of the Report of the High Level Group advising the European Commission on its preparations for the mid-term review of the Lisbon strategy in March 2005 (Kok Report), the Council held a debate, specially focusing on the education and training aspects.

The Kok report was, in particular, welcomed for its accurate description of the international situation and of the three main challenges for the EU: lower growth, ageing population and international competition (USA, China, India).

Recognising the need of achieving the Lisbon objectives, the delegations stressed the essential role of education and training, at all levels, for the realisation of the "knowledge society".

"Excellence", requiring systematic assessment of education systems, as well as of teachers and pupils, was further considered as an objective for all levels of life long learning, to be achieved not in detriment of social cohesion.

The delegations further requested that the Council, in its Education configuration, should have a specific role to play in the preparations for the mid-term review process (Spring 2005).

For further details, please see the discussion paper 13831/04.

¹ ETUC, UNICE, CEEP, UEAPME, 28 February 2002.

² Rapporteur of the High Level Group and Chief Executive of the Work Foundation in London.

YOUTH

– *Youth programme*

The Council held a policy debate on an action programme proposed by the Commission in July 2004, aimed at promoting actions in favour of youth, for the period 2007-2013.

The debate focussed essentially on the following items: innovations and added value of the programme; age range to be covered by the programme; accessibility of the programme to young people with fewer opportunities.

Delegations agreed on the general approach of the Commission in its proposal, recognising the European added value of a programme supporting actions in favour of young people.

The objectives of the programme - the development of young people's European identity and active citizenship as well as the promotion of the participation of young people in voluntary activities, opened up to third countries - were particularly welcomed by the delegations.

A broader range of ages was supported by a number of delegations, which could be justified, on the one hand, by the earlier maturity of the new generation of young people and, on the other hand, by the later entry into active life.

Delegations generally agreed on the need to give special attention to young people with fewer opportunities, especially in order to combating social exclusion and discrimination and with a special focus on early school leavers.

The action programme will be adopted by a Decision of the European Parliament and of the Council under the codecision procedure, the opinion of the European Parliament being still awaited. In this context, the aim of today's debate was to give delegations the opportunity to express their opinion, at ministerial level, on a number of issues identified by the Presidency (13834/04), in preparation of further examination of the file.

As proposed by the Commission, youth activities will maintain their distinctive character in a new separate programme "Youth in Action", running from 2007 to 2013. The operational structure of the programme has been simplified and centralised. However, continuity with the current programme has been ensured. The most significant actions (and objectives), as proposed, will be youth exchanges (35,000 projects by 2013); "European Voluntary Service" (10,000 volunteers a year); "Youth for the World" aimed at developing projects with third countries.

– *Evaluation of the youth programme 2000-2006*

The Council adopted the following conclusions:

" THE COUNCIL OF THE EUROPEAN UNION

Recalling that:

1. Article 13 of Decision 1031/2000/EC of the European Parliament and of the Council establishing the Youth Community action programme (2000-2006) ¹ calls for the monitoring and evaluation of the Youth Programme.
2. With the agreement of the Member States the mid-term evaluation of the Youth Programme was brought forward by one year in order to be able to take into account its conclusions and recommendations for the preparation of a draft legal basis for the future generation of youth programmes.

¹ OJ L 117, 18.05.2000, p. 1.

3. The report from the Commission “Interim evaluation of the Youth Programme (period from 2000-2003”¹ was adopted on 20 January 2004.

Recognising that:

1. The Report from the Commission incorporates the impact studies presented by the Member States and the countries participating in the programme, the external evaluations carried out and the results of seminars and thematic workshops organised by the Commission.
2. The different players in the Youth Programme have been involved in the evaluation process, i.e. national administrations, the network of national agencies, youth organisations from Member States and from countries participating in the programme, youth workers and researchers.
3. The evaluation focuses mainly on the internal and external relevance of the programme, the impact of the programme on the immediate beneficiaries, the impact on systems, operational mechanisms and the performance in respect of each action of the programme.
4. The Commission has set up a number of working groups for the follow-up of the interim evaluation.
5. Between 2000 and 2002, the programme has allowed the implementation of more than 34,000 different projects which involved around 345,000 young people, for a total financial cost of 215,9 Million euros.
6. Pursuance of gender mainstreaming is a general principle of the Youth programme.

Concludes as follows:

1. The evaluation of the Youth Programme at the end of the fourth year of its implementation is generally positive. The aims of the programme have largely been achieved: active contribution by young people to the construction of Europe through participation in transnational exchanges, solidarity measures for young people, initiative projects and strengthening cooperation.
2. The programme has proved to have a large impact on participating young people, on many youth organisations and on many local, regional and national youth policies.
3. The Youth Programme provides a European added value.

Agrees with:

The recommendations contained in the mid-term evaluation and welcomes their implementation during the second part of the current programme between 2004 and 2006, in particular:

- (1) Better targeting of the programme towards its audience, i.e. all young people, particularly those with fewer opportunities.
- (2) Improving assistance for beneficiaries and projects, in all phases, through measures on a local scale and of high quality.
- (3) Simplifying procedures and making them as flexible as possible, bearing in mind the target audience.
- (4) Increasing transparency and coherence in the implementation of the programme.

¹ 7213/04 (COM (2004)158 final)

- (5) Increasing the quality of work through project evaluation with feedback to the beneficiaries and recognition of the activities carried out.
- (6) Considering the qualitative aspects when developing voluntary activities.
- (7) Considering opening up the programme to more third countries.
- (8) Anticipating developments through the implementation of innovative projects and by carrying out the necessary studies.
- (9) Giving the programme and each of its actions more visibility and highlighting the results obtained.

Confirms:

- that the involvement of the target group of young people is paramount in the process leading up to the establishment of the new generation of programmes 2007-2013;
- the need to maintain and develop the existing Community instruments addressed to young people, which is essential for the development of Member States' cooperation in the field of youth;
- that the results of the mid-term evaluation could be usefully taken into consideration within the framework of the new proposal for a programme in the youth field from 2007."

– *Voluntary activities of young people*

The Council and the Representatives of the Governments of the Member States, meeting within the Council, adopted the following resolution:

" THE COUNCIL OF THE EUROPEAN UNION AND THE REPRESENTATIVES OF THE GOVERNMENTS OF THE MEMBER STATES, MEETING WITHIN THE COUNCIL,

WHEREAS:

1. The Commission White Paper entitled "A new impetus for European youth" presented on 21 November 2001 sets out a new framework for European cooperation in the youth field;
2. In its Resolution of 14 February 2002¹ the Council recognised the added value of voluntary activity for young people in the context of the development of community action on youth and adopted the UN strategic objectives².
3. In its Resolution of 27 June 2002³ the Council adopted the open method of coordination as a new framework for cooperation in the youth field and endorsed four priorities i.e. participation, information, voluntary activities and a greater understanding and better knowledge of youth;

¹ OJ C 50 of 23.02.2002, p. 3.

² Strategic objectives of the UN:

- The accessibility and promotion of information provision on voluntary activity, with a view to reinforcing a positive image;
- Recognition and support for voluntary activity, inter alia, by authorities at all levels, public opinion, media, commerce, employers and civil society;
- Support for voluntary activity through incentives and the training of volunteers, their mentors and their associations;
- Networking between all parties involved, with special attention to the perspective of young people themselves;
- Quality care with regard to youth voluntary activity, including health and safety aspects.

³ OJ C 168, 13.7.2002, p. 2.

4. In its Resolution of 25 November 2003¹ the Council adopted common objectives for the first two priorities i.e. participation by and information for young people;
5. In its Communication of 30 April 2004² the Commission proposed common objectives for voluntary activities of young people, based on the replies of the Member States to a Commission questionnaire and after consulting young people;
6. The Council of 28 May 2004 confirmed the importance of the priority of voluntary activities of young people;
7. The European Voluntary Service (EVS) is an Action of the YOUTH Programme and a quality model for transnational voluntary service that allows young people to engage in volunteering in a variety of areas, thereby promoting their solidarity, active citizenship and mutual understanding;
8. Reference is made to the definitions used by the Commission in its Communication of 30 April 2004 on common objectives for voluntary activities of young people¹, in particular regarding voluntary activities and voluntary service.

CONSIDER

1. Voluntary activities represent important opportunities for non-formal learning. They are an important means for the self-development of young people and their engagement as active citizens. Voluntary activities also contribute to enhancing solidarity, social cohesion and community development.
2. Voluntary activities need to be clearly distinguished from employment and should by no means replace employment.
3. The development of attractive and stimulating voluntary activities needs to be encouraged, in order for young people to be involved in voluntary work;
4. Transnational cooperation in the framework of voluntary activities should be encouraged with a view to promoting a European dimension in this field.
5. Voluntary activities present opportunities for the development and the structuring of civil society.
6. All forms of discrimination and stereotyping should be combated and equality should be promoted in the field of voluntary activity.

AGREE the following common objectives for voluntary activities of young people:

With a view to enhancing active citizenship and solidarity of young people, voluntary activities should be developed, facilitated, promoted and recognised at all levels:

- (1) Encourage the development of voluntary activities of young people with the aim of enhancing awareness of the existing possibilities, enlarging their scope and improving their quality.
- (2) Make it easier for young people to carry out voluntary activities by removing existing obstacles.

¹ OJ C 295, 5.12.2003, p. 6.

² 9182/04 [COM(2004) 337 final].

- (3) Promote voluntary activities with a view to reinforcing young people's solidarity and engagement as responsible citizens.
- (4) Recognise voluntary activities of young people with a view to acknowledging the value of their personal skills thus acquired and their engagement for society and the role that voluntary activities play in terms of facilitating the transition from education to work and adult life.

A non-exhaustive list of the possible lines of action for the above common objectives is set out in the annex hereto;

RECALL that implementation must be flexible, incremental and appropriate for the youth field and must respect the competences of the Member States and the principle of subsidiarity;

INVITE THE MEMBER STATES TO

- specify implementing and follow-up measures, in the light of their particular circumstances and their national priorities with regard to those common objectives;
- submit reports on the national contributions to the implementation of the priority of voluntary activities, by the end of 2006;
- consult and encourage the participation of young people, and their associations, young volunteers and volunteer organisations, as well as national and regional youth councils – if appropriate – for the elaboration of those reports;

NOTE THAT THE COMMISSION INTENDS TO

- prepare, on the basis of the above reports on national contributions to the implementation of the common objectives, a progress report for submission to the Council in order to encourage mutual exchange of information and good practice concerning voluntary activities of young people, after consultation of the European Youth Forum, while not excluding other forms of consultation;
- propose, if appropriate, amendments to the common objectives for voluntary activities of young people;
- suitably inform the European Parliament, the Economic and Social Committee and the Committee of the Regions;

INVITE THE COMMISSION TO

- convene, when appropriate, representatives of the national Administrations in charge of youth in order to promote the exchange of information on the progress made and on best practices;

TAKE NOTE OF THE FOLLOWING PROCEDURE

The Council and the Representatives of the Governments of the Member States, meeting within the Council will take the necessary initiatives within the framework of the common objectives, in order to facilitate their implementation. They will adapt, and when appropriate, amend the common objectives on the basis of the progress report and the amended drafts submitted by the Commission."

– *Greater understanding and knowledge of youth*

The Council and the Representatives of the Governments of the Member States, meeting within the Council, adopted the following resolution:

" THE COUNCIL OF THE EUROPEAN UNION AND THE REPRESENTATIVES OF THE GOVERNMENTS OF THE MEMBER STATES, MEETING WITHIN THE COUNCIL,

WHEREAS

1. The Commission White Paper entitled "A new impetus for European youth" presented on 21 November 2001 sets out a new framework for European cooperation in the youth field;
2. In its Resolution of 27 June 2002¹ the Council adopted the open method of coordination as a new framework for cooperation in the youth field and endorsed four priorities i.e. participation, information, voluntary activities and a greater understanding and knowledge of youth;
3. In its Resolution of 25 November 2003² the Council adopted common objectives for the first two priorities i.e. participation by and information for young people;
4. In its Communication of 30 April 2004³, the Commission proposed common objectives for a greater understanding and knowledge of youth based on the replies of the Member States to a Commission questionnaire and after consulting young people and researchers;
5. The Council of 28 May 2004 confirmed the importance of the priority concerning a greater understanding and knowledge of youth;

i) CONSIDER THAT

1. The priority a "greater understanding and knowledge of youth" is of paramount importance for policy making in the youth field since in order to meet the needs and expectations of young people, policies are to be based on the best available knowledge and understanding of their needs and expectations and good practices;
2. A knowledge based approach to policy making is particularly relevant and useful when dealing with rapidly evolving realities such as the situation of younger generations in Europe;
3. It is all the more essential at a stage where Member States have adopted common objectives on the themes of participation and of information for young people and are currently designing implementation policies;
4. Knowledge held by youth policy-makers, youth researchers, organisations of and for young people and young people themselves must be adequately taken into consideration in order to ensure a better knowledge and understanding of youth;
5. A better knowledge and understanding of youth includes understanding the differences in the life situations of young women and young men and the circumstances that bring these about.

¹ OJ C 168 of 13.07.2002, p. 2.

² OJ C 295 of 5.12.2003, p. 6.

³ 9183/04 [COM (2004) 336 final]

AGREE upon the following common objectives for a greater understanding and knowledge of youth:

For timely, efficient and sustainable policy making, it is important to encourage the development of a coherent, relevant and qualitative knowledge area in the youth field in Europe and to anticipate future needs, through exchange, dialogue and networks:

- (1) Identify - including at local and regional level - existing knowledge in priority areas of the youth field namely, participation, information and voluntary activities and implement measures to supplement, update and facilitate access to it;
- (2) In a second stage identify - including at local and regional level - existing knowledge in further priority areas of interest to the youth field such as autonomy, non-formal learning, the fight against discrimination, education & training, employment, entrepreneurship, creativity, transition from education to employment, social inclusion and health, and implement measures to supplement, update and facilitate access to it;
- (3) Ensure quality, comparability and relevance of knowledge in the youth field by using appropriate methods and tools;
- (4) Facilitate and promote exchange, dialogue and networks to ensure visibility of knowledge in the youth field and anticipate future needs;

A non-exhaustive list of the possible lines of action for the above common objectives is set out in the annex hereto;

RECALL that implementation must be flexible, incremental and appropriate for the youth field and must respect the powers of the Member States and the principle of subsidiarity;

INVITE THE MEMBER STATES TO

- specify implementing and follow-up measures, in the light of their particular circumstances and their national priorities with regard to those common objectives;
- inform to that end the Commission of the concrete achievements resulting from the implementation of the two first common objectives respectively by the end of 2005 for participation and information, by the end of 2006 for voluntary activities and by the end of 2008 for the other themes;
- within the above reports, inform the Commission of the steps taken in order to fulfil the third and fourth common objectives respectively relating to quality of knowledge and to networks;
- consult and encourage the participation of young people and their associations, researchers, as well as national and regional youth councils - if appropriate - for the elaboration of those reports;

NOTE THAT THE COMMISSION INTENDS TO

- prepare, on the basis of the above reports on the national contributions to the implementation of the common objectives, a progress report for submission to the Council in order to encourage mutual exchange of information and good practice concerning a greater understanding and knowledge of youth, in consultation with the European Youth Forum, while not excluding other forms of consultation;
- propose, if appropriate, amendments to the common objectives for a greater understanding and knowledge of youth;
- suitably inform the European Parliament, the Economic and Social Committee and the Committee of the Regions;

INVITE THE COMMISSION TO

- convene, when appropriate, representatives of the national Administrations in charge of youth, in order to promote the exchange of information on the progress made and on best practices;

TAKE NOTE OF THE FOLLOWING PROCEDURE

The Council and the Representatives of the Governments of the Member States meeting within the Council will take the necessary initiatives within the framework of the common objectives in order to facilitate their implementation. They will adapt and, when appropriate, amend the common objectives on the basis of the progress report and the amended drafts submitted by the Commission."

CULTURE

– *Culture 2007 programme*

The Council held a policy debate on an action programme proposed by the Commission in July 2004 in the field of culture for the period 2007-2013.

The debate focussed essentially on the following issues:

- Mention of specific cultural sectors in the programme;
- Participation of smaller projects and/or operators.

The open and inclusive nature of the proposed programme and the fact that no specific sectors were welcomed. A few delegations nevertheless considered that the protection of cultural heritage should be mentioned among the objectives.

Delegations generally stressed that the programme should be open to small cultural operators. Some were favourable to reducing the minimum number of operators or the financial thresholds so as to ensure that small projects with a lesser budget would have access to the programme. It was felt that quality of projects rather than size was the overriding criterion.

The action programme will be adopted by a Decision of the European Parliament and of the Council under the codecision procedure, the opinion of the European Parliament being still awaited. In this context, the aim of today's debate was to give delegations the opportunity to express their opinion, at ministerial level, on a number of issues identified by the Presidency (13838/04), in preparation for further examination of the file.

As proposed by the Commission (11572/04), the programme is aimed at giving priority support to three objectives: transnational mobility of people working in the cultural sector, transnational circulation of artistic and cultural works and products and intercultural dialogue. Projects supported by the programme will need to offer maximum added value at European level; each project will therefore need to pursue at least two of these objectives.

The draft programme provides for three levels of intervention, with a strand corresponding to each one: direct financial support for sustainable, exploratory or "special" cooperation projects, structural intervention in favour of cooperation, going beyond the project-based approach; support for analysis and information activities, in order to create a favourable environment for cooperation.

– *Work plan for Culture 2005-2006*

The Council adopted the following conclusions:

"THE COUNCIL OF THE EUROPEAN UNION,

NOTING that in terms of cultural diversity, Europe has much to offer,

Also NOTING the substantive potential of culture for Europe,

ACKNOWLEDGING that Europe's citizens should be able to benefit more from these assets,

RECOGNISING THAT improvement of cultural cross-border mobility and cultural dialogue make a bottom up contribution to European citizenship,

RECALLING the importance of bringing the common cultural heritage to the fore, as stated in Article 151 paragraph 1 of the Treaty establishing the European Community,

STRESSING the important contribution which creativity and creative industries already make to economic growth and to the development of a common cultural area based on cultural and linguistic diversity and pluralism; Also stressing the potential of this cultural sector in helping to achieve the Lisbon objectives,

UNDERLINING that Article 151 paragraph 4 of the Treaty establishing the European Community provides that the Community shall take cultural aspects into account in its action under other provisions of the Treaty,

ACKNOWLEDGING that the work plan 2002-2004 contributed to set up a framework structure for the Council's work and provided a new approach in European cultural cooperation,

CONCLUDING that a new step forward has to be taken in order to improve cultural cooperation, which is more focused and result-oriented,

STRESSING that in setting priorities, it is important to take appropriate measures to eliminate obstacles so as to achieve the best output from the future programme starting in 2007,

AGREES that the Work Plan should aim at an operational follow up in terms of addressees, tasks and timeframe and should lead to concrete results.

In setting future policy priorities, while fully respecting the prerogatives of the European Commission, the Council will aim at focussing on the following five priorities to be achieved and implemented in the years 2005 and 2006. Throughout these years the Presidencies will guarantee a continuous and sustained follow up.

Topic	Actor(s)	Objective (specific)	Result	Deadline
1.Lisbon strategy (Contribution of creativity and cultural industries to European growth and cohesion)	- European Commission	- Study on ways in which creativity, creative industries, and public-private partnerships in the cultural sector already contribute to European economic, social and cultural potential and thereby to the achievement of Lisbon targets	Progress Report	second half of 2005
	- Council	-Present policy document for European Council, recommending further action in the field of culture, cultural tourism and cultural industries (including the audiovisual sector), according to Article 151.4 of the Treaty, so as to enhance the contribution of this sector to the achievement of the Lisbon targets in terms of European growth, employment and cohesion	Policy document	first half of 2006

Topic	Actor(s)	Objective (specific)	Result	Deadline
2. Coordination of digitisation (provide citizens with unrestricted, sustainable and reliable digital access to Europe's cultural heritage. Support the move towards a digital Europe with rapid sharing of cultural knowledge and thus contribute to the establishment of a knowledge economy)	Council, Member States, European Commission	- Proceed with coordination through a dynamic action plan after 2005 (follow up of Lund action plan)	Action plan	second half 2005
	Member States	- Translate commitment into a more defined and stable organisation in order to assure significance and output	Transformation of National Representatives Group as informal network into a strong European cooperative group with clear function and range	second half 2005
	European Commission	- strategically integrate digitisation with different sectors (culture, education, technology, research)	Report on European Community support for digitisation	second half 2005
3. Culture Portal with a view to improving information on: - mobility of artists - mobility of works - intercultural dialogue.	European Commission	Present project plan to Council including the role to be played by Member States in the context of the culture portal	Project Plan	first half 2005
	Member States, European Commission, cultural sector	Implementation	Renewed and fully equipped Cultural Portal	second half of 2006

Topic	Actor(s)	Objective (specific)	Result	Deadline
4. Mobility (works of art and art collections and exhibitions)	Member States in cooperation with the European Commission	<ul style="list-style-type: none"> - develop on a representative basis a Committee of museum experts to advise on ways to facilitate European Collection Mobility <p>Committee should particularly advise on:</p> <ul style="list-style-type: none"> - insurance (indemnities) - standards setting on couriers and loan agreements - Registration - Digitisation (see also Lund action Plan above under 2) <p>Develop and implement an action plan on European collection mobility</p>	Report	first half of 2005
	European Commission, Council, Member States		Action Plan	second half 2006
5. Mobility (persons) Solving obstacles caused by taxation of mobile artists	Member States, European Commission	<p>Define and assess taxation problems specific to mobile artists in the EU</p> <p>Include the findings in the report on Economics of Culture (see above under 1)</p>	Report (see above under 1)	first half 2006

– ***European Capital of Culture – members of the selection panel***

The Council appointed Mr Charles Hennessy (Irish) and Mr Bert van Meggelen (Dutch) as members of the "European Capital of Culture" 2009 selection panel representing the Council. The two candidates were proposed by the Irish and Dutch delegations during the last meeting of the Council on 27 May 2004.

The decision will be entered in the minutes of the Council's meeting and, thereafter, the Presidency will inform the Commission about the Council's designation of the members for the selection panel.

It is recalled that under Decision 1419/1999/EC¹, each year the Commission forms a selection panel, composed of seven leading independent figures who are experts on the cultural sector, which issues a report on the designation of the cities as Capitals of Culture. Under Decision 2000/C9/01², each of the two Member States holding the Presidency during the ongoing year nominates a leading figure with a view to their appointment by the Council, as its representatives in the selection panel for the following year.

– ***Draft convention on the protection of cultural and artistic diversity (UNESCO)***

The Council adopted a Decision authorising the Commission to participate, on behalf of the Community, in the negotiations within UNESCO on a convention on the protection of the diversity of cultural contents and artistic expressions (13840/04). The decision further establishes the negotiating directives for the negotiations.

It is intended that the general conference of UNESCO will adopt a convention aimed at protecting and promoting the diversity of cultural aspects. The elaboration of this new instrument is consistent with the UNESCO Universal Declaration on Cultural Diversity.

A preliminary draft convention³ was presented in July. Following a first intergovernmental meeting held from 20 to 25 September 2004, Member States were requested to submit written recommendations to the UNESCO Secretariat before 15 November 2004. A second intergovernmental negotiating session is envisaged in February 2005.

AUDIOVISUAL

– ***Media 2007 programme***

The Council held a policy debate on an action programme proposed by the Commission in July 2004, aimed at supporting the European audiovisual sector, for the period 2007-2013.

The debate focussed essentially on the following items:

- Positive discrimination measures in favour of operators from markets with a lesser production capacity or with a restricted language area.
- Involvement of broadcasters in the Media 2007 programme.

The measures foreseen in the draft programme were generally considered effective in helping reduce the imbalance between the countries with high and low production capacity.

¹ Decision of the European Parliament and of the Council of 25 May 1999 establishing a Community action for the European Capital of Culture event for the years 2005 to 2019 (OJ L 166, 1.7.1999, p.1).

² Council Decision of 17 December 1999 on the appointment by the Council of two members of the selection panel (OJ C 9, 13.1.2000, p. 1).

³ See UNESCO website: <http://portal.unesco.org>

As regards TV broadcasting, while some delegations favoured direct support to broadcasters, others were of the view that, except for the actions supporting for dubbing/subtitling, direct support should be limited for independent producers.

The action programme will be adopted by a Decision of the European Parliament and of the Council under the codecision procedure, the opinion of the European Parliament being still awaited. In this context, the aim of today's debate was to give delegations the opportunity to express their opinion, at ministerial level, on a number of issues identified by the Presidency (13841/04), in preparation for further examination of the file.

As proposed by the Commission (11585/04), the programme which integrates the current Media Plus and Media Training Programmes, aims at supporting the European audiovisual industry, with the following global objectives: enhancing European cultural diversity and its cinematographic and audiovisual heritage, guaranteeing its accessibility for European citizens and promoting intercultural dialogue; increasing the circulation of European audiovisual works inside and outside the European Union; strengthening the competitiveness of the European audiovisual sector in the framework of an open and competitive market.

– ***Film heritage and competitiveness of related industrial activities***

Pending the opinion of the European Parliament, the Council endorsed a general approach on a draft European Parliament and Council Recommendation on film heritage and the competitiveness of related industrial activities (see Commission proposal 7583/04). The Council was able to record a convergence of views of the delegations.

It is recognised that cinematographic works are an essential component of Europe's cultural heritage, deserving full protection. The fragility of this support justifies appropriate measures for its preservation.

The draft Recommendation provides for the deposit of cinematographic works forming part of Member States audiovisual heritage as a way of preserving this European heritage, while ensuring the competitiveness of the Community's film industry and of the related activities of conservation, restoration and exploitation. It aims at encouraging policies of innovation, research and technological development in the field of conservation and restoration of cinematographic works. It covers, inter alia, the cataloguing of works, the creation of databases, the use of films for educational purposes and cooperation between responsible institutions in the sector.

It follows on two resolutions adopted by the Council on this matter, on 26 June 2000¹ and on 24 November 2003².

– ***Protection of minors and human dignity and right of reply***

Pending the opinion of the European Parliament, the Council endorsed a general approach on a draft European Parliament and Council Recommendation on the protection of minors and human dignity and on the right of reply in relation to the competitiveness of the European audiovisual and online information services industry (see Commission proposal 9195/04). The Council was able to record a convergence of delegations' views.

¹ OJ C 193, 11.7.2000, p.1.

² OJ C 295, 5.12.2003, p. 5.

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

It builds upon the original Council Recommendation 98/560/EC of 24 September 1998¹, which remains valid. It responds to the new challenges both in quantitative (more “illegal” content) and qualitative terms (new platforms, new products) which technological developments bring in this field.

– ***Public service broadcasting***

The Council held an exchange of views regarding the competence of the Member States to define the public service broadcasting mission in the information society.

This exchange of views is to be seen in the context of the Protocol annexed to the EC Treaty by the Treaty of Amsterdam on the system of public broadcasting in the Member States.

OTHER BUSINESS

The Council was further briefed by the Commission on the following items:

- Follow-up to the White Paper "A new impetus for European youth": taking stock of activities in the framework of European cooperation on youth (13856/04).
- Proposal for a Recommendation of the Council and of the European Parliament on further European cooperation in quality assurance in higher education (13495/04).
- Commission report on the implementation of Council Recommendation 98/561/EC of 24 September 1998 on European cooperation in quality assurance in higher education (13969/04).

It was also briefed by the Portuguese delegation on the following event:

- Sport in higher education FISUFORUM – Lisbon 2004 (14485/04).

¹ OJ L 270, 7.10.1998, p. 48.

OTHER ITEMS APPROVED

EXTERNAL RELATIONS

Support for the International Criminal Tribunal for the former Yugoslavia (ICTY) - Freezing of funds

The Council adopted a Decision implementing Common Position 2004/694/CFSP of 11 October 2004 and expanding a freeze on all funds and economic resources to cover all persons indicted by the International Criminal Tribunal for the former Yugoslavia for war crimes who are not in the custody of the Tribunal (13783/04).

The decision expands the list of persons subject to a freeze of resources beyond the original three listed in the 11 October decision: Ante Gotovina, Radovan Karadzic and Ratko Mladic. It adds another 18 names to the list: Ljubomir Borovcanin, Goran Borovnica, Miroslav Bralo, Vlastimir Djordjevic, Goran Hadzic, Gojko Jankovic, Vladimir Lazarevic, Milan Lukic, Sredoje Lukic, Sreten Lukic, Dragomir Milosevic, Drago Nikolic, Vinko Pandurevic, Nebojsa Pavkovic, Vujadin Popovic, Savo Todovic, Dragan Zelenovic, Stojan Zupljanin.

The Common Position is aimed at implementing the measures recommended by the UN Security Council Resolution 1503 (2003) which calls on all States to intensify cooperation with and render all necessary assistance to the ICTY.

Preparation of the Euro-Mediterranean ministerial meeting

The Council adopted guidelines on the position to be taken by the European Union in the forthcoming Euro-Mediterranean meeting of Ministers of Foreign Affairs in the Hague, 29 - 30 November 2004.

The meeting will take stock of progress in several areas such as implementation of the Barcelona acquis, new international initiatives, including the Arab League Tunis Declaration, the association agreement with Syria, political and security cooperation, free trade, justice, security and migration, education and the dialogue between cultures and civilisations. The meeting will provide an opportunity to have a political debate on the Arab-Israeli conflict and recent positive steps taken by Libya. The meeting will also launch the preparation of the tenth anniversary of the Barcelona Process, which falls in November 2005.

The Barcelona Process, enhanced by the European Neighbourhood Policy, is the main initiative for the Mediterranean in which the EU and the Mediterranean partners jointly participate.

EUROPEAN SECURITY AND DEFENSE POLICY

Croatia - Exchange of classified information

The Council authorised the Presidency, assisted by the Secretary General / High Representative, to open negotiations with Croatia in order to conclude an agreement on security procedures for the exchange of classified information and defining the purpose of cooperation and the reciprocal rules on the protection of the information exchanged.

TRADE POLICY

Steel imports from Russia

The Council adopted a Regulation authorising more imports of hot-rolled coils for re-rolling from Russia into the Community. The importation of the steel products will be authorised up to 200 000 tonnes (13397/04).

The Regulation is adopted due to the important increase in the demand worldwide for steel products and the ensuing difficulties for some Community users to obtain those products in the Community market.

Anti-dumping and Anti subsidy - Polyethylene terephthalate - India, Brazil and Israel

The Council adopted two Regulations extending the definitive anti-dumping and anti subsidy duty imposed by Regulation (EC) No 1676/2001 and Regulation (EC) No 2597/1999 on imports of polyethylene terephthalate (PET) film originating, inter alia, in India to imports of polyethylene terephthalate (PET) film consigned from Brazil and from Israel, whether declared as originating in Brazil or Israel or not (13914/04, 13921/04).

DEVELOPMENT POLICY

Togo - Restoration of democracy

The Council adopted a Decision concluding a consultation process with Togo under the Cotonou Agreement. The Decision consists of a letter to be sent to the Togolese government indicating appropriate measures to be taken as regards the restoration of democracy (12744/04).

The Decision sets out the conditions for financial contributions to Togo in the Cotonou framework. Institutional aid for the implementation of measures to carry out the undertakings made during the consultations may be provided from the unexpended balances of the 6th and 7th European Development Fund (EDF). The 9th EDF allocation will be notified once electoral arrangements that will ensure transparent and democratic elections acceptable to all parties are established and a date for the holding of parliamentary elections is set.

The ACP-EU partnership is founded on respect for human rights, democratic principles and the rule of law. The Government of Togo has violated certain rules defined by the Cotonou Agreement which has led to a consultation process with the EU. Togo has remedied several problems identified by the European Union but a number of points continue to give rise to concern, especially as regards the restoration of democracy.

ACP - Budget of the Technical Centre for Agricultural and Rural Cooperation

The Council agreed on a draft Decision of the ACP-EC Committee of Ambassadors adopting the budget of the Technical Centre for Agricultural and Rural Cooperation for 2005 (2135/04).

SOCIAL POLICY

Social security*

The Council adopted a common position on a draft Regulation updating Regulations 1408/71 and 574/72 on the application of social security schemes to persons moving within the EU, to take into account recent changes in national legislation as well as developments in European Court of Justice case law (*12062/04 and 12062/04 ADD1*). The common position will be sent to the European Parliament with a view to its second reading.

Amendments concern essentially the list of special non-contributory cash benefits¹, the calculation of the minimum period of insurance and the applicability of bilateral social security agreements between Member States.

Further details can be found on the Council website (see 9507/04, page 7).

INTERNAL MARKET

Consumer protection - Unfair commercial practices *

The Council adopted a common position on a draft Directive aiming at harmonising rules in the EU on unfair commercial practices, with a view to achieve a high level of consumer protection (*11630/04 and 11630/04 ADD1*).

The text defines the conditions that determine whether a commercial practice is unfair and contains a general prohibition of misleading and aggressive commercial practices, including unfair advertising.

Member States will be allowed to apply national provisions more prescriptive or restrictive than the Directive, which implements minimum harmonisation clauses for 6 years from the transposition of the Directive.

The proposal updates former directives on:

- Protection of consumers in respect of distance contracts (Directives 84/450/EEC and 97/7/EC)
- Injunctions for the protection of consumer's interests (Directive 98/27/EC)
- The distance marketing of consumer financial services (Directive 2002/65/EC).

The common position will be transmitted to the European Parliament for a second reading.

Further information can be obtained on the Council website (see press release 9081/1/04).

ENVIRONMENT

Air quality

The Council adopted at first reading, accepting all the amendments suggested by the European Parliament, a Directive aimed at reducing the concentration of arsenic, cadmium, mercury, nickel and polycyclic aromatic hydrocarbons in ambient air, with a view to preventing harmful effects on human health and to protecting the environment (*PE-CONS 3678/04*).

¹ Benefits which are financed through State budgets and not through contributions.

The Directive applies the principle that exposure to such pollutants, known as human carcinogens, should be as low as reasonably achievable. It introduces, in particular:

- air pollution target values for arsenic, cadmium, nickel and benzo(a)pyrene (the substance used as a marker for polycyclic aromatic hydrocarbons) to be achieved by 31 December 2012;
- common methods and criteria for evaluating the concentration in ambient air and deposition rates of these substances and of mercury;
- the obligation, for the Member States, to determine proportionate penalties applicable to infringements of the rules by polluters;
- the obligation, for the Member States, to inform inhabitants when the target values are exceeded and to inform the Commission of any relevant information.

The Directive is the final stage in the process launched by the air quality framework Directive 96/62/EC, as part of the European Environment Action Programs.

INSTITUTIONAL AFFAIRS

European Administrative School*

The Council adopted a Decision setting up a single European Administrative School for the European Parliament, the Council, the Commission, the Court of Justice, the Court of Auditors, the Economic and Social Committee, the Committee of the Regions and the Ombudsman (12954/04).

The main task of the new inter-institutional school will consist on carrying out professional training activities, with a view to enhancing human resources and career developments of European civil servants.

After being adopted by all the institutions, the Decision will be published in the Official Journal of the European Union.

APPOINTMENTS

Committee of the Regions

The Council adopted Decisions appointing as members of the Committee of the Regions (13896/04), (14335/04), (14347/04):

- Mr František SLAVÍK, President of the Regional Council of Zlínský kraj, to replace Mr Jan BŘEZINA;
- Mr Tomáš ÚLEHLA, Mayor of the City of Zlín, Zlínský kraj, to replace Mr Oldřich VLASÁK;
- Mr Giancarlo GABBIANELLI, Sindaco di Viterbo, in place of Mr Paolo AGOSTINACCHIO;
- Mr Paolo FONTANELLI, Sindaco di Pisa, in place of Mr Gianfranco LAMBERTI;
- Mr Savino Antonio SANTARELLA, Sindaco di Candela, in place of Mr Salvatore TATARELLA;
- Mr Roberto PELLA, Consigliere comunale di Cossato in place of Mr Riccardo VENTRE;
- Mr Renato SORU, Presidente della Regione Sardegna, in place of Mr Mauro PILI;

And as alternate members:

- Ms Ivana ČERVINKOVÁ, Mayor of the Municipality of Kostelec nad Orlicí, Královehradecký kraj, to replace Mr Petr DUCHOŇ;
- Mr Ivan KOSATÍK, 2nd Deputy of the President of the Regional Council of Olomoucký kraj, to replace Mr František SLAVÍK;
- Mr Petr OSVALD, Member of the local authority of the City of Plzeň, Plzeňský kraj, to replace Mr Tomáš ÚLEHLA;
- Mr Sergio CUCCO, Consigliere comunale di Vercelli, in place of Mr Gabriele BAGNASCO;
- Mr Vincenzo ZACCHEO, Sindaco di Latina, in place of Mr Marcello MEROI;
- Mr Errico BORRELLI, Sindaco di Belmonte del Sannio, in place of Mr Roberto PELLA;
- Mr Enzo GHIGO, Presidente della Regione Piemonte nonché della Conferenza dei Presidenti delle Regioni e Province Autonome italiane, in place of Mr Carlo ANDREOTTI;

for the remainder of their terms of office, which end on 25 January 2006.

DECISION TAKEN BY WRITTEN PROCEDURE

ENERGY - Gas networks - Conditions for third-party access *

The Council adopted a common position on a draft Regulation laying down conditions for third-party access to the gas transmission network in the EU (11652/04).

The draft Regulation builds on a set of guidelines, agreed by the European Gas Regulatory Forum ("Madrid Forum"), specifying details on:

- third-party access services,
- the principles of capacity allocation mechanisms,
- congestion management procedures,
- the technical information for network users to gain access to the system,
- transparency requirements.

The Council's common position makes clear that differences between national gas systems should be reflected in the guidelines.

The draft Regulation aims at completing the Internal Gas Market Directive 2003/55/EC adopted last year. It can be seen as a parallel to Regulation No 1228/03 on conditions for access to the network for cross-border exchanges in electricity, as part of the internal market package.

The common position, adopted by written procedure on 12 November 2004, will be forwarded to the European Parliament for second reading.