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Main results of the Council

Education

*The Council adopted conclusions on the **social dimension of higher education**.*

*It also held, in public deliberation, a policy debate on the link between **teaching professions of the highest quality and achieving better learning outcomes**.*

Youth

The Council adopted conclusions on:

- ***maximising the potential of youth policy in addressing the goals of the Europe 2020 Strategy;***
- ***the contribution of quality youth work to the development, well-being and social inclusion of young people.***

*Ministers also held a policy debate, in public deliberation, on the subject "Europe's young people: **what can quality youth work contribute to addressing current challenges?**"*

Culture and Audiovisual

*The Council designated Aarhus (Denmark) and Paphos (Cyprus) as the **European Capitals of Culture for 2017** and Valletta (Malta) for **2018**. It also reached a general approach on the proposal for a decision establishing a Union action for the **European Capitals of Culture for the years 2020-2033**.*

*Ministers had an exchange of views on **cultural diversity** in the context of the future Transatlantic Trade and Investment Partnership Agreement between the EU and the USA.*

*The Council held a public policy debate on the use of **culture as a soft policy option in EU external relations**.*

Sport

*Ministers were briefed by the Presidency on the outcome of the recent World Anti-Doping Agency meetings in Montreal (11-12 May 2013). In this context, the Council held a policy debate **on the role of public authorities in combating doping in sport**, with the participation of the CEO of the US Anti-Doping Agency (USADA), Travis Tygart.*

*The Council also adopted conclusions on **dual careers for athletes**.*

*Furthermore, the Council issued, without debate, a new **recommendation to Cyprus on action to reduce its deficit below 3 % of GDP**.*

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ITEMS DEBATED

EDUCATION

Higher education

The Council adopted conclusions on the **social dimension of higher education** ([8574/13](#)),

highlighting the need to develop high quality education and training systems which are also fair. The Presidency underlined that knowledge and higher education are public assets and that is therefore public responsibility to ensure equal opportunities also in this field.

There are still too many capable students who are excluded from higher education systems because of their socio-economic situation, insufficient systems of support and guidance, and other obstacles. This increases the risk of unemployment, social exclusion and wasted human potential in a modern knowledge-based economy.

As a contribution towards reaching one of the Europe 2020 targets for education¹, the conclusions propose measures to ensure greater access to, participation in and completion of higher education for non-traditional learners and students from disadvantaged backgrounds.²

They also call for the development of increased opportunities for more flexible learning using ICT and open educational resources, as well as [or thereby?]enhancing the attractiveness and relevance of higher education courses and adequate learning support.

The Commission underlined that Europe needs a highly educated population to face future challenges, and recalled that the aim is not only that more people should have access higher education, but even more important is that they complete it.

¹ 40% of 30-34 year olds should have completed tertiary or equivalent education by 2020.

² See also: Commission communication of November 2012: " Rethinking Education: Investing in skills for better socio-economic outcomes" ([14781/12](#))

High quality teachers

In public deliberation, ministers had a discussion on "**Ensuring a teaching profession of the highest quality** to underpin the achievement of better learning outcomes", on the basis of a background paper prepared by the Presidency (8573/13)¹ Ministers were invited to highlight briefly one practical initiative in their member state that could be of relevance to other ministers.

In order to promote a more dynamic, free-flowing debate, the Presidency had invited two guest speakers with specific experience in this field:

- **Ms Christine Blower**, President of the European Trade Union Committee for Education (ETUCE) and General Secretary of the UK's National Union of Teachers;
- **Mr Pasi Sahlberg**, Director-General of Finland's Centre for International Mobility and Cooperation and author of "Finnish Lessons: What Can the World Learn from Educational

Teacher quality is frequently cited as the most important in-school element influencing student achievement. Teachers therefore play a critically important role in enhancing both young people's employment prospects and life chances generally but they are not the sole element in learning success, some studies even indicate that they are responsible for only 15% of it .

Mr. Sahlberg considered that in the last 25 years global changes have been implemented in European education systems, partly based in concepts developed in the United States, which are mainly based on

- competition (between schools, pupils, teachers)
- standardisation (teaching, contents,)
- accountability: systematic evaluation of teachers/pupils/schools in order to compete better
- excessive faith in parental choice and an increased role of private schooling.

¹ See also: Staff Working Paper on "Supporting the Teaching Professions" (14781/12 ADD 4)

According to the speaker, this approach did not produce the best effects at European level.

Ms Blower was of the view that pre-service training is crucial, as well as continuing career development that must have a stable framework. Teachers need to be trusted and supported to deal with problematic cases and she also considered collaboration between teachers essential.

A majority of member states underlined the importance of finding the right balance between teachers' accountability on the one hand and their freedom to innovate and inspire in the classroom on the other.

Member states also highlighted the strategic importance of teachers' educators and school leadership. Most of them agreed with the experts that the focus should be on the team of teachers in school rather than on an individual teacher.

Most member states also agreed that the main aspects that can have an impact on the quality and effectiveness of the teaching professions include:

- attracting and recruiting the most talented people and retaining them in the profession;
- providing teachers with the right mix of skills and knowledge throughout the whole teacher education and career;
- ensuring they receive regular feedback and appraisal;
- improving teachers' educators preparation and professional support.

Any other business

– Youth Employment Initiative

The Council took note of the request from the Austrian delegation ([8979/13](#)) addressed to the Presidency and the Commission to inform education ministers about the state of play and the next steps regarding the European Youth Initiative and to briefly set out how the EYCS Council could best support it, since Austria deems it essential that the employment and education sectors are interlinked at national as well as at EU level.

Austria considers that this would not only contribute to the coherence of the Council's work, but also correspond to the high political priority of promoting youth employment, which has been acknowledged by the Heads of State and Government.

The Commission recalled all the recent initiatives taken in this field at European level, in particular:

- the Youth Employment Package, followed by the Recommendation on establishing a Youth Guarantee (8548/13) and the Youth Employment Initiative under the Multi-annual Financial Framework 2014-2020, involving a fund of EUR 6 bn;
- the proposal for a regulation establishing ‘ERASMUS FOR ALL’ ([17188/11](#)).
- ***European Schools***

The Council took note of information from the Presidency concerning the secondment of teachers in the European schools ([9390/13](#)). There are 14 European schools located close to the European institutions. All were set up under an intergovernmental agreement with the aim of teaching the children of staff in the EU institutions in their maternal language, although - depending on their location - they can also take pupils from other backgrounds.

A number of Member States are of the view that there are serious underlying problems with the European School system's current model, particularly with respect to cost-sharing. Statistics show that some countries are currently sending a disproportionate percentage of staff in proportion to the number of pupils of their nationality.

It is in the interests of all Member States to find a solution which can find unanimous support and which is in the best interest of learners and their families. The Irish Presidency stands ready to use its good offices to assist in any way it can and the Commission agreed that a solution must be found to the imbalance in cost-sharing at the highest level.

The Commission underlined the importance of the European schools who have more than 25 000 pupils throughout Europe and proposed that an extraordinary meeting of EU Education ministers should be convened as soon as possible in order to discuss the current crisis.

– ***"ERASMUS for all"***

The Council took note of information from the Presidency regarding the proposal for a regulation establishing the Union Programme for Education, Training, Youth and Sport.

"Erasmus for All" is the Commission's proposal for an integrated programme in the areas of education, training, youth and sport for 2014-2020 - one of a number of proposals linked to the next Multiannual Financial Framework (MFF). It brings together in a single programme activities previously covered by a number of separate programmes (including the Lifelong Learning Programme, Erasmus Mundus and Youth in Action), as well as proposing activities in the new area of European competence, sport. The proposed budget for the programme was €19 billion.

The Presidency has been working intensively on this file, several trilogues and technical meetings have been held since February and quite significant progress has been made. The most recent trilogue was held on Tuesday 14 and another one is expected for 27 May.

The remaining issues concern in particular the programme's name, the budget and the relationship between the different sectors and key actions, as well as the student's loan guarantee scheme (the possibility for Master level students doing a full degree programme in another EU or EEA country to access loans at favourable conditions with EU backing).

The Council and the Commission remain clearly favourable to the general name 'Erasmus for All', on the grounds that all sectors of the programme could benefit from wider use of what is one of the best known and most popular EU programme names of all. As always in these negotiations, "nothing is agreed until everything is agreed", but the Presidency is confident that an overall agreement will be found before the end of its Presidency.

The Commission underlined the importance of keeping the streamlined nature of the programme, and recalled that it should be financed in line with its ambitions. It also called for adequate financing of the Loan Guarantee Facility (above the 2% currently under discussion), in order to ensure its impact and geographical coverage. Commissioner Vassiliou recalled that this facility is a social cohesion tool, specifically addressed to students with less resources.

– ***Work programme of the incoming Presidency***

The Council took note of information from the Lithuanian delegation on the future Presidency's work programme, which includes the following priorities:

- Quality and efficiency in education;
- Internationalisation and financing of higher education systems;
- Academic mobility;
- Student employability ;
- Eastern partnership dimension;
- Leadership in education:
- Promotion of vocational training;
- Development of ICT in education.

YOUTH

Potential of youth policy

The Council adopted conclusions on **maximising the potential of youth policy in addressing the goals of the Europe 2020 Strategy** ([9094/13](#)), calling in particular for measures to enhance cross-sectoral and inter-institutional cooperation in youth and youth related policy areas and highlighting the importance of increased synergies between instruments and initiatives already in place or recently adopted in the youth field¹, in particular the Youth Employment Initiative.

The conclusions also seek to improve the accessibility of European funding programmes that support mobility, exchange and skills development. The next generation of European structural and investment funds will be instrumental in investing in young people and their skills and improving their employability and access to the labour market.

Despite the high political priority attached to youth unemployment, youth policy has not yet made a specific contribution to Europe 2020. Therefore, the overall goals of Europe 2020 and member states' respective targets to tackle youth unemployment, reduce early school leaving and increase participation in tertiary education have a particular relevance to youth policy and its response to those young people most at risk of exclusion. Youth policy measures, such as informal and non-formal learning and youth work, contribute to young people's inclusion in educational, developmental and associational activities and offer possibilities to gain experience and provide practical learning opportunities.

¹ - Youth Employment Package (*17944/12*), in particular the Youth Employment Initiative;
- Recommendation establishing "youth guarantee" schemes ([7123/13](#))
- Recommendation on the validation of non-formal and informal learning (*OJ C 398, 22.12.2012*);
- The renewed Framework for European Cooperation in the Youth Field (2010-2018) (*OJ C 311, 19.12.2009*).

Quality youth work

The Council adopted conclusions on the **contribution of quality youth work to the development, well-being and social inclusion of young people** ([8575/13](#)), aiming to strengthen cooperation among member states in youth related areas such as health, education, employment, culture and sport. The conclusions also call for mechanisms ensuring that quality youth work is results-oriented so that young people get maximum benefit from their activities.

Quality youth work programmes and activities develop young people's 21st century skills, including transversal skills such as social and civic competence, initiative taking, entrepreneurship, and cultural awareness and expression. This learning allows young people to participate in their communities, in wider society, in education and in employment. This is all the more crucial in the current economic crisis which has seen increasing levels of unemployment, social fragmentation and young people not in education, employment, or training (NEETs)¹.

In public deliberation, ministers also discussed how **quality youth work can contribute to addressing the challenges currently facing Europe's young people**. They were invited to focus on immediate and practical measures that could complement or improve the ones already in place in this field.

In order to promote a more dynamic debate, the Presidency had invited two guest speakers with specific experience in this field: **Dr Massimiliano Mascherini**, Head of Research, Eurofound, Dublin and **Dr John Bamber**, Centre for Effective Services, Dublin.

Statistics show that half of young people in the EU participated in activities run by a youth organisation, leisure and/or sports club in the past year, while a quarter took part in organised voluntary activities. However, this generation of young people also face unprecedented levels of unemployment and a higher risk of poverty than that of the general population.

¹ There are 7.5 million NEETs across the Union, representing 12.9% of young Europeans (aged between 15-24).

Dr Mascherini placed the emphasis on the social and economic cost of the current high number of NEET's and the related risks of social disengagement and populist or extremist options.

Furthermore, the dramatic situation of youth unemployment¹ has an immediate economic cost - in terms of benefits paid out, lost tax revenue and earnings foregone - which the EU Agency Eurofound has estimated at 153 billion per year, or 1.2% of EU GDP. Of course the "human cost" to the individuals concerned is incalculable.

Dr. Bamber spoke also from personal experience of the value of youth work for social inclusion and personal accomplishment. He argued that quality youth work can better reach young people, in particular those in risk of being marginalised, than other policy measures, preventing the risk of disaffection and marginalization.

Most ministers agreed that an investment on youth is long term but the returns go beyond the economic dimension as for some of these young people, engaging in youth work activities can be an important step towards participation in more formal education and training programmes and in employment. In this regard recognition and validation of non-formal and informal learning was recommended.

A number of member states, while acknowledging the importance of youth work, also mentioned the current difficult economic situation that many of them are facing and underlined that youth work and employability is an horizontal issue which requires coordinated action at sectoral, national and European level.

The Irish Presidency recalled that quality youth work and social inclusion was the subject of the EU Youth Conference that took place on 11-13 March 2013 in Dublin. Minister Fitzgerald also announced her intention of writing a letter to President Van Rompuy, highlighting the findings of the policy debate on this important issue, as well as the general outcome of the Council with a view to providing a contribution to the June European Council.

Any other business

– Work programme of the incoming Presidency

The Council took note of information from the Lithuanian delegation on the future Presidency work programme, which will be mainly focused on social inclusion, in particular concerning the young people not in education, employment, or training (NEET's).

¹ More than 5.7 million (23.6%) young people in the European Union (EU) were without a job in January 2013 and 30 % of unemployed people under the age of 25 years in the Union have been unemployed for more than twelve months.

CULTURE AND AUDIOVISUAL

European Capitals of Culture 2020-2033

The Council adopted a general approach on the proposal for a decision establishing a Union action for the **European Capitals of Culture for the years 2020-2033**.

The current rules for selecting European Capitals of Culture are laid down in decision 1622/2006¹ and will expire in 2019. In July 2012, the Commission submitted a proposal to continue this initiative beyond 2019 ([12558/12](#)). Since the process lasts for about six years, the new framework should be in place by the end of 2013, so the future Capitals of Culture have sufficient time to prepare.

The Council has endorsed in his general approach several elements of the Commission proposal, such as the chronological order of the member states entitled to host a European Capital of Culture, more specific and stricter selection criteria, a selection based on year-long cultural programmes created specifically for the event, the eligibility of cities which may involve the surrounding region, and a two stage selection procedure (pre-selection at national level and selection at the EU level by independent European panel).

The Council introduced two main changes in the Commission proposal concerning:

- the designation of the European Capitals of Culture, which the Commission proposed to make instead of the Council, arguing that this would speed up proceedings, but given the importance of this initiative, the Council wished to maintain the right to designate the capitals of culture, as it has been doing for over 25 years;
- the composition of the European panel responsible for selection and monitoring of the cities, which, according to Commission's proposal, would no longer be composed of national experts, but exclusively of experts appointed by EU institutions. The Council wished to ensure that local expertise is provided to the members of the selection panel, and has therefore introduced a possibility for a member state to nominate up to 2 national experts to the panel.

The voting in the CULT committee of the European Parliament is expected to take place on 28 May 2013. Informal negotiations with the European Parliament are expected to start only under the Lithuanian Presidency.

¹ [\(OJL 304, 3.11.2006\)](#).

European Capitals of Culture for 2017 and 2018

The Council designated the cities of **Aarhus** in Denmark and **Paphos** in Cyprus as European Capitals of Culture for 2017, as well as **Valletta** in Malta for 2018 ([8931/13](#)). The second capital of culture for 2018 - from the Netherlands - will be designated at a future meeting since the selection process has not yet been finalised in that country.

Ministers - and the mayor from Paphos - of the three designated cities warmly welcomed the designation and made a brief presentation of their towns and their main goals for their year as capitals of culture.

Cultural diversity

Ministers had an exchange of views, on the basis of a Presidency background paper, regarding cultural diversity in the context of the Transatlantic Trade and Investment Partnership Agreement between the EU and the USA (TTIP), which is currently being negotiated.

The aim of the discussion was to give ministers an opportunity to discuss how best to promote and support cultural diversity in the context of international trade negotiations such as the TTIP. In particular, ministers are also invited to reflect on the impact on cultural diversity of the digital on-line environment, which is by its nature open and in which an increasing amount of contents is being distributed. The Irish minister recalled that the Trade Policy Committee is in charge of preparing the negotiating mandate, and that the Presidency is aiming for adoption by the Foreign Affairs Council (Trade) on 14 June.

In response to a number of concerns from member states - previously stated in a letter addressed to the Irish presidency and to the Commission - Commissioner Vassiliou, also on behalf of Commissioner de Gucht, strongly underlined that cultural diversity was not up for negotiation, since it is enshrined in the Treaties and is one of the cornerstones of European construction. Furthermore, the European Union reconfirmed its strong commitment to cultural diversity by acceding to the UNESCO Convention on the Protection and Promotion of the Diversity of Cultural Expressions in 2006, which clearly recognises the distinction between economic value and cultural value in relation to cultural goods and services.

The Commission also declared that the many instruments which are used to support cultural diversity in the EU would not be touched upon, such as public subsidies, both at national and EU level, financing obligations for broadcasters, taxes on film tickets, the functioning of channels invested with a public service remit, the existence of stockholding caps in channels and networks, intellectual property rights and specific social-security systems. Furthermore, the Union supports audiovisual creativity through the current MEDIA and MEDIA MUNDUS programmes and will continue doing so through the Creative Europe Programme which is due to start in 2014.

Several member states recalled that cultural goods and services, including audiovisual works, are closely linked to European identity and have always enjoyed differential treatment in international trade negotiations, also known as the “cultural exception”. Furthermore, should these services remain part of the negotiations between the EU and US, this could result in a greater liberalisation of the audiovisual market, which could negatively affect the linguistic and cultural diversity that European films represent, since European film production simply would not be able to compete with the American film industry.

Other member states argued that this agreement will bring increased market opportunities for EU goods and services and could become a significant source of growth and job creation in many areas, including in the audiovisual sector. They warned against assuming established positions at this stage. They are in favour of a broader mandate, since member states can always adopt specific policies in this field, which remains under the primary responsibility of the member states.

Culture in EU external relations

In public deliberation, ministers discussed **culture as a “soft” policy option in EU external relations**, on the basis of a background paper prepared by the Presidency ([8235/13](#)). The main purpose of the debate was to develop a consensus around the further development of a strategic approach to the role of culture in EU relations with third countries.

The Presidency recalled that the promotion of culture by the European Union and its member states in their relations with third countries is enshrined in the Treaties¹. Culture is also a key component of what is often called “soft power” i.e. the use of cooperation and cultural contacts as instruments of foreign (external) policy.

¹ Article 167 of the Treaty on the Functioning of the European Union.

The Commission recalled that Culture in external relations is one of the key priorities of the 2011-2014 Council Work Plan for Culture¹, in line with the European Agenda for Culture², which identified the promotion of culture as a vital element in the Union's international relations. This approach is also linked to trade relations and the circulation of EU cultural goods and services, as well as to public diplomacy and image building, but also to sharing values, contributing to mutual understanding and promoting tolerance.

Since 2011, the EU Presidencies have also been organising joint informal meetings between senior officials of Ministries of Culture and Ministries of Foreign Affairs in order to foster cooperation between them. In March 2012, the Commission established an expert group on culture and external relations, aiming to contribute to the development of a more general EU strategy in this field, while launching a pilot initiative with China as a "test case". The expert group reported back in November 2012 and identified a set of guiding principles and general recommendations for a strategic approach to culture in the case of EU-China relations.

In general, ministers welcomed the report and its recommendations and agreed on the advantages of having a common strategy for addressing culture in their external relations, but they also underlined that this would require enhanced cooperation and information sharing between member states, as well as the involvement of the European External Action Service. Some member states were of the view that cultural cooperation should be developed on the basis of the UNESCO Convention on the Protection and Promotion of Cultural Diversity.

Most member states underlined the importance of promoting European fundamental values, such as freedom of expression, democracy, respect for human rights etc., as well as Europe's rich cultural diversity, in particular in a period where Europe's image is often linked with the economic and financial crisis. Culture and creativity is considered an area of "comparative advantage" for Europe that should therefore be fully explored.

Several member states would also prefer to see how the China project is developing before launching initiatives with other countries. Eastern and Mediterranean countries, were mentioned among the next potential candidates for such initiatives. A number of member states also called for improved cooperation with member states operators already present in China, as well as with the EU representation in Beijing, in order not to multiply structures.

The Commission recalled that Eastern partnership and Mediterranean countries already benefit from specific agreements and cooperation initiatives with the EU. Commissioner Vassiliou stated that she would inform the EU High representative, Catherine Ashton, about the outcome of the ministerial discussion.

¹ OJ C 325, 2.12.2010, p.1.

² OJ C 287, 29.11.2007.

Any other business

– ***State aid for films***

The Council took note of a request for further information from the German delegation concerning the Commission communication on state aid for films and other audiovisual works ([8852/13](#)).

The last “Cinema Communication” expired at the end of 2012 and the Commission was unable to adopt the new state aid rules it applies when assessing the member states' support schemes for films and other audiovisual works, due to strong opposition of many member states to several changes that the Commission wished to introduce.

Germany considers that there have been improvements but some concerns remain relating to the “territorial spending obligations”, which require film producers to spend a certain amount of the supported film budget in the member states granting the aid. Several member states echoed Germany's concerns since they believe that limiting this obligation would adversely affect the European film industry.

Commissioner Almunia, in charge of competition issues, recalled that the Commission has taken on board most of member states' concerns but underlined that internal market integrity must be preserved and that there must be proportionality between the aid and the territorial obligations. The Commission launched the third public consultation on this issue on 30 April and it hopes to adopt the new Communication before Summer.

– ***State aid reform***

The Council took note of a request from the German delegation for further information regarding the general exemption from notification requirements for culture ([8871/13](#)). Germany believes that ministers for culture should discuss the details and consequences of introducing such an exemption clause (for instance the ceilings for eligible cultural aid) before any decision is taken by the Competitiveness Council.

In May 2012, the Commission launched an initiative aimed at modernizing the EU state aid rules in order to achieve effective and efficient aid measures, and to streamline and speed up the decision-making process. Within this framework, the Commission proposed in December last year to exempt certain categories of aid from the prior notification required under the current rules. For the first time, aid for culture and heritage conservation has been proposed among the ten new categories which would not need any longer to be notified to the Commission by member states.

Several member states called for “block exemptions”, considering that cultural exemption must be as large as possible and should therefore include cultural and creative sectors. Commissioner Almunia indicated that given the fact that there is not yet a clear definition of a "creative industries" and that they are extremely varied, the Commission has not been able to acquire sufficient experience in order to exempt them “en bloc” of the notification requirement. Commissioner Almunia has also added that more detailed criteria regarding cultural exemption will be adopted at the end of 2013 by the Commission, following the adoption of the appropriate regulation by the Council.

– ***Culture's contribution to sustainable development***

The Presidency briefed the Council on the conference on architecture "Shaping the Future" that took place from 8 to 11 May in Dublin, gathering key participants from national and European organisations and governmental levels. The main objective of the conference was to take stock of the implementation of the 2008 Council conclusions on architecture, as well as to discuss how to better foster and use the potential of this important creative sector to sustainable development.

– ***"Europe for Citizens"***

The Council was informed by the Presidency on the state of play regarding the proposal for a regulation establishing for the period 2014-2020 the programme Europe for Citizens ([18719/11](#))

The main objective of the Programme is to bring the European Union closer to its citizens by increasing citizens' awareness and understanding of the Union and by promoting European citizenship. The Programme consists of two thematic strands, one focusing on remembrance and history and the other on civic participation at the Union level, which are complemented by a horizontal strand in order to increase overall visibility of the Programme. The Commission has proposed a total budget of EUR 229 million, which is comparable to the budget of the current programme.

Following the Presidency's informal contacts with the European Parliament, which questioned the legal basis proposed for the programme, a new text, acceptable to all three institutions, will be sent formally to the Parliament with a request for its consent, once the negotiations on the Multiannual Financial Framework are finalised and the final budget for the Europe for Citizens programme is known.

– ***Better connections for a better Europe***

The Council took note of information from the Portuguese delegation ([7983/13](#)) on two projects it wishes to propose to the Council: the **Integrated Method of Communication** (allowing ministers to exchange views and be informed about the relevant cultural policy issues in their different countries) and the **Agora project** (a European programme with the aim of creating a relationship framework for initiatives coming from different places in Europe).

– ***Work programme of the incoming Presidency***

The Council took note of information from the Lithuanian delegation on the future Presidency work programme, which will include the following priorities:

- conclude negotiations on the decision establishing the European Capitals of Culture for the years 2020-2033;
- finalise negotiations on the Creative Europe and Europe for Citizens programmes;
- initiate work on the proposal on the return of cultural objects unlawfully removed from a member state;
- examination of the cultural agreements with Peru and Colombia;
- Connected TV and TV advertising;
- Digital accessibility;
- European cinema in the digital age.

SPORT

Convention of the Council of Europe to combat the manipulation of sports results

Ministers took note of information from the Presidency on the state of play regarding the recommendation for a decision authorising the European Commission to participate, on behalf of the EU, in the **negotiations for an international convention of the Council of Europe to combat the manipulation of sports results (16214/12)** (<http://hub.coe.int/>), with the exception of matters related to cooperation in criminal matters and police cooperation, which will be addressed in a separate decision.

The Commission has been attending these negotiation sessions as an “*ad hoc* observer” up until now. Four meetings of the Council of Europe drafting group have taken place since October 2012. The draft Council decision has been examined in depth at the Working Party on Sport during the Irish Presidency. Given that the draft convention covers various areas of competence of the EU and of the member states, experts from the Justice and Home Affairs and Internal Market Working Parties were also invited to attend these meetings.

On the 23 May the Permanent Representatives Committee will be invited to address the outstanding issues, which are mainly related to legal issues.

Dual careers for athletes

The Council adopted conclusions on **dual careers for athletes**, which include guidelines to develop and improve conditions for successfully combining sporting careers with education or work, establishing specific arrangements for talented and elite athletes throughout Europe. In particular, the conclusions

- encourage co-operation between Member States, educational institutions and relevant stakeholders and sports organisations;
- recommend the exchange of good practices and experiences on dual careers among Member States;
- promote the establishment of flexible academic cycles and adapted learning pathways for athletes so that they can combine their sporting activities with education;

- recognise that sport organisations should also develop and implement dual career services for talented or elite athletes: and
- invite the Commission, on the basis of the EU Guidelines on Dual Careers for Athletes, to explore appropriate follow-up on this important issue, possibly in the framework of second Work Plan for Sport.

The Commission recalled that the promotion of dual careers for athletes responds to several goals of the Europe 2020 Strategy (prevention of early school leaving, increasing graduates in higher education, higher employability), but these kinds of arrangements are relatively recent in the majority of member states and sports. Although a large number of specifications and regulations related to talented and elite sports people exist in a number of member states, most of them are fragmented or focused only on certain aspects.

Anti-Doping

The Council was briefed by the Presidency on the outcome of the World Anti-Doping Agency (WADA) meetings that took place in Montreal on 11-12 May 2013. The main subjects of the discussion were

- the ongoing **Code review** (most of the EU points were accepted concerning mainly):
 - Longer periods of ineligibility for real cheats and more flexibility in sanctioning in other specific circumstances;
 - Consideration of the principles of proportionality and human rights.
 - Assistance in the increasing importance of investigations in the fight against doping.
- **budget and legislative issues;**
- the **lack of effectiveness of testing programs report**, addressed to the **WADA Foundation** Board, including a number of recommendations and suggestions on improvements to testing programs. The Code Drafting Team took due note of the recommendations and incorporated many of them within the drafts provided at the meetings. A significant amount of work in response to the report has already been undertaken.

The World Anti Doping Code is the core document that provides the framework for harmonised anti-doping policies, rules and regulations within sports organisations and among public authorities worldwide. Its review procedure started in November 2011 and the final draft will be submitted to the WADA Foundation Board for approval at the World Conference on Doping in Sport in Johannesburg in November 2013. The new Code will then come into force as of 1 January 2015.

In this context, the Council had a policy debate **on the role of public authorities in combating** the increased sophistication of **doping in sport**. To stimulate debate, the Presidency invited Travis Tygart, Chief Executive of the United States Anti-Doping Agency (USADA) to address the Council. Mr Tygart also participated in the high-level structured dialogue at lunchtime with other representatives of sport organisations.

Mr Tygart considered that the role of his organisation is to serve and protect "clean" athletes, since they are cheated of their rights to compete and win fairly by the ones who take performance-enhancing drugs. He stressed that the fight against doping is a matter of life and death for sport nowadays, otherwise sport will be robbed of its "soul" and of its meaning. Elite athletes are role models particularly for young people and their success in honest and fair competition can encourage participation and boost morale.

According to Mr Tygart, the underlying principles that can contribute to the success of the fight against doping in sport are: (implementation of strict) Legislation, Independence (of anti-doping agencies), Funding (must correspond to the importance of the challenges) and Engagement (of sport organisations, athletes, national agencies, public authorities, etc): **LIFE**.

It was generally acknowledged by ministers that protecting the integrity of sport against doping is an on-going global challenge, which requires international and cross-sectoral cooperation and initiatives involving public authorities, sports organisations and national anti-doping agencies. With more sophisticated methods of doping continually emerging, and evidence of increased criminal infiltration in doping in sport, public authorities have to develop new and more effective approaches in this fight.

However, several member states underlined that measures taken by those authorities cannot overrule athletes' human and legal rights. A balance must be found between the public interest and individual rights, in particular as WADA has recently taken the view that, to succeed in the fight against doping in sport, there is a need to move beyond drug-testing alone and develop additional ways of gathering, sharing and exploiting information and evidence about the supply and use of prohibited substances by athletes.

In general, member states agreed on the need for:

- increased investigation and intelligence gathering;
- enhanced cooperation with police and customs authorities;
- more emphasis on education and prevention;
- harmonisation of anti-doping policies across the EU;
- work in partnership with "clean" athletes;
- increased scientific research on illicit substances, in co-operation with pharmaceutical industries;
- change the culture of doping in sports ("win at any price").

Any other business

- ***Work programme of the incoming Presidency***

The Council took note of information from the Lithuanian delegation on the future Presidency work programme, which will include the following priorities:

- the fight against doping and promotion of the integrity of sport;
- pursuit of work on match-fixing in the international fora;
- sustainable financing and good governance in sport;
- health-enhancing activities (HEPA).

OTHER ITEMS APPROVED

ECONOMIC AND FINANCIAL AFFAIRS

Excessive deficit procedure - Cyprus

The Council issued a new recommendation to Cyprus¹ on action to reduce its deficit below 3 % of GDP, the EU's reference value for government deficits.

Cyprus has been subject to the excessive deficit procedure since July 2010, having exceeded the 3 % reference value in 2009. On account of the impact in Cyprus of the global economic crisis at the time, the Council accepted that the deficit be corrected only in the medium term. It called on Cyprus to bring its deficit below 3 % of GDP by 2012.

More than a decade of economic expansion in Cyprus came to an end in 2009. In May 2012, following an in-depth review of macroeconomic developments in Cyprus, the Commission highlighted serious imbalances that needed to be addressed urgently. The country's banking industry was seen to threaten the sustainability of the economy. In June 2012, Cyprus requested financial assistance from international lenders.

In March 2013, an agreement was reached on an economic adjustment programme to underpin assistance from the European Stability Mechanism and the IMF. A memorandum of understanding was signed on 26 April.

A worsening of Cyprus's budget balance occurred meanwhile, in spite of fiscal consolidation measures, against the background of an unwinding of serious private and public sector imbalances. Its general government deficit reached 6.3 % of GDP in 2011, up from 5.3 % in 2010, and the Commission projects another 6.3 % of GDP deficit in 2012. Government debt has also risen and is expected to increase further upon receipt of financial assistance; it is forecast to peak at around 128 % of GDP in 2015.

¹ Under article 126(7) of the Treaty on the Functioning of the European Union.

In view of the deterioration of Cyprus's budgetary position and the worse-than-expected economic downturn, the Council considers a new deadline for correction of the deficit to be warranted. In its new recommendation, it calls on Cyprus to correct the deficit by 2016, setting headline general government deficit targets of 6.5 % of GDP for 2013, 8.4 % of GDP for 2014, 6.3 % of GDP for 2015 and 2.9 % of GDP for 2016.

The Council gives Cyprus three months to take effective action and to report in detail the consolidation strategy envisaged to achieve these targets. Monitoring of implementation will be carried out at regular intervals.

Financial assistance to Georgia

The Council decided not to approve the European Parliament's changes to a draft decision providing further macro-financial assistance to Georgia, and to convene the conciliation committee in accordance with Article 294(8)(b) TFEU.

In May 2012 the Council adopted its position on the draft decision at first reading. The European Parliament in December 2012 adopted, at second reading, one amendment to the Council's position.

EUROPEAN ECONOMIC AREA

EEA Council

The Council approved the position to be taken by the EU at the 39th meeting of the European Economic Area (EEA) Council, to be held in Brussels on 21 May.

FOREIGN AFFAIRS

Côte d'Ivoire - restrictive measures

The Council approved the notifications to the persons concerned that, following a review, the EU restrictive measures against them would be maintained. They continue to be subject to a travel ban and a freeze of their assets within the EU.

Afghanistan - restrictive measures

The Council updated and amended the list of the list of individuals, groups and entities subject to restrictive measures in view of the situation in Afghanistan so as to take account of decisions by the UN Security Council Committee.

CUSTOMS UNION

Customs enforcement of intellectual property rights

The Council adopted its position at first reading on a draft regulation concerning customs enforcement of intellectual property rights ([6353/13](#) + [ADD1](#) + [ADD1 COR2](#)).

The Council position will be forwarded to the European Parliament with a view to reaching an agreement in second reading under the ordinary legislative procedure.

The purpose of the draft regulation is to strengthen and clarify the provisions concerning enforcement of intellectual property rights. This is achieved through broadening the scope covered by regulation 1383/2003, by including trade names, topographies of semiconductor products and utility models together with a number of infringements.

The new regulation introduces simplified procedures with regard to the destruction of goods, enabling customs to have goods abandoned for destruction without having to undergo legal proceedings. Concerning small consignments, a specific procedure allow for suspected counterfeit and pirated goods covered by an application to be destroyed without the involvement of the right-holder.

It also provides for a number of measures that ensure the protection of the interests of legitimate traders from possible abuse of the customs enforcement procedures, in particular with regard to information to be passed on to right-holders by customs and the right of defence.

The Council requested, in its resolution of 25 September 2008 on a European anti-counterfeiting and anti-piracy plan, that Council regulation 1383/2003 concerning customs action against goods suspected of infringing certain intellectual property rights and the measures to be taken against goods found to have infringed such rights, be reviewed.

TRADE POLICY

Anti-dumping measures - Polyethylene terephthalate - Asian countries

The Council adopted a regulation amending regulation 192/2007, which imposed a definitive anti-dumping duty on imports of certain PET originating in India, Indonesia, Malaysia, the Republic of Korea, Thailand and Taiwan ([8886/13](#)).

JUSTICE AND HOME AFFAIRS

European Integration Fund and European Refugee Fund - Conclusions

The Council adopted conclusions (9106/13) on the European Court of Auditors' Special Report No 22/2012 concerning the European Integration Fund and the European Refugee Fund

The Special Report of the European Court of Auditors concerning the current European Integration and European Refugee Funds was adopted on 13 November 2012. It assesses the extent to which the above Funds have contributed effectively to the integration of third-country nationals.
