



Brugge

College of Europe  
Collège d'Europe



Natolin

**CULTURE, CULTURAL RIGHTS AND EDUCATION IN AN ENLARGED EUROPE**

European Cultural and Educational Forum

Bruges, Belgium,

18 - 24 November 2002

Organised with the support of:  
the Government of Luxembourg  
the Belgian Bureau of the European Parliament  
the European Commission – Community Research (5th framework programme)

## CONFERENCE PROGRAMME

### Day 1: November 18 (Monday)

**Symposium on Cultural, Linguistic and Educational Rights in the European Union**  
**Co-organised by “The Committee for External Cultural Policies of Flanders and the Netherlands”**

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12.00 – 12.15	Registration of the participants and Speakers Coffee
12.15 – 12.30	Welcome by <i>Mr. Paul Breyne</i> , Governour of the Province of West-Flanders
12.30 – 13.00	Opening address by <i>Paul Beugels</i> , Committee for External Cultural Policies of Flanders and the Netherlands, Minister of the Flemish Government, <i>Jan De Groof</i> , TIAS
13.00 – 14.15	Lunch
14.15 – 15.45	Plenary session 1: “Legal Frameworks for Cultural Rights” Key-note speakers: <i>Damiaan Meuwissen</i> and <i>Hendrik Vos</i> Discussants: <i>Wim Couwenberg</i> and <i>Jan De Groof</i>
15.45	Coffee Break
16.00 – 17.30	Plenary session 2: “Implementation of Linguistic, Cultural Rights in Europe” Key-note speaker: <i>Gracienne Lauwers</i>
17.30 – 18.00	Roundtable discussion
18.00	Cultural visit of the Gruuthuize Museum or Memling Museum
19.30	Social gathering and dinner Address by <i>Mr. Patrick Moenaert</i> , Mayor of the City of Bruges

**Day 2: November 19 (Tuesday)**

**Symposium A**

**Symposium on « Transferring European Culture, Proposals for cultural and academic initiatives in an enlarged Europe»**

**Chair:** *Prof. Dr. Robert Picht*, Acting Rector, College of Europe

**Language:** English and French

**Programme**

10.30	Welcome
11.00 – 13.00	<b>Towards a working definition of European culture: the added value of cultural diversity</b> Confrontation of traditions and national perspectives: historical context Interaction of cultural paradigms: opening up innovation.
13.00	Lunch
15.00 – 17.00	<b>Cultural conditioning through national educational systems: diversity of traditions and European potentials for innovation</b> Comparative case study: the expert, the generalist and the pragmatic-three modes of European rationality. The use of academic exchange and cooperation as a laboratory for innovation.
17.30 – 19.30	<b>Intensifying university exchanges with Eastern and Central Europe</b> Overview of relations between universities Subjects and priorities
20.00	<b>Dinner</b>

**The Symposium is accessible by invitation only.**

## Symposium B

### Symposium on Cultural, Linguistic and Educational Rights in the European Union co-organised by “The Committee for External Cultural Policies of Flanders and the Netherlands” (Continuation)

10.00 - 11.30	Plenary session 3: “Discussion on the Draft Recommendation on the European Convention”
11.30 – 12.00	Coffee break
12.00 – 13.00	Plenary session 4: “Discussion on the Draft Recommendation on the European Convention – Continuation”
13.00 – 15.00	Lunch
15.00 – 16.30	Plenary session 5: Presentation of the findings resulting from the Symposium and of the “Recommendation on Cultural and Linguistic Rights” in the presence of renown representatives from culture, education, politics and economy of Central and East Europe and International Organisations
17.00	Guided cultural thematic tour organized by the City of Bruges
18.30	Invited speaker.
20.00	Mayoral reception and walking dinner at the townhall

**Day 3: November 20 (Wednesday)**

**Parallel Symposia on Culture and Education in the European Union**

9.00 – 17.00	<p>Parallel Symposia A, B and C</p> <p>- Symposium A « Transferring European Culture, Proposals for cultural and academic initiatives in an enlarged Europe» (continuation) Chair : <i>Prof. Dr. Robert Picht</i>, Acting Rector, College of Europe. Language: English and French The Symposium is accessible by invitation only.</p> <p>- Symposium B “A legal Framework for cultural and educational Policies in an enlarged Europe” Chair: <i>Prof. Dr Jan De Groof</i>, Governmental Commissioner. Language: English The Symposium is accessible by invitation only.</p> <p>- Symposium C “Personnal development through the teaching of common European values in Higher Education” Co-organised by the Centre for Dialogue and Reflection on Education and Teaching Chair: <i>Prof. Dr. Danielle Deli</i>, Professor KUB (Tilburg) Language: Dutch Open Symposium</p>
17.00	<p>The Challenges of Shaping Education and Cultural Policies for the Enlarged Europe. <i>Mdme Vivianne Reding</i>, European Commissioner of Education and Culture.</p>
18.30	<p>Comments on the Draft Declaration of Bruges by a Pannel of European leaders Chaired by Former Prime Minister <i>Jean-Luc Dehaene</i>, Vice-Chairman of the European Convention, with the participation of <i>Mdme Vivianne Reding</i>, European Commissioner of Education and Culture, <i>Mrs. Anne E.M. Van Lancker</i>, Member of the European Parliament, Representative of the European Parliament at the European Convention., a Member of the ECtHR, and other leading personalities.</p>
20.30	<p>Reception and social gathering of all participants of parallel sessions</p>

**PARALLEL SESSION A**

**TRANSFERRING EUROPEAN CULTURE**

**Proposals for cultural and academic initiatives in an enlarged Europe (continuation)**

**Chair :** Prof. Dr. Robert Picht

**Language:** French and English

**The Symposium is accessible by invitation only.**

**Programme**

9.00-11.00	<b>Linguistic and cultural diversity through literature and cultural exchange</b> National literary trends: common trends? Ways of reinforcing exchanges in this area? Discussion: best practice and new proposals
11.30-13.00	<b>Prompting exchanges with Central and Eastern Europe in the area of literature and cultural exchange</b> Overview and proposals
13.00	Lunch
14.30-16.00	<b>Elements for new forms of cultural cooperation</b>

## PARALLEL SESSION B

### A LEGAL FRAMEWORK FOR CULTURAL AND EDUCATIONAL POLICIES IN AN ENLARGED EUROPE

*The presentations of 25 minutes by prominent personalities aim at setting the scene for the elaboration of the article on culture in the European Convention while taking into account the effects of enlargement on cultural and educational policies*

**Chair :** Prof. Dr. Jan De Groof

**The Symposium is accessible by invitation only.**

#### **Programme:**

9.00 – 9.20	<b>Building a diverse Europe of the future.</b> <i>Member of the Danish Government</i>
9.20 - 9.40	<b>The European Identity: Cultural and Educational Factors in the Construction of the European Identity.</b> His Excellency <i>Max Vander Stoel</i> , former OSCE High Commissioner for National Minorities <i>Jan De Groof</i> , Professor at TIAS
9.40 - 10.10	<b>Europeanising Domestic Cultural and Educational Politics in the European Union. An analysis of the degree of change in the cultural Policies of the EU member states.</b> <i>Gabriele Mazza</i> (Council of Europe) and <i>José Maria Ballester</i> (Council of Europe)
10.10 - 10.30	<b>Europeanising Effects in Central and Eastern Europe. Prospects and Challenges concerning Culture for the Enlargement of the European Union by the CEECs.</b> <i>Boris Tsilevich</i> , Professor, Centre for Educational and Social Research (Latvia), Member of Saeima of the Republic of Latvia. Member of the Union of Journalists of Latvia (1992).
10.30 – 10.40	Coffee break
10.50 – 11.30	<b>Sorting out the Issues on Globalisation, Europeanisation, Regionalisation effects of Culture and Education in Central and Eastern Europe. Prospects and Challenges concerning Education for the Enlargement of the European Union by the CEECs</b> <i>Pavel Zgaga</i> , Professor, Centre for Educational Policy Studies – CEPS (Slovenia), former Minister of Education and Sport of the Republic of Slovenia. <i>Fernand De Varennes</i> , School of Law - Murdoch University (Australia)
11.30 – 12.00	<b>New Emerging Eastern Borders of the European Union and its impact in EU-Russian relations in the cultural and educational field.</b> <i>Vladimir M. Filippov</i> , Professor, Minister of Education of the Russian Federation
12.00 - 12.30	<b>Limits of Europeanisation of Cultural and Educational Policies after Enlargement.</b> <i>S.E. Martti Ahtisaari</i> , former President of Finland (to be confirmed)
12.30 – 12.45	<i>Mrs. Anne E.M. Van Lancker</i> , Member of the European Parliament, Representative of the European Parliament at the European Convention.
12.45 - 14.15	Lunch
14.30 - 15.00	<b>Assessing Europeanisation of Cultural Policies</b> <i>George Schöpflin</i> , Professor, Centre for the Study of Nationalism at the School of Slavonic and East European Studies, University of London.
15.00 - 15.30	<b>Recent developments within the Bologna process.</b> <i>Andrei Marga</i> , Rector of the Babes-Bolyai University, Cluj-Napoca.  <b>The Right to Education as an European Right: the core content of the right to education (the educational policies perspective) and recent European efforts to instrumentalize the right to education (further to Lisbon and Barcelona summits).</b> <i>Cezar Birzea</i> , Professor, Director of the Institute for Educational, President of the National Council of Educational Reform in Romania
15.30 - 15.50	Coffee break
16.00 - 16.30	<b>A European Constitutional Right to Culture and Education: Myth, Concept and Beyond</b> <i>Jenő Czuczai</i> , Vice-President of the European Law Academy – Hungary, Professor at the College of Europe Bruges and Natolin. <i>Roberto Toniatti</i> , dean of the Faculty of Law, Trento

## PARALLEL SESSION C

### PERSONAL DEVELOPMENT THROUGH THE TEACHING OF COMMON EUROPEAN VALUES IN HIGHER EDUCATION

**Co-organised by:** the Centre for Dialogue and Reflection on Education and

**Language:** Dutch

#### Open Symposium

9.00	Verwelkoming door de voorzitter DIROO, <i>Danielle Deli</i> , Professor, KUB Korte inleiding door de moderator, <i>Luc Braeckmans</i> , Professor, UFSIA
9.30	<b>Deel A: Cultuur en Europese cultuur</b> Forum-1: <i>H.W. von der Dunk</i> , Professor, Universiteit Utrecht <i>Annick Schramme</i> , Professor, UIA
10.00	Plenum-1
10.40	Pauze
11.00	<b>Deel B: Van cultuur naar vorming</b> Forum-2 <i>Hans Van Crombrugge</i> , Professor, Universiteit Gent <i>Hugo Roeffaers</i> , Professor, UFSIA <i>Ronald Soetaert</i> , Professor, Universiteit Gent
11.30	Plenum-2
12.10	De moderator formuleert een eerste stelling op grond van de dialogen
12.25	Einde van de voormiddagsessie
	Gezamenlijke maaltijd met alle Europese deelnemers aan de congresweek
14.00	Inleiding door een tweede moderator
14.10	<b>Deel C: concrete vormingsconcepten</b> Forum-3 <i>Guy Aelterman</i> , Professor, Hogeschool Gent <i>Chantal De Smet</i> , Professor, Hogeschool Gent
14.40	Plenum 3
15.20	Pauze
15.40	<b>Deel D: vormingsconcepten algemeen</b> Forum-4 <i>Erik De Corte</i> , Professor, K.U.Leuven
16.10	Plenum-4
16.50	De moderator formuleert een tweede stelling op grond van de dialogen
17.45	Slottoespraak door de voorzitter DIROO
20.30	Receptie aangeboden door de stad Brugge



**Day 4: November 21 (Thursday)**

**Parallel Workshops and Lectures on Culture and Education in the Enlarged European Union (Davos workshops concept)**

9.00 – 11.00	Report on the Draft Declaration of Bruges
9.00 – 16.00	Parallel Workshops and Lectures (Davos workshop concept)
16.00 – 17.50	Guided cultural thematic tour (optional) organised by the City of Bruges
18.00 – 18.30	Opening of ELA conference on Competition in Education Inauguration of the “Piet Akkermans Memorial Lecture of European Education Law”
18.30	First Lecturer <i>Mr. Marc Fischbach</i> , Judge at the European Court of Human Rights.
19.30	Reception
21.00	Official dinner

**Day 5: November 22 (Friday)**

**Conference on Competition and Globalisation in Education**

**Co-organised by the Government of Luxembourg and the European Association for Education Law and Policy**

8.45	<b>Registration</b>
9.00 – 9.20	<b>Opening statements:</b> Analysis and Perspectives by <i>Prof. Dr. Jan De Groof</i>
9.20 – 9.50	<i>Mr. Pat Cox</i> , President of the European Parliament (to be confirmed)
9.50 – 10.20	<i>Mrs. Erna Hennicot-Schoepges</i> , Minister of Culture, Higher Education and Research of Luxembourg
10.20 – 10.50	<i>Representative of Mme Vivianne Reding</i> , European Commissioner of Education and Culture
10.50 – 11.05	Coffee break
11.05 – 11.30	<b>Panel of Legal Experts on Competition Law and Education</b> <i>Prof. Dr. Marc van Der Woude</i> Erasmusuniversity of Rotterdam, the Netherlands), <i>Prof. Dr. Michel Flamée</i> (Belgium), <i>Prof. Dr. Aurelio Pappalardo</i> (Italy) and others - chaired by <i>Mr. Germain Dondelinger</i> , Ministère de la Culture de l'Enseignement Supérieur et de la Recherche, Luxembourg
11.30 – 12.00	<b>Trade in Educational Services and in Research</b> <i>Prof. Dr. André Oosterlinck</i> , Rector K.U.Leuven Discussant: <i>Prof. Dr. Walter Berka</i> (Austria)
12.00 – 12.30	<b>Globalisation and changes in practices and convictions with regard to research</b> Key-note speaker: <i>Prof. Dr. Dirk Van Damme</i> , Professor University of Ghent, Director of the Flemish Inter-University Council Discussant: <i>Prof. Dr. Ben Vermeulen</i> (Netherlands)
12.30 – 13.45	Lunch
14.00 – 14.30	<b>The existence and degree of public financing of education in a world of accelerating globalisation.</b> Key-note speaker: <i>Prof. Dr. Noorlander Niels</i> (Netherlands) Discussants: <i>Prof. Dr. Hans-Peter Füssel</i> (Germany) <i>Prof. Dr. Rosa Maria Greaves</i> (UK)
14.30 – 15.15	<b>National Experience on Competition Law</b> Key-note speaker: <i>Prof. Dr. Fortsakis</i> , University of Athens, Greece Discussant: <i>Prof. Dr. Irujo Embid</i> (Spain) <i>Dr. Botho von Kopp</i> , Deutsches Institut für Internationale Pädagogische Forschung (Germany)
15.15 – 15.30	Coffee break
15.30 – 16.30	<b>Borderless Higher Education : Challenges to Regulation, accreditation and intellectual property rights</b> Key-note speaker: <i>Prof. Dr. Dennis Farrington</i> , University of Stirling, Scotland Discussants: <i>Prof. Dr. Takis Tridimas</i> (UK) and <i>Prof. Dr. Charles Russo</i> (USA)
16.30	Round table
17.00 – 18.00	Visit to Gruuthuize Museum or Memling Museum
19.00	Reception at the Concert hall
19.30	Dinner

**Day 6: November 23 (Saturday):**

**Conference on Competition, Globalisation, Education and Culture (Continuation)**

9.00 – 9.30	<b>Education : The Market and Consumerism of the Client</b> Key-note speaker: <i>Prof. Dr. Neville Harris</i> , University of Manchester, UK Discussant: <i>Prof. Dr. Gori</i> , University of Udine (Italy) and <i>Prof. Dr. Elies Steyger</i> (Netherlands)
9.30 – 10.00	<b>Policy dealing with Education</b> <i>Prof. Dr. Barbas Homem</i> , University of Lisboa, Portugal Discussant: <i>Dr. Dympna Glendenning</i> (Ireland) and <i>Prof. Dr. André Legrand</i> (France)
10.00 – 10.15	Coffee break
10.15 – 10.45	<b>Challenges on “the Post Seattle Epoque”</b> Key-note speaker: <i>Prof. Dr. Christoph Scherrer</i> , University of Kassel Discussant: <i>Prof. Dr. Dominik Hanf</i> (Germany)
10.45 – 11.15	<b>Globalisation and Education: will education have the status of a global public good in the view of UNESCO taking into account accelerating globalisation?</b> Key-note speaker: <i>Speaker</i> of the European Commission (DG Education & Culture) Discussant: <i>Speaker</i> of UNESCO, <i>Speaker</i> of the World Bank
11.15 – 12.00	<b>The non-governmental sector in education: targets and limits – an international and comparative approach</b> <i>Prof. Dr. Charles Glenn</i> , Boston University, USA <i>Prof. Dr. Jan De Groof</i> , TIAS, the Netherlands
12.00 – 13.30	Lunch
13.40– 14.30	<b>Delegation of National Magistrates dealing with Competition Law</b>
14.30 – 15.30	<b>Policy issues arising from trade in educational services</b> <b>Panel:</b> <i>Prof. Yevgeny A. Sukhanov</i> (Russian Federation) <i>Prof. Valerij A. Musin</i> (Russian Federation) <i>Prof. Dr. Jaan Ginter</i> (Estonia) <i>Prof. Dr. Pranas Gudynas</i> (Lithuania) <i>Prof. Dr. Nikolay Popov</i> (Bulgaria) <i>Prof. Dr. Pavlovic Zoran</i> (Slovenia)
15.30-16.00	Synthetic Report by <i>Prof. Dr. Theodore Fortsakis</i> and <i>Prof. Dr. Ben Vermeulen</i>
16.00-16.30	<b>Closing Lecture:</b> <i>Prof. Dr. Kader Asmal</i> , Minister of Education of South Africa.
17.00-19.30	Guided Tour in the Harbour
20.00	Reception
20.00	Closing Dinner

**Day 7: November 24 (Sunday)**

**European Association for Education Law and Policy**

**Participants**

- Piet Akkermans† (Acting Rector, College of Europe)
- Jan De Groof (Belgium - TIAS)
- Germain Dondelinger (Luxemburg - Ministère de la Culture de l'Enseignement Supérieur et de la Recherche)
- Charles Glenn (USA – Boston University)
- Walter Berka (Austria - Universität Salzburg)
- Hans Peter Füssel (Germany - Hochschule für Öffentliche Verwaltung)
- André Legrand (France - University Paris X-Nanterre)
- Embid Irujo (Spain - Universidad de Zaragoza)
- Paul Meredith (United Kingdom - University of Southampton)
- Paul Zoontjens (Netherlands - Tilburg University)
- Antonio Barbas Homem (Portugal - University of Lisbon)
- Theodore Fortsakis (Greece - University of Athens)
- Kjell Dahl (Norway)
- Gracienne Lauwers (Belgium - research fellow ELA)

9.00 – 12.00	<b>Board Meeting</b> <ul style="list-style-type: none"><li>- EJELP</li><li>- Advanced Course in Education Law</li><li>- Conference on “Health, Sex and Education”</li><li>- NGMPE Network</li><li>- cooperation with ELA (United States) and Ela (South Africa)</li><li>- cooperation with UNESCO, Council of Europe</li><li>- publications</li></ul>
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**RECOMMENDATIONS OF  
THE EUROPEAN CULTURAL AND EDUCATIONAL FORUM  
BRUGES, BELGIUM, 18-24 NOVEMBER 2003**

WE, the participants to the European Cultural and Educational Forum, held in Brugge – European Capital of Culture 2002 – from the 18 till the 24 of November 2002,

**EMPHASISING THAT:**

1. Europe's cultural heritage is a richness which must be celebrated, protected and developed as a strength and asset that must be preserved and enhanced for the generations to come;
2. A sense of belonging among all Europeans can be enhanced through the reinforcement of common values reflecting the contribution and richness of cultural diversity;
3. The integration of persons belonging to cultural communities within the wider European society has the aim of avoiding past historical experiences of denial of the diversity of cultures and of preventing attempts to impose a monolithic cultural uniformity;
4. All persons belonging to cultural communities must be guaranteed their basic rights and respect for their own identities;
5. Enlargement and further integration of Europe need to be based upon a shared sense of belonging which enriches all of Europe and accommodates individuals from different cultural backgrounds.

**TAKING INTO ACCOUNT THAT:**

1. Cultural rights and the rights of minorities constitute matters of legitimate international concern as acknowledged in the Framework Convention for the protection of National Minorities, the European Charter for Regional or Minority Languages, the Declaration on the Rights of Persons belonging to National or Ethnic, Religious or Linguistic Minorities, the Document of the CSCE Copenhagen Meeting of the Conference on the Human Dimension;
2. Article 6 of the Treaty on the European Union, declaring that the Union shall respect fundamental rights, as guaranteed by the European Convention for the Protection of Human Rights and Fundamental Freedoms and as they result from the constitutional traditions common to the Member States, as general principles of Community law and that the Union shall respect the national identities of its Member States.
3. Article 151 of the Treaty on the European Community declares that "The activities of the Community shall include a contribution to the flowering of the cultures of the Member States. The Community shall take cultural aspects into account in its action under other provisions of this Treaty, in particular in order to respect and to promote the diversity of its cultures";
4. Article 149 of the Treaty on the European Union declares that "the Community shall contribute to the development of quality education by encouraging cooperation between member states and, if necessary, by supporting and supplementing their action, while fully respecting the responsibility of the member states for the content of teaching and the organisation of education systems and their cultural and linguistic diversity. ... Community action shall be aimed at... developing the European dimension in education, particularly through the teaching and dissemination of the languages of the member states;"
5. Article 22 of the Charter of Fundamental Rights of the European Union declares that "the Union shall respect cultural, religious and linguistic diversity";
6. The Council Resolution on a new work plan on European Cooperation in the field of Culture<sup>1</sup>;
7. The Resolution of the European Parliament on Cultural Co-operation in the European Union<sup>2</sup>;

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<sup>1</sup> Council of the European Union. Brussels, 12 December 2001 (16.01/ OR.es/ 15249.01)

8. The Resolution of the Educational Council of the European Union declares that “all European languages are equal in value and dignity from the cultural point of view and form an integral part of European culture and civilisation”<sup>3</sup>
9. The Charter of Paris for a New Europe<sup>4</sup> declares that “the ethnic, cultural, linguistic and religious identity of national minorities will be protected and that persons belonging to national minorities have the right freely to express, preserve and develop that identity without any discrimination and in full equality before the law”;

#### **BEING AWARE THAT:**

1. National Governments must take into account:
  - a. the effects of globalisation which threatens cultural and linguistic diversity;
  - b. the demands of national electorates from which they derive their legitimacy;
  - c. the obligations deriving from transnational commitments and bilateral and multilateral agreements in protecting national minorities.
2. European integration must be furthered in spite of symptoms of aggressive nationalism from some segments of European society seeking to impose a short sighted and restrictive vision of national and European identity;
3. One of the distinctive features of European society is the ability proven over a long period of history to integrate and recognise within itself individuals and communities from diverse religious, linguistic and cultural backgrounds;
4. Economic globalisation, the growth to prominence of a wide range of transnational institutions and the reassertion of subnational and regional identities all challenge the model of a world divided into sovereign states;
4. European organisations, both public and private, play an important role in shaping the current process of transition in accession states;
5. The most recent conflicts in Europe brought cultural issues on to the agenda for public discussion and deliberation and have involved the application of minority rights which are but the elaboration of fundamental human rights generally guaranteed to all human beings;
6. There are member states that, relying on the principles of subsidiarity and respect for diversity, are reluctant at the extension of any EU activity into the cultural and educational fields.
7. In many member states there are positive experiences of accommodating different cultures and of citizens living together harmoniously in a multicultural society.

#### **CONCLUDE THAT:**

European states must endeavour to create adequate conditions to strengthen stability and democratic security by fostering the development of a common sense of belonging within the European Union among the diverse communities, and by supporting intercultural dialogue and mutual understanding between citizens.

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<sup>2</sup> 2000/2323, INI, adopted on the 5th of September 2001

<sup>3</sup> Resolution adopted 14th of February 2002 on the Promotion of Linguistic Diversity and Language Learning in the Framework of the Implementation of the Objectives of the European Year of Languages 2001 of the Educational Council of the European Union.

<sup>4</sup> 1990, referred to in Article 11 of the TEU.

The Community has to play a prominent role in promoting, sustaining and developing cultural diversity in all the countries that make up the enlarged European Community while taking concrete measures to create a sense of European citizenship.

#### **INVITE THE EUROPEAN COMMUNITY:**

1. To develop programmes connected with cultural rights with the aim of making Europeans aware that they have cultural rights and that States can be held accountable for violations.
2. To set out more clearly the competencies of the Community in the fields of culture and education while respecting the principle of subsidiarity with regard to national and subnational competencies.
3. To clarify the role and responsibilities of the Community's institutions concerning culture and education;
4. To increase allocation of resources specifically targeted on cultural and educational issues including those affecting minorities;
5. To include research on the indirect impacts of EC programmes on educational and cultural affairs including those affecting minorities;
6. To pay particular attention to the role of schools in integrating children with different cultural background, including children of immigrants who run a greater risk of alienation and whose ability to rise through the educational system of their host-country may require special actions.
7. To take action in the cultural field and to coordinate activities aimed at protecting the European cultural heritage and to intervene in specific fields where the member states alone cannot solve problems such as thefts, pollution and irresponsible tourism and the like;
8. To elaborate a EU Cultural Policy that makes use of good practice of national, regional and local cultural policies in all parts of Europe and broadens diversity, through:
  - a. providing infrastructural support for cultural collaboration and exchange;
  - b. protecting diversity through preventing market dominating situations in the cultural field
  - c. ensuring special consideration for cultural products within the WTO;
  - d. favouring the distribution of cultural products throughout Europe;
  - e. promoting multilingualism, since language skills play a significant role in establishing successful transborder, inter-regional or inter-municipal co-operation;
  - f. training and research in all different fields of safeguarding of the cultural heritage.
9. To develop language teaching programmes with a view to promoting interstate co-operation;

#### **INVITE THE MEMBER STATES AND ACCESSION STATES:**

- 1 To create an agenda for governmental action in the cultural and educational field implementing four levels of government obligations:
  - a. the obligation to respect, which requires States to avoid measures that hinder or prevent the enjoyment of cultural rights;
  - b. the obligation to protect, which requires States to take measures that prevent third parties from interfering with the enjoyment of cultural rights;
  - c. the obligation to facilitate, which requires States to take positive measures according to a general framework of principles dealing with the special needs of diverse cultural groups that enable and assist individuals and communities in enjoying their cultural rights;
  - d. the obligation to promote cultural rights which requires formal equality to be balanced against the opportunity to support a rich and vibrant cultural diversity which otherwise may remain unknown and lost to the general public.

- 2 To ensure that all persons, in particular those belonging to minority communities, no longer be the objects of decisions affecting them, but subjects taking part in these decisions as their capacity evolves.
- 3 To promote linguistic diversity through:
  - a. supporting translations in both directions, from the mother tongue to other languages and the other way around;
  - b. regulating national and regional or minority languages so that they are used as much as possible;
  - c. ensuring that human, material and financial resources are available in their education systems to enable and promote the learning of languages.
- 4 To speed up integration of immigrants through:
  - a. promoting cultural, linguistic and social integration of migrants in a society that incorporates cultural diversity;
  - b. combating discrimination in all its forms;
  - c. implementing programmes emphasising the richness of cultural diversity and the positive contribution of immigrants.

**TO AMEND<sup>5</sup>:**

- 1 Article 6 TEU - Paragraph 1  
The Union is founded on the principles of liberty, democracy, respect for human rights and fundamental freedoms *including the protection of minorities* and the rule of law, principles which are common to the Member States;
- 2 Article 6 TEU - Paragraph 3  
The Union shall also endeavour to contribute to the protection and promotion of the identities of the minorities in the Member States;
- 3 Article 13 TEC  
'with a view to ensuring full equality in practice, the principle of equal treatment shall not prevent any member state from maintaining or adopting specific measures to prevent or compensate for disadvantages linked to the grounds enumerated in paragraph 1'. In addition to this, we believe that language must be also specifically addressed among the grounds for discrimination mentioned in Article 13 TEC.
- 4 Article 151 TEC paragraph 4 could made explicit in the article on cultural diversity, that the obligation of the Community to promote diversity extends to regional diversity (see art 151, 1 TEC), which would benefit minorities with a certain territorial concentration in a region within a state and promote linguistic diversity in its implementation of Article 151, paragrah 4 of the EC Treaty which states that the Community shall take cultural aspects into account under other provisions of the EC treaty in particular in order to respect and to promote the diversity of its cultures.  
In addition to this, we believe that instead of unanimity, under article 151 TEC, qualified majority voting should be introduced in the field of cultural policy making.

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*Document prepared following discussions by participants  
at the European Cultural and Educational Forum  
by Gracienne Lauwers, Fernand De Varennes, Roberto Toniatti, Jan De Groof  
November 2002*

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<sup>5</sup> The original proposals for these amendments were written by Kristin Henrard and Gabriel Von Toggenburg.