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Proposal for a

**DECISION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL**

**establishing a European Union action for the European Heritage Label**

{SEC(2010) 197}  
{SEC(2010) 198}

## **EXPLANATORY MEMORANDUM**

### **1. INTRODUCTION**

This proposal for a Decision of the European Parliament and of the Council puts forward the introduction of a European Heritage Label, whose general objectives are to strengthen European citizens' sense of belonging to the European Union, based on shared elements of history and heritage, as well as an appreciation of diversity, and to strengthen intercultural dialogue. To this end the Label seeks to enhance the value and the profile of sites which have played a key role in the history and the building of the European Union, and to increase European citizens' understanding of the building of Europe, and of their common yet diverse cultural heritage, especially related to the democratic values and human rights that underpin the process of European integration. In this way the European Heritage Label would also help to bring citizens closer to Europe.

The added value of the European Heritage Label compared to other initiatives in the field of cultural heritage such as the UNESCO World Heritage List and the Council of Europe's 'European Cultural Routes' is as follows. First, the initiative will be based on the European narrative of these sites and their symbolism for Europe, rather than aesthetics. Second, the focus will not be on conservation, but on the promotion of the sites and access to them, which includes providing good explanations on the European significance of the sites and organising educational activities, with special attention to young people. Thirdly, there will be an emphasis on promoting networking among the labelled sites to share best practices and initiate common projects.

The proposal responds to the conclusions adopted by the Council of Ministers of the European Union on 20 November 2008 inviting the European Commission to submit to it 'an appropriate proposal for the creation of a European Heritage Label by the European Union and specifying the practical procedures for the implementation of the project'.

### **2. BACKGROUND**

The original concept of the European Heritage Label emerged in 2005 as one of the responses to the gap between the European Union and its citizens. This gap is linked to an important extent to a lack of knowledge of the history of Europe, of the role of the European Union and of the values on which it is based.

The scheme was initially launched by several European states in April 2006 on an intergovernmental basis. Its aim was to strengthen European citizens' sense of belonging to Europe and to promote a sense of European identity by improving knowledge of Europe's shared history and heritage, especially among young people. To date, a total of 64 sites located in 17 European Union Member States as well as in Switzerland have been awarded the label. However, the practical arrangements for the initiative have shown some weaknesses and it has not therefore managed to fulfil its potential. This is why, following the example of the European Capitals of Culture, the Member States asked the European Commission in the Council conclusions of

November 2008 to transform the current intergovernmental European Heritage Label into a formal action of the European Union in order to improve its functioning and ensure its long-term success.

European Union involvement in the European Heritage Label is expected to strengthen coordination between Member States and thus to contribute to the development and proper application of common, clear and transparent selection criteria, as well as new selection and monitoring procedures for the label, thereby ensuring the relevance of the sites in the light of the objectives. Other expected benefits of European Union action are an increase in the number of Member States participating in the initiative and a solution to the problems of the present rotating secretariat.

The European Parliament supported the development of the European Heritage Label, first in its resolution of 29 November 2007 on a Renewed European Union Tourism Policy: Towards a stronger partnership for European Tourism (2006/2129(INI)) where it proposes ‘that support be given for the creation of a European Heritage label aimed at highlighting the European dimension of the European Union’s sites and monuments’ and subsequently in its resolution of 10 April 2008 on a European agenda for culture in a globalising world (2007/2211(INI)) in which it underlines ‘that a European heritage label should be established with a view to emphasising the European dimension of cultural goods, monuments, memorial sites, and places of remembrance, which all bear witness to Europe’s history and heritage’.

### **3. CONSULTATION OF INTERESTED PARTIES AND IMPACT ASSESSMENT**

Following the Council’s conclusions and in line with its procedures, the European Commission launched an impact assessment which included a public consultation. The aim of this impact assessment was to determine whether action by the European Union was indeed justified in this area, whether it could really add value to the European Heritage Label and, if this is the case, which form this action should take. The draft impact assessment report was discussed with the impact assessment board in a meeting on 25 November 2009. Following this meeting and the opinion of the Impact Assessment Board, several changes have been made to the report. The final impact assessment report and the Impact Assessment Board opinion have been published on [[http://ec.europa.eu/governance/impact/ia\\_carried\\_out/ia\\_carried\\_out\\_en.htm](http://ec.europa.eu/governance/impact/ia_carried_out/ia_carried_out_en.htm)].

#### **3.1. Consultation of interested parties**

The consultation process started in March 2009 and was carried out in different stages. It included an online consultation, a consultation meeting open to the general public and stakeholders, and a meeting with experts designated by the 27 Member States. The detailed results of the different elements of the consultation are included in the impact assessment report and were duly taken into account for the preparation of the proposal.

### **3.2. Expected impacts**

The analysis of the various impacts has demonstrated that the primary direct effects of the European Heritage Label would be social or societal ones. These effects would include increased access to heritage sites, notably for young people, increased interest in and knowledge of common European heritage, increased understanding of European cultural diversity, an increase in intercultural dialogue and a greater sense of belonging to the European Union.

Economic benefits can also be expected as the European Heritage Label has the potential to produce positive effects on the local tourism industry, including the number of people employed. However the impact on the number of visitors to a site will greatly depend on the quality and credibility the label will acquire and thus on the prestige it will develop over the years.

### **3.3. Choice of instrument**

In the framework of the impact assessment for the European Heritage Label, three policy options were tested. The first option was to continue the label as an intergovernmental initiative without any European Union action. The second option was to continue the label as an intergovernmental initiative, but with financial support from the European Union budget. The third option was to transform the label into a European Union initiative through a Decision of the European Parliament and the Council following the example of the European Capitals of Culture in 1999. This last option contained three sub-options according to the various selection procedures: selection by the Member States against common European criteria, selection at European level only without taking into account the national origin of the sites, and pre-selection at national level followed by a final selection at European level.

Options which would have implied significant financial support to develop the sites were excluded from further analysis because there was a clear consensus among the Member States and during the consultation process that the new initiative should have a limited impact both on the European Union and national budgets.

The comparison of the three options showed that transforming the European Heritage Label into a European Union initiative through a Decision of the European Parliament and the Council would bring clear added value and produce benefits that could not be achieved by Member States acting alone, even with financial support from the European Union. It also demonstrated that the preferable selection procedure for awarding the label was the combined national and European level selection.

## **4. LEGAL ELEMENTS OF THE PROPOSAL**

### **4.1. Legal Basis**

The legal basis for the European Heritage Label is Article 167 of the Treaty on the Functioning of the European Union. This article gives the European Union the mandate to ‘contribute to the flowering of the cultures of the Member States, while respecting their national and regional diversity and at the same time bringing the common cultural heritage to the fore’. The European Union shall also encourage

‘cooperation between Member States’ in the field of culture and ‘if necessary, supporting and supplementing their action’.

#### **4.2. Principle of subsidiarity**

This proposal is in keeping with the principle of subsidiarity. The participation of Member States will be on a voluntary basis and, fully in line with Article 167 of the Treaty, the European Union involvement in the European Heritage Label will aim to strengthen coordination between Member States and to support their action by contributing to the development and correct application of new common, clear and transparent selection criteria, as well as new selection and monitoring procedures. The impact assessment has also shown that European Union action will offer benefits that could not be achieved by Member States acting alone.

#### **4.3. Principle of proportionality**

The course of action proposed will have very limited impacts both on the European Union budget and on national budgets. It imposes no disproportionate management constraints on administrations implementing it.

#### **4.4. Outline of the proposal**

##### *4.4.1. Objectives*

The intergovernmental European Heritage Label was conceived as a contribution to bringing citizens closer to Europe. This is a broad and complex issue which various European Union initiatives in the field of communication, education, culture or citizenship try to address in complementary ways. In order to reflect this larger process, as well as the specific contribution that the European Heritage Label can make, the Commission proposes three levels of objectives for the renewed European Heritage Label.

The general objectives will be to strengthen European citizens’ sense of belonging to the European Union, based on shared elements of history and heritage, as well as an appreciation of diversity, and to strengthen intercultural dialogue. They reflect the overall ambition of the European Heritage Label and link it into the broader policies and objectives of the European Union.

The intermediate objectives of the label will be to enhance the value and the profile of sites which have played a key role in the history and the building of the European Union, and to increase European citizens’ understanding of the building of Europe, and of their common yet diverse cultural heritage, especially related to the democratic values and human rights that underpin the process of European integration. This is the highest level of impact that the European Heritage Label can achieve on its own.

At a more basic level, a set of specific objectives will relate to the direct improvements that sites — individually and collectively — would be expected to deliver as a result of their activities linked to the European Heritage Label designation or that the new practical arrangements would be expected to deliver.

#### 4.4.2. *Participation in the action*

Due to the nature of the European Heritage Label and its objectives, the Commission proposes that the action should start with the 27 Member States. The participation of the Member States should be on a voluntary basis. If necessary, future evaluations of the European Heritage Label could examine the appropriateness of enlarging the initiative to the third countries participating in the Culture Programme.

#### 4.4.3. *Selection procedure*

The impact assessment for the European Heritage Label showed that one of the main weaknesses of the current intergovernmental initiative is that the sites are selected independently by participating countries with no overseeing body at European level. This procedure leaves too much room for diverging interpretations and as a result the criteria have not been applied evenly by the countries, thereby hindering the overall coherence and quality of the label so far.

A new selection procedure is therefore needed which combines the national and European levels. The Commission proposes that in the first stage, pre-selection of the sites should take place at Member State level, and then in the second stage, the final selection should take place at European Union level with the help of a panel of independent experts. This would ensure both a robust application of criteria and appropriate prominence for the European dimension, whilst also preserving an equitable distribution of sites across the European Union.

The panel of independent experts should be composed of 12 members nominated by the European Parliament, the Council and the Commission following the example of the selection panel for the European Capitals of Culture. These experts should have substantial experience and expertise in the field of culture, heritage, European history, or other fields relevant to the objectives of the European Heritage Label.

The Commission proposes to give each Member State the possibility to pre-select up to a maximum of two sites in every year in which a selection is made. This should help to keep the number of sites reasonable and, at the same time, retains some flexibility for Member States given that some have a greater pool of potential sites than others.

The panel of independent experts should in turn have the possibility to choose between the pre-selected sites selecting a maximum of one site per Member State in every year in which a selection is made. It is proposed to give special priority to sites with a strong transnational dimension. This should keep a certain element of competition between the sites at European Union level helping to ensure the general quality of the sites and thereby also the credibility and prestige of the initiative.

The Commission, finally, proposes that after three successive years dedicated to the selection of new sites, each fourth year should be reserved for the monitoring procedure. This should help to keep the administrative burden reasonable both for Member States and Commission. The calendar in Annex illustrates the proposed procedure.

#### 4.4.4. *Monitoring and withdrawal of the Label*

The label should be attributed in principle on a permanent basis because the symbolic value of the selected sites will not diminish over time and in order to encourage sites to take a long-term approach and invest in their development. However, in order to maintain quality and credibility in the long term, a strong monitoring system is needed to ensure that labelled sites have met the obligations undertaken at the application stage. The Commission proposes that this monitoring should be under the responsibility of the Member States, who should report to the European panel every 4 years. In the event that specific sites no longer meet their obligations, there should be a possibility to withdraw the Label.

#### 4.4.5. *Practical arrangements*

The Commission should support the action in order to ensure greater stability than is possible under current arrangements and to enable expertise to be built up. This solution would make it possible to draw on existing experience such as that of the European Capitals for Culture or the European Union Prize for Cultural Heritage / Europa Nostra Awards. It would however demand additional resources which need to be made available (one administrator and one assistant). In order to keep the practical arrangements as light and flexible as possible, certain administrative tasks could be outsourced through tendering procedures.

#### 4.4.6. *Evaluation*

The regular evaluation of the European Heritage Label action is crucial to ensure the effectiveness and credibility of the initiative. This evaluation would need to examine both the processes involved in running the action and the actual cumulative impact of the European Heritage Label as a whole. The aim should be to identify in which respects the action is working well, whether it should be continued, where there is room for improvement and, crucially, how this improvement might best be achieved in the future. The monitoring of the labelled sites mentioned above would of course feed into this evaluation. The evaluation would be under the responsibility of the Commission and would take the form of an external evaluation every 6 years.

#### 4.4.7. *Transitional provisions*

Transitional measures need to be taken to define the status of the sites already awarded the European Heritage Label under the intergovernmental initiative. To ensure the overall coherence of the initiative, these sites would need to be re-assessed against the new criteria. For reasons of equal treatment between all the Member States, the Commission proposes to give those which did not participate in the intergovernmental initiative the opportunity to propose a first set of sites before the regular selection procedure begins.

## 5. **RESOURCES**

The annual appropriations for the European Heritage Label shall be authorised by the budgetary authority within the limits of the multiannual financial framework. These appropriations shall cover the following costs: the costs of the European panel of experts, the visibility of the initiative at European level, some networking activities



for the sites and the human resources needed within the European Commission to support the action. The legislative financial statement attached gives the details for the period from 1 January 2011 to 31 December 2013, which falls under the current multiannual financial framework.

Proposal for a

**DECISION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL**

**establishing a European Union action for the European Heritage Label**

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 167 thereof,

Having regard to the proposal from the European Commission,

Having regard to the opinion of the Committee of the Regions<sup>1</sup>,

After transmission of the proposal to the national Parliaments,

Acting in accordance with the ordinary legislative procedure,

Whereas:

- (1) The Treaty aims at an ever closer union among the peoples of Europe and Article 167 in particular gives the European Union the task of contributing to the flowering of the cultures of the Member States, while respecting their national and regional diversity and at the same time bringing the common cultural heritage to the fore.
- (2) A better understanding and appreciation, especially among young people, of their shared yet diverse heritage would contribute to strengthening the sense of belonging to the European Union and reinforce intercultural dialogue. It is therefore important to promote greater access to cultural heritage and to enhance its European dimension.
- (3) The Treaty also establishes citizenship of the Union, which complements national citizenship of the respective Member States, and which is an important element in safeguarding and strengthening the process of European integration. For citizens to give their full support to European integration, greater emphasis should be placed on their common values, history and culture as key elements of their membership of a society founded on the principles of freedom, democracy, respect for human rights, cultural diversity, tolerance and solidarity.
- (4) An intergovernmental European Heritage Label scheme was launched in Granada in April 2006 by several Member States.
- (5) The Council of the European Union adopted conclusions on 20 November 2008<sup>2</sup> aiming at transforming the intergovernmental European Heritage Label into a

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<sup>1</sup> OJ C , , p . .

European Union action by inviting the Commission to submit to it an appropriate proposal for the creation of a European Heritage Label by the European Union and to specify the practical procedures for the implementation of the project.

- (6) The public consultation and the impact assessment carried out by the Commission confirmed that the intergovernmental European Heritage Label was a valuable initiative but that the action needed to be further developed to reach its full potential and confirmed that the involvement of the European Union could provide a clear added value to the European Heritage Label and help the initiative to take a qualitative step forward.
- (7) The European Heritage Label should seek synergies and complementarities with other initiatives such as the UNESCO World Heritage List and the Council of Europe's 'European Cultural Routes'. The added value of the new European Heritage Label should be based on the contribution made by the selected sites to European history and culture, on a clear educational dimension reaching out to citizens, including young people, and on networking between the sites to share experiences and best practices. The main focus of the initiative should be on the promotion and the access of the sites, and on the quality of the explanations given and of the activities proposed, rather than on the conservation of the sites, which should be guaranteed by existing protection regimes.
- (8) In addition to strengthening European citizens' sense of belonging to the European Union and stimulating intercultural dialogue, a Union action for the European Heritage Label could also contribute to enhancing the value and profile of cultural heritage, to increasing the role of heritage in the economic and sustainable development of regions, in particular through cultural tourism, to fostering synergies between cultural heritage and contemporary creation and creativity, to facilitating the sharing of experiences and best practices across Europe, and more generally, to promoting the democratic values and human rights that underpin European integration.
- (9) These objectives are fully in line with the objectives of the European agenda for culture which include fostering cultural diversity and intercultural dialogue and promoting of culture as a catalyst for creativity<sup>3</sup>.
- (10) It is crucial that the new European Heritage Label should be awarded on the basis of common, clear and transparent criteria and procedures.
- (11) The administrative arrangements for the European Heritage Label should remain light and flexible in compliance with the principle of subsidiarity.
- (12) Since the objectives of this Decision cannot be sufficiently achieved by the Member States and can therefore by reason of the need, in particular, for new common, clear and transparent criteria and procedures for the European Heritage Label, as well as a stronger coordination between the Member States, be better achieved at Union level, the Union may adopt measures in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union. In accordance with the principle of

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<sup>2</sup> OJ C 319, 13.12.2008, p. 11-12.

<sup>3</sup> COM(2007) 242 - doc. 9496/07.

proportionality as set out in that Article, this Decision does not go beyond what is necessary in order to achieve those objectives,

HAVE ADOPTED THIS DECISION:

#### *Article 1*

##### **Subject matter**

This Decision establishes a European Union action entitled ‘European Heritage Label’.

#### *Article 2*

##### **Definition**

For the purposes of this Decision, ‘sites’ shall mean monuments, natural or urban sites, cultural landscapes, places of remembrance, cultural goods and objects, intangible heritage attached to a place, including contemporary heritage.

#### *Article 3*

##### **Objectives**

1. The general objectives of the action shall be to contribute to:
  - Strengthen European citizens’ sense of belonging to the European Union, based on shared elements of history and cultural heritage, as well as an appreciation of diversity;
  - Strengthen intercultural dialogue.
2. The intermediate objectives of the action shall be to:
  - Enhance the value and profile of sites which have played a key role in the history and the building of the European Union;
  - Increase European citizens’ understanding of the building of Europe, and of their common yet diverse cultural heritage, especially related to democratic values and human rights that underpin the process of European integration.
3. The specific objectives of the action are as follows:
  - Develop sites’ European significance;
  - Raise young people’s awareness of their common cultural heritage;
  - Facilitate sharing of experiences and exchanges of best practices across Europe;
  - Increase access to heritage sites for all members of the public, especially young people;

- Increase intercultural dialogue, especially among young people, through artistic, cultural and historical education;
- Foster synergies between cultural heritage and contemporary creation and creativity;
- Contribute to the attractiveness and the sustainable development of the regions.

#### *Article 4*

### **Participation in the action**

The action shall be open to the participation of the Member States of the European Union. This participation shall be on a voluntary basis.

#### *Article 5*

### **Complementarity with other initiatives**

The Commission and the Member States shall ensure the complementarity of the European Heritage Label with other initiatives in the field of cultural heritage such as the UNESCO World Heritage List and the Council of Europe's 'European Cultural Routes'.

#### *Article 6*

### **Access to the action**

Sites, as defined in Article 2, shall be eligible for the attribution of the European Heritage Label.

#### *Article 7*

### **Criteria**

The attribution of the European Heritage Label shall be based on the following criteria:

- (1) Candidates for the label shall have a symbolic European value and shall have played a key role in the history and the building of the European Union. The candidates shall therefore justify:
  - their cross-border or pan-European nature: the past and present influence and attraction of a candidate site must go beyond the national borders of a Member State;
  - and/or the place and role of a site in European history and European integration, and its links with key European events or personalities, as well as with cultural, artistic, political, social, scientific, technological or industrial movements;

- and/or the place and role of a site in the development and promotion of the common values that underpin European integration such as freedom, democracy, respect for human rights, cultural diversity, tolerance and solidarity.
- (2) Candidates for the label shall submit a project which promotes their European dimension and commits them to all the following elements:
- raising awareness on the European significance of the site, in particular through appropriate information activities, signage and staff training;
  - organising educational activities, especially for young people, which increase the understanding of the common history of Europe and of its shared yet diverse heritage and which strengthen the sense of belonging to a common space;
  - promoting multilingualism by using several languages of the European Union;
  - taking part in the activities of networks of sites awarded the European Heritage Label in order to exchange experiences and initiate common projects;
  - raising the profile and attractiveness of the site on a European scale, for example by using modern technology:
  - the organisation of artistic and cultural activities (for example events, festivals, residencies) which foster the mobility of European artists and collections, stimulate intercultural dialogue and encourage linkage between heritage and contemporary creation and creativity are welcomed whenever the specificity of the site allows it.
- (3) Candidates for the label shall submit a management plan which commits them to all the following elements:
- ensuring the sound management of the site;
  - ensuring the protection of the site and its transmission to future generations in accordance with the relevant protection regimes;
  - ensuring the quality of the reception facilities such as the historical presentation, visitors' information, signage, etc.;
  - ensuring access for the widest possible public, for example through site adaptations or staff training;
  - according special attention to young people, in particular by allowing them privileged access to the site;
  - undertaking the promotion of sites as tourist destinations;
  - developing a coherent and comprehensive communication strategy highlighting the European significance of the site;
  - ensuring the management plan is as environmentally friendly as possible in order to limit potential negative impacts of tourism.

## *Article 8*

### **European panel of independent experts**

1. A European panel of independent experts (hereinafter referred to as the 'European panel') shall be established to carry out the selection and monitoring procedures at the European level. It shall ensure that the criteria are uniformly applied in the participating Member States.
2. The European panel shall consist of 12 members. Four of the members shall be nominated by the European Parliament, four by the Council and four by the Commission. The panel shall designate its chairman.
3. The European panel members shall be independent experts. They shall have substantial experience and expertise in the field of culture, heritage, European history, or other fields relevant to the objectives of the European Heritage Label.
4. The European panel members shall be nominated for three years. By way of derogation, in the first year during which this Decision is in force, four experts shall be nominated by the Commission for one year, four by the European Parliament for two years and four by the Council for three years.
5. If a conflict of interest between a member of the panel and a specific site comes to light, the member of the panel shall not take part in the evaluation of the said site.
6. All the reports, recommendations and notifications of the European panel shall be made public.

## *Article 9*

### **Application form**

With a view to keeping procedures as streamlined and light as possible, a common application form based on the selection criteria shall be prepared by the Commission and used by all the candidates. Only applications submitted on the official application form will be considered for selection.

## *Article 10*

### **Pre-selection at national level**

1. The pre-selection of the sites for the attribution of the European Heritage Label shall be under the responsibility of the Member States.
2. Each Member State shall have the possibility to pre-select up to a maximum of two sites per annum in accordance with the calendar in the Annex. No selection procedure shall take place in the years reserved for the monitoring procedure.
3. Each Member State shall establish its own procedures and its own calendar for the pre-selection of the sites in accordance with the principle of subsidiarity, ensuring

that administrative arrangements remain as light and flexible as possible. It shall however notify the Commission of the results of the pre-selection at the latest on 31 January of the year of the selection procedure.

4. The pre-selection shall be based on the criteria laid down in Article 7 and shall use the application form referred to in Article 9.

#### *Article 11*

##### **Final selection at Union level**

1. The final selection of the sites for the attribution of the European Heritage Label shall be under the responsibility of the Commission and carried out by the European panel.
2. The European panel shall evaluate the applications of the pre-selected sites and shall select a maximum of one site per Member State. If necessary, further information may be requested and visits to the sites may be organised.
3. The final selection shall be based on the criteria laid down in Article 7 and shall use the application form referred to in Article 9.
4. The European panel shall issue a report on the pre-selected sites at the latest on 31 October of the year of the selection procedure. This report shall include a recommendation for the attribution of the European Heritage Label and a justification for the sites which were not retained in the final list.
5. Candidates which were not retained in the final list may submit a new application for the pre-selection at national level in the following years.

#### *Article 12*

##### **Transnational sites**

1. For the purpose of this Decision, the following shall be considered as ‘transnational sites’:
  - Several sites located in different Member States which gather around one specific theme to propose a single application;
  - One specific site which is geographically situated on the territory of at least two different Member States.
2. Applications for transnational sites shall follow the same procedure as applications for other sites. They shall be pre-selected by one of the Member States concerned within the limit of a maximum of two sites as laid down in Article 10, and proposed in the name of all the Member States concerned after consultation and agreement of these Member States.



3. If a transnational site meets all the criteria laid down in Article 7, priority shall be given to this site during the final selection.

### *Article 13*

#### **Designation**

1. The Commission shall officially designate the sites to be awarded the European Heritage Label during the year following the selection procedure, in the light of the recommendation of the European panel. The Commission shall inform the European Parliament and the Council.
2. The European Heritage Label shall be awarded to the sites in principle on a permanent basis under the conditions laid down in Articles 14 and 15 and subject to the continuation of the action.

### *Article 14*

#### **Monitoring**

1. Each site awarded the European Heritage Label shall be monitored on a regular basis in order to ensure that it continues to fulfil the criteria and that it respects all the commitments made in its application.
2. The monitoring of all the sites located on the territory of a Member State is the responsibility of the Member State in question. The Member State shall collect all the necessary information and prepare a detailed report every four years, in accordance with the calendar in the Annex.
3. The report shall be sent to the Commission and submitted to the European panel for examination at the latest on 31 January of the year of the monitoring procedure.
4. The European panel shall issue a report on the state of the labelled sites in the Member State concerned at the latest on 31 October of the year of the monitoring procedure, including if necessary recommendations to be taken into account for the next monitoring period.
5. The Commission shall establish common indicators for the Member States to ensure a coherent approach for the monitoring procedure.

### *Article 15*

#### **Withdrawal of the label**

1. If the European panel takes note that a specific site no longer fulfils the criteria of the European Heritage Label or that it no longer respects all the commitments made in its application, it shall initiate a dialogue with the Member State concerned via the Commission, with a view to helping to make the necessary adjustments to the site.

2. If after a period of 18 months after the beginning of the dialogue the necessary adjustments have not been made to the site, the European panel shall notify the Commission. The notification must be accompanied by a justification, as well as recommendations on how to improve the situation.
3. If after a new period of 18 months the recommendations have not been implemented, the European panel shall issue a recommendation to withdraw the European Heritage Label from the relevant site.
4. The Commission shall take the final decision to withdraw the European Heritage Label. The Commission shall inform the European Parliament and the Council.
5. The notifications and the recommendations of the European panel shall be made public.

#### *Article 16*

#### **Practical arrangements**

1. The Commission shall implement the European Union action for the European Heritage Label. It shall in particular:
  - ensure the overall coherence and quality of the action;
  - ensure the coordination between the Member States and the European panel;
  - establish guidelines for the selection and monitoring procedures, as well as the application form;
  - provide support to the European panel of independent experts.
2. The Commission shall be responsible for the communication and the visibility of the European Heritage Label at Union level, in particular through the creation and the maintenance of a specific website.
3. The Commission shall foster networking activities between labelled sites.
4. The actions under paragraphs 2 and 3, as well as the costs of the European panel shall be financed through the financial envelope provided for in article 19.

#### *Article 17*

#### **Evaluation**

1. The Commission shall ensure the external and independent evaluation of the European Heritage Label action. This evaluation shall take place every six years in accordance with the calendar set out in the Annex and shall examine all elements, including the efficiency of the processes involved in running the action, the number of sites, the impact of the action, how it could be improved and whether the European Heritage Label should be continued.

2. The Commission shall present a report on these evaluations to the European Parliament and the Council within six months of the finalisation of the evaluations.

### *Article 18*

#### **Transitional provisions**

1. Sites already awarded the label in the framework of the intergovernmental European Heritage Label and situated in Member States shall be assessed [the year following the entry into force of the present Decision].

A new application shall be submitted for these sites on the basis of the new criteria and procedures laid down in Articles 6 to 9 and shall be transmitted to the Commission by the relevant Member States at the latest on 31 January [of the year in question].

The new applications shall be assessed by the European panel.

If one of the sites proposed by a specific Member State does not fulfil the criteria or if further information is needed, the European panel shall initiate a dialogue with the Member State via the Commission in order to examine whether the application can be improved before a final decision is taken. Visits to the site may be organised if necessary.

The European panel shall deliver a report on sites with a recommendation for the attribution of the European Heritage Label by the end of [the year in question] unless further clarifications are necessary from the Member State.

The Commission shall then officially designate the sites.

The European Heritage Label shall be awarded to the sites covered by this paragraph in principle on a permanent basis under the conditions laid down in Articles 14 and 15 and subject to the continuation of the action.

Candidates which were not retained in the final list may submit a new application for the pre-selection at national level in the following years.

2. Member States which did not participate in the intergovernmental European Heritage Label shall have the possibility to propose up to a maximum of four sites for the attribution of the European Heritage Label in [the second year following the entry into force of the present Decision].

An application shall be submitted for these sites on the basis of the criteria and procedures laid down in Articles 6 to 9 and shall be transmitted to the Commission by the relevant Member States at the latest on 31 January [of the year in question].

The new applications shall be assessed by the European panel. If one of the sites proposed by a specific Member State does not fulfil the criteria or if further information is needed, the European panel shall initiate a dialogue with the Member State via the Commission in order to examine whether the application can be

improved before a final decision is taken. Visits to the site may be organised if necessary.

The European panel shall deliver a report on sites with a recommendation for the attribution of the European Heritage Label by the end of [the year in question] unless further clarifications are necessary from the Member State.

The Commission shall then officially designate the sites.

The European Heritage Label shall be awarded to the sites covered by this paragraph in principle on a permanent basis under the conditions laid down in Articles 14 and 15 and subject to the continuation of the action.

Candidates which were not retained in the final list may submit a new application for the pre-selection at national level in the following years.

3. The selection and monitoring procedure for the European Heritage Label as laid down in Articles 6 to 15 shall start in [the third year following the entry into force of the present Decision].

#### *Article 19*

#### **Financial provisions**

1. The financial envelope for the implementation of the action during the period from 1 January 2011 to 31 December 2013 is set at EUR 1 350 000.
2. The annual appropriations shall be authorised by the budgetary authority within the limits of the multiannual financial framework.

#### *Article 20*

#### **Entry into force**

This Decision shall enter into force on the day following that of its publication in the *Official Journal of the European Union*.

Done at Brussels,

*For the European Parliament*  
*The President*

*For the Council*  
*The President*

## ANNEX

### CALENDAR

#### Calendar for the European Heritage Label

|             |                                                                                                                             |
|-------------|-----------------------------------------------------------------------------------------------------------------------------|
| [Year n]    | Adoption of the Decision<br>Preparatory work                                                                                |
| [Year n+1]  | Re-evaluation of the sites already awarded the European Heritage Label in the framework of the intergovernmental initiative |
| [Year n+2]  | First submission of sites by the Member States which did not participate in the intergovernmental initiative                |
| [Year n+3]  | Selection                                                                                                                   |
| [Year n+4]  | Monitoring                                                                                                                  |
| [Year n+5]  | Selection                                                                                                                   |
| [Year n+6]  | Selection<br><b>Evaluation of the European Heritage Label</b>                                                               |
| [Year n+7]  | Selection                                                                                                                   |
| [Year n+8]  | Monitoring                                                                                                                  |
| [Year n+9]  | Selection                                                                                                                   |
| [Year n+10] | Selection                                                                                                                   |
| [Year n+11] | Selection                                                                                                                   |
| [Year n+12] | Monitoring<br><b>Evaluation of the European Heritage Label</b>                                                              |
| ...         | ...                                                                                                                         |

## LEGISLATIVE FINANCIAL STATEMENT

### 1. NAME OF THE PROPOSAL:

Decision of the European Parliament and of the Council establishing a European Union action for the European Heritage Label

### 2. ABM / ABB FRAMEWORK

Policy area: Education and Culture

Activity: Developing cultural cooperation in Europe

### 3. BUDGET LINES

#### 3.1. Budget lines (operational lines and related technical and administrative assistance lines (ex- B.A lines)) including headings:

15 04 50 European Heritage Label

#### 3.2. Duration of the action and of the financial impact:

The legal base for the European Heritage Label has no fixed limit in time.

The proposal will have an impact on the EU budget from 01.01.2011 to 31.12. 2013.

#### 3.3. Budgetary characteristics:

| Budget line | Type of expenditure |                   | New | EFTA contribution | Contributions from applicant countries | Heading in financial perspective |
|-------------|---------------------|-------------------|-----|-------------------|----------------------------------------|----------------------------------|
| 15 04 50    | Non-comp            | Diff <sup>4</sup> | YES | NO                | NO                                     | No 3b                            |

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<sup>4</sup> Differentiated appropriations.

## 4. SUMMARY OF RESOURCES

### 4.1. Financial Resources

#### 4.1.1. Summary of commitment appropriations (CA) and payment appropriations (PA)

EUR million (to 3 decimal places)

| Expenditure type | Section no. |  | 2011 | 2012 | 2013 | 2014 | Total |
|------------------|-------------|--|------|------|------|------|-------|
|------------------|-------------|--|------|------|------|------|-------|

#### Operational expenditure<sup>5</sup>

|                                |     |   |  |       |       |       |       |
|--------------------------------|-----|---|--|-------|-------|-------|-------|
| Commitment Appropriations (CA) | 8.1 | a |  | 0.350 | 1.000 |       | 1.350 |
| Payment Appropriations (PA)    |     | b |  | 0.250 | 0.800 | 0.300 | 1.350 |

#### Administrative expenditure within reference amount<sup>6</sup>

|                                             |       |   |  |  |  |  |  |
|---------------------------------------------|-------|---|--|--|--|--|--|
| Technical & administrative assistance (NDA) | 8.2.4 | c |  |  |  |  |  |
|---------------------------------------------|-------|---|--|--|--|--|--|

#### TOTAL REFERENCE AMOUNT

|                                  |  |            |  |       |       |       |       |
|----------------------------------|--|------------|--|-------|-------|-------|-------|
| <b>Commitment Appropriations</b> |  | <b>a+c</b> |  | 0.350 | 1.000 |       | 1.350 |
| <b>Payment Appropriations</b>    |  | <b>b+c</b> |  | 0.250 | 0.800 | 0.300 | 1.350 |

|                                                                                                               |       |   |       |       |       |  |       |
|---------------------------------------------------------------------------------------------------------------|-------|---|-------|-------|-------|--|-------|
| Human resources and associated expenditure (NDA)                                                              | 8.2.5 | d | 0.122 | 0.244 | 0.244 |  | 0.610 |
| Administrative costs, other than human resources and associated costs, not included in reference amount (NDA) | 8.2.6 | e | 0.003 | 0.006 | 0.006 |  | 0.015 |

#### Total indicative financial cost of intervention

|                                                   |  |                 |       |       |       |       |       |
|---------------------------------------------------|--|-----------------|-------|-------|-------|-------|-------|
| <b>TOTAL CA including cost of Human Resources</b> |  | a+c<br>+d+<br>e | 0.125 | 0.600 | 1.250 |       | 1.975 |
| <b>TOTAL PA including cost of Human Resources</b> |  | b+c<br>+d+<br>e | 0.125 | 0.500 | 1.050 | 0.300 | 1.975 |

<sup>5</sup> Expenditure that does not fall under Chapter 15 01 of the Title 15 concerned.

<sup>6</sup> Expenditure within article 15 01 04 of Title 15.

## Co-financing details

Not Applicable

### 4.1.2. *Compatibility with Financial Programming*

- Proposal is compatible with existing financial programming.
- Proposal will entail reprogramming of the relevant heading in the financial perspective.

An amount of €350 000 will be allocated in 2012 through redeployment from the financial envelope of the Culture programme (Heading 15 04 44 Culture)

- Proposal may require application of the provisions of the Interinstitutional Agreement<sup>7</sup> (i.e. flexibility instrument or revision of the financial perspective).

### 4.1.3. *Financial impact on Revenue*

- Proposal has no financial implications on revenue
- Proposal has financial impact – the effect on revenue is as follows:

## 4.2. **Human Resources FTE (including officials, temporary and external staff) – see detail under point 8.2.1.**

| Annual requirements             | 2011 | 2012 | 2013 |
|---------------------------------|------|------|------|
| Total number of human resources | 1    | 2    | 2    |

## 5. **CHARACTERISTICS AND OBJECTIVES**

### 5.1. **Need to be met in the short or long term**

See section 1 of the explanatory memorandum and section 2 of the impact assessment.

### 5.2. **Value-added of European Union involvement and coherence of the proposal with other financial instruments and possible synergy**

See section 3.2 of the explanatory memorandum and section 2.3 of the impact assessment. Synergies exist between the proposal and the Culture programme.

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<sup>7</sup> See points 19 and 24 of the Interinstitutional agreement.



### **5.3. Objectives, expected results and related indicators of the proposal in the context of the ABM framework**

The European Heritage Label's objectives (see article 3 of the proposal for a decision and section 3 of the impact assessment) are directly linked to the Commission's strategic objective of solidarity, notably through their contribution to economic and social cohesion and to the preservation and the strengthening of our common values. The European Heritage Label is also linked to the Commission's strategic objective of prosperity through its specific objective concerning the contribution to the attractiveness and the sustainable development of regions.

In order to measure the results of the European heritage Label, key indicators will be defined in the social, economic and environmental areas. Social indicators could include:

- numbers reporting that their interest in cultural heritage has increased;
- numbers saying their appreciation of common European history has increased;
- numbers of activities organised by the sites towards young people;
- collaboration projects between labelled sites;
- number of cultural activities created;
- number of activities raising awareness on democratic values/human rights.

Economic indicators could include:

- increase in visitors numbers;
- number of direct or indirect jobs created;
- number of jobs safeguarded;
- number of partnerships projects between labelled sites and cultural and creative industries;
- number of partnerships projects between labelled sites and local business activities;
- leverage effect of investment on heritage on private and public sources.

Environmental indicators could include:

- number of sustainable management plans adopted by the sites;
- improved access to the sites with sustainable transport;
- landscapes and historic environment conditions.

#### 5.4. Method of Implementation (indicative)

**X** *Centralised Management*

**X** directly by the Commission

indirectly by delegation to:

executive Agencies

bodies set up by the Communities as referred to in art. 185 of the Financial Regulation

national public-sector bodies/bodies with public-service mission

*Shared or decentralised management*

with Member states

with Third countries

*Joint management with international organisations (please specify)*

Relevant comments:

## 6. MONITORING AND EVALUATION

### 6.1. Monitoring system

The monitoring and evaluation framework of the European Heritage Label will comprise two elements which need to be distinguished: the monitoring of the labelled sites and the evaluation of the European Heritage Label action as a whole.

The aim of the monitoring of the sites will be to verify that labelled sites have met the obligations they agreed to undertake when they made their application and were selected and can therefore continue to hold the label. A set of indicators to be taken into account will be provided by the Commission. This monitoring will be under the responsibility of the Member States who will report to a European panel of experts which will then make an evaluation and if necessary propose the withdrawal of the label. The monitoring of the labelled sites will feed into the evaluation of the European Heritage Label as a whole. For more details about the monitoring system, see Articles 14 and 15 of the proposal for a Decision.

## **6.2. Evaluation**

### *6.2.1. Ex-ante evaluation*

See the impact assessment.

### *6.2.2. Measures taken following an intermediate/ex-post evaluation (lessons learned from similar experiences in the past)*

Not applicable

### *6.2.3. Terms and frequency of future evaluation*

The evaluation of the European Heritage Label will need to combine a focus on examining both the processes involved in operating the action and the actual cumulative impact of the European Heritage Label as a whole. The aim will be to identify in which respects the programme is working well, where there is room for improvement and, crucially, how this improvement might best be achieved in the future.

As mentioned in article 17 of the proposal for a Decision, the evaluation will be under the responsibility of the Commission and will take the form of an external evaluation every six years.

## **7. ANTI-FRAUD MEASURES**

The Commission must ensure that, when actions financed under the present Decision are implemented, the financial interests of the European Union are protected by the application of preventive measures against fraud, corruption and any other illegal activities, by effective checks and by the recovery of amounts unduly paid and, if irregularities are detected, by effective, proportional and dissuasive penalties, in accordance with Council Regulations (EC, Euratom) No 2988/95 and (Euratom, EC) No 2185/96 and with Regulation (EC) No 1073/1999 of the European Parliament and of the Council.

For the European Union actions financed under this Decision, an irregularity as referred to in Article 1(2) of Regulation (EC, Euratom) No 2988/95 means any infringement of a provision of European Union law or any breach of a contractual obligation resulting from an act or omission by an economic operator which has, or would have, the effect of prejudicing the general budget of the European Union, or budgets managed by them, by an unjustifiable item of expenditure.

## 8. DETAILS OF RESOURCES

### 8.1. Objectives of the proposal in terms of their financial cost

*Commitment appropriations in EUR million (to 3 decimal places)*

| (Headings of Objectives, actions and outputs should be provided) | Type of output                                                                                            | Av. cost | 2012        |            | 2013        |            | TOTAL       |            |
|------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------|----------|-------------|------------|-------------|------------|-------------|------------|
|                                                                  |                                                                                                           |          | No. outputs | Total cost | No. outputs | Total cost | No. outputs | Total cost |
| <b>European Heritage Label</b>                                   |                                                                                                           |          |             |            |             |            |             |            |
| <b>Action 1</b><br>Attribution of the Label                      |                                                                                                           |          |             |            |             |            |             |            |
| - Output 1                                                       | Selection procedure by a European panel of independent experts (including site visits and panel meetings) | 0.200    | 1           | 0.200      | 1           | 0.200      | 2           | 0.400      |
| <b>Action 2</b><br>Promotion of the Label                        |                                                                                                           |          |             |            |             |            |             |            |
| - Output 1                                                       | Communication campaign                                                                                    | 0.200    | 1           | 0.150      | 1           | 0.250      | 2           | 0.400      |
| <b>Action 3</b><br>Networking of labelled sites                  |                                                                                                           |          |             |            |             |            |             |            |
| - Output 1                                                       | Thematic conference                                                                                       | 0.275    |             |            | 2           | 0.550      | 2           | 0.550      |
| <b>TOTAL COST</b>                                                |                                                                                                           |          |             | 0.350      |             | 1.000      |             | 1.350      |

## 8.2. Administrative Expenditure

### 8.2.1. Number and type of human resources

| Types of post                                          |            | Staff to be assigned to management of the action using existing and/or additional resources<br>(number of posts/FTEs) |      |      |
|--------------------------------------------------------|------------|-----------------------------------------------------------------------------------------------------------------------|------|------|
|                                                        |            | 2011                                                                                                                  | 2012 | 2013 |
| Officials or temporary staff <sup>8</sup> (15 01 01)   | A*/AD      | 1                                                                                                                     | 1    | 1    |
|                                                        | B*, C*/AST |                                                                                                                       | 1    | 1    |
| Staff financed <sup>9</sup> by art. 15 01 02           |            |                                                                                                                       |      |      |
| Other staff <sup>10</sup> financed by art. 15 01 04/05 |            |                                                                                                                       |      |      |
| <b>TOTAL</b>                                           |            | 1                                                                                                                     | 2    | 2    |

### 8.2.2. Description of tasks deriving from the action

AD: manage, monitor and evaluate the implementation of the action; provide support to the panel of independent experts; organise and represent the Commission in the panel's meetings; Assume the secretariat in these meetings; follow-up the decision making process concerning the selection and the monitoring of sites; establish and maintain regular contacts and exchanges with other European Institutions, Member States, labelled sites or international organisations; coordinate the network of labelled sites; organise and represent the Commission in the meetings of this network; communication activities related to the action; launch, manage and monitor calls for tenders.

AST: provide operational support to the AD in his tasks; assist in the preparation of communication activities; assist in the organisation of the meetings; assist in the preparation of call for tenders; provide support for the contract management.

The action will in principle need to be prepared in 2011, including notably the establishment of all the structures (European panel of independent experts, national coordinators, etc...), the preparation of the rules of procedures, guidelines and application forms, as well as the preparation of the first calls for tender, so that the first selection procedure can start at the very beginning of 2012.

<sup>8</sup> Cost of which is NOT covered by the reference amount.

<sup>9</sup> Cost of which is NOT covered by the reference amount.

<sup>10</sup> Cost of which is included within the reference amount.

8.2.3. *Sources of human resources (statutory)*

- Posts currently allocated to the management of the programme to be replaced or extended
- Posts pre-allocated within the APS/DB exercise for year n
- Posts to be requested in the next APS/DB procedure
- Posts to be redeployed using existing resources within the managing service (internal redeployment)
- Posts required for year n although not foreseen in the APS/PDB exercise of the year in question

8.2.4. *Other Administrative expenditure included in reference amount (XX 01 04/05 – Expenditure on administrative management)*

Not applicable

8.2.5. *Financial cost of human resources and associated costs not included in the reference amount*

EUR million (to 3 decimal places)

| Type of human resources                                                                        | 2011  | 2012  | 2013  |
|------------------------------------------------------------------------------------------------|-------|-------|-------|
| Officials and temporary staff (15 01 01)                                                       | 0.122 | 0.244 | 0.244 |
| Staff financed by Art 15 01 02 (auxiliary, END, contract staff, etc.)<br>(specify budget line) |       |       |       |
| <b>Total cost of Human Resources and associated costs (NOT in reference amount)</b>            | 0.122 | 0.244 | 0.244 |

Calculation– *Officials and Temporary agents*

122 000 € per post per year (standard costs per post as suggested in the Guidelines on the drafting of the Legislative Financial Statement)

Calculation– *Staff financed under art. 15 01 02*

Not applicable

The needs for human resources shall be covered within the allocation already granted for managing this action and/or redeployed within the DG, complemented as the case may be by any additional allocation that might be granted to the managing DG in the framework of the annual allocation procedure in the light of budgetary constraints.

### 8.2.6 Other administrative expenditure not included in reference amount

EUR million (to 3 decimal places)

|                                                                                                                             | 2011  | 2012  | 2013  | TOTAL |
|-----------------------------------------------------------------------------------------------------------------------------|-------|-------|-------|-------|
| 15 01 02 11 01 – Missions                                                                                                   | 0.003 | 0.006 | 0.006 | 0.015 |
| 15 01 02 11 02 – Meetings & Conferences                                                                                     |       |       |       |       |
| 15 01 02 11 03 – Committees                                                                                                 |       |       |       |       |
| 15 01 02 11 04 – Studies & consultations                                                                                    |       |       |       |       |
| 15 01 02 11 05 - Information systems                                                                                        |       |       |       |       |
| <b>2 Total Other Management Expenditure (15 01 02 11)</b>                                                                   |       |       |       |       |
| <b>3 Other expenditure of an administrative nature</b> (specify including reference to budget line)                         |       |       |       |       |
| <b>Total Administrative expenditure, other than human resources and associated costs (NOT included in reference amount)</b> | 0.003 | 0.006 | 0.006 | 0.015 |

#### Calculation - *Other administrative expenditure not included in reference amount*

2011: 3 missions inside the European Union per year = 3 x 1000 €

2012 and 2013: 6 missions inside the European Union per year = 6 x 1000 €

The needs for administrative appropriations shall be covered within the allocation already granted for managing this action and/or redeployed within the DG, complemented as the case may be by any additional allocation that might be granted to the managing DG in the framework of the annual allocation procedure in the light of budgetary constraints.