

Culture in the EU Constitution

This file shows the occurrences of the words culture, cultural or artistic in the text of the Treaty Establishing a Constitution for Europe, as adopted by the European Convention in July 2003 and by the European Council in June 2004

The search was done by the Budapest Cultural Observatory

PREAMBLE

...

Drawing inspiration from the cultural, religious and humanist inheritance of Europe, the values of which, still present in its heritage, have embedded within the life of society the central role of the human person and his or her inviolable and inalienable rights, and respect for law,

Believing

that reunited Europe intends to continue along the path of civilisation, progress and prosperity, for the good of all its inhabitants, including the weakest and most deprived; that it wishes to remain a continent open to culture, learning and social progress; and that it wishes to deepen the democratic and transparent nature of its public life, and to strive for peace, justice and solidarity throughout the world,

...

PART
I

TITLE I - DEFINITION AND OBJECTIVES OF THE UNION

Article 3: The Union's objectives

3 ... The Union shall respect its rich cultural and linguistic diversity, and shall ensure that Europe's cultural heritage is safeguarded and enhanced.

Chapter II. Other Institutions and bodies

Article 31: The Union's advisory bodies

3. The Economic and Social Committee shall consist of representatives of organisations of

employers, of the employed, and of others representative of civil society, notably in

socio-economic, civic, professional and cultural areas.

TITLE III - UNION COMPETENCES

Article 16: Areas of supporting, coordinating or complementary action

1. The Union
may take supporting, coordinating or complementary action.

2. The areas
for supporting, coordinating or complementary action shall be, at European
level:

...

. culture,

...

PART II: THE CHARTER OF FUNDAMENTAL RIGHTS OF THE UNION

PREAMBLE

The peoples of Europe, in creating an ever closer union among them, are resolved to share a peaceful future based on common values.

Conscious of its spiritual and moral heritage, the Union is founded on the indivisible, universal values of human dignity, freedom, equality and solidarity; it is based on the principles of democracy and the rule of law. It places the individual at the heart of its activities, by establishing the citizenship of the Union and by creating an area of freedom, security and justice. The Union contributes to the preservation and to the development of these common values while respecting the diversity of the cultures and traditions of the peoples of Europe as well as the national identities of the Member States and the organisation of their public authorities at national, regional and local levels; it seeks to promote balanced and sustainable development and ensures free movement of persons, goods, services and capital, and the freedom of establishment.

TITLE III - EQUALITY

Article II-22: Cultural, religious and linguistic diversity

The Union shall respect cultural, religious and linguistic diversity.

Article II-25: The rights of the elderly

The Union recognises and respects the rights of the elderly to lead a life of dignity and independence and to participate in social and cultural life.

PART III: THE
POLICIES AND FUNCTIONING OF THE UNION

TITLE
I - PROVISIONS OF GENERAL APPLICATION

Article III
- 5a

In formulating and implementing the Union's agriculture, fisheries, transport, internal market, research and technological development and space policies, the Union and the Member States shall pay full regard to the welfare requirements of animals, as sentient beings, while respecting the legislative or administrative provisions and customs of Member states relating in particular to religious rites, cultural traditions and regional heritage.

TITLE III - INTERNAL
POLICIES AND ACTION

CHAPTER I
- INTERNAL MARKET

SECTION 5
- RULES ON COMPETITION

Subsection
2 - Aids granted by Member States

Article III-56

3. The following
may be considered to be compatible with the internal market:

(d) aid to
promote culture and heritage conservation where such aid does
not affect trading

conditions

and competition in the Union to an extent that is contrary to the common interest;

CHAPTER V

- AREAS WHERE THE UNION MAY TAKE COORDINATING, COMPLEMENTARY OR SUPPORTING ACTION

SECTION 3

- CULTURE

Article III-181

1. The Union shall contribute to the flowering of the cultures of the Member States, while respecting their national and regional diversity and at the same time bringing the common cultural heritage to the fore.

2. Action

by the Union shall be aimed at encouraging cooperation between Member States and, if necessary, supporting and complementing their action in the following areas:

(a) improvement of the knowledge and dissemination of the culture and history of the European

peoples;

(b) conservation and safeguarding of cultural heritage of European significance;

(c) non-commercial cultural exchanges;

(d) artistic and literary creation, including in the audiovisual sector.

3. The Union

and the Member States shall foster cooperation with third countries and the competent international organisations in the sphere of culture, in particular the Council of Europe.

4. The Union

shall take cultural aspects into account in its action under other provisions of the Constitution, in particular in order to respect and to promote the diversity of its cultures.

5. In order to contribute to the achievement of the objectives referred to in this Article:

(a) European laws or framework laws shall establish incentive actions, excluding any harmonisation of the laws and regulations of the Member States. They shall be adopted after consultation of the Committee of the Regions;

(b) the Council of Ministers, on a proposal from the Commission, shall adopt recommendations.

SECTION 4 - EDUCATION, VOCATIONAL TRAINING, YOUTH AND SPORT

Article III-182

1. The Union

shall contribute to the development of quality education by encouraging cooperation between Member States and, if necessary, by supporting and complementing their action. It shall fully respect the responsibility of the Member States for the content of teaching and the organisation of education systems and their cultural and linguistic diversity.

TITLE IV - ASSOCIATION OF THE OVERSEAS COUNTRIES AND TERRITORIES

Article III-186

The non-European countries and territories which have special relations with Denmark, France, the Netherlands and the United Kingdom shall be associated with the Union. These countries and territories (hereinafter called the "countries and territories") are listed in Annex II. The purpose of association shall be to promote the economic and social development of the countries and territories and to establish close economic relations between them and the Union as a whole.

Association

shall serve primarily to further the interests and prosperity of the inhabitants of these countries and territories in order to lead them to the economic, social and cultural development to which they aspire.

TITLE V - THE UNION'S EXTERNAL ACTION

CHAPTER III - COMMON COMMERCIAL POLICY

Article III-217

4... The Council shall also act unanimously for the negotiation and conclusion of agreements in the field of trade in cultural and audiovisual services, where these risk prejudicing the Union's cultural and linguistic diversity.