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**Changes to legislation:** There are currently no known outstanding effects for the Council Decision of 18 May 2006 on the conclusion of the Convention on the Protection and Promotion of the Diversity of Cultural Expressions (2006/515/EC), ANNEX 1(b). (See end of Document for details)

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## ANNEX 1(b)

### Declaration of the European Community in application of Article 27(3)(c) of the Convention on the Protection and Promotion of the Diversity of Cultural Expressions

The current members of the European Community are the Kingdom of Belgium, the Czech Republic, the Kingdom of Denmark, the Federal Republic of Germany, the Republic of Estonia, the Hellenic Republic, the Kingdom of Spain, the French Republic, Ireland, the Italian Republic, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Grand Duchy of Luxembourg, the Republic of Hungary, the Republic of Malta, the Kingdom of the Netherlands, the Republic of Austria, the Republic of Poland, the Portuguese Republic, the Republic of Slovenia, the Slovak Republic, the Republic of Finland, the Kingdom of Sweden and the United Kingdom of Great Britain and Northern Ireland.

This Declaration indicates the competences transferred to the Community by the Member States under the Treaties, in the areas covered by the Convention.

The Community has exclusive competence for the common commercial policy (Articles 131-134 of the Treaty), except for the commercial aspects of intellectual property and trade in services in those areas set out in Article 133 (5) and (6) of the Treaty (in particular, in this context, trade in cultural and audiovisual services) where responsibility is shared between the Community and the Member States. It conducts a development cooperation policy (Articles 177-181 of the Treaty) and a policy of cooperation with industrialised countries (Article 181a of the Treaty) without prejudice to the respective competences of the Member States. It has shared competence as regards the free movement of goods, persons, services and capital (Articles 23-31 and 39-60 of the Treaty), competition (Articles 81-89 of the Treaty) and the internal market, including intellectual property (Articles 94-97 of the Treaty). Pursuant to Article 151 of the Treaty, in particular paragraph 4 thereof, the Community takes cultural aspects into account in its action under other provisions of the Treaty, in particular in order to respect and to promote the diversity of its cultures.

The Community Acts listed below illustrate the extent of the area of competence of the Community in accordance with the provisions establishing the European Community.

Council Decision 94/800/EC of 22 December 1994 concerning the conclusion on behalf of the European Community, as regards matters within its competence, of the Agreements reached in the Uruguay Round multilateral negotiations (1986 to 1994) ([OJ L 336, 23.12.1994, p. 1](#)).

Council Regulation (EC) No 2501/2001 of 10 December 2001 applying a scheme of generalised tariff preferences for the period from 1 January 2002 to 31 December 2004 — Statements on a Council Regulation applying a scheme of generalised tariff preferences for the period from 1 January 2002 to 31 December 2004 ([OJ L 346, 31.12.2001, p. 1](#)).

Council Decision 2005/599/EC of 21 June 2005 concerning the signing, on behalf of the European Community, of the Agreement amending the Partnership Agreement between the members of the African, Caribbean and Pacific Group of States, of the one part, and the European Community and its Member States, of the other part, signed in Cotonou on 23 June 2000 ([OJ L 209, 11.8.2005, p. 26](#)).

Council Regulation (EC) No 2698/2000 of 27 November 2000 amending Regulation (EC) No 1488/96 on financial and technical measures to accompany the reform of economic and social structures in the framework of the Euro-Mediterranean Partnership (MEDA) ([OJ L 311, 12.12.2000, p. 1](#)).

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Council Regulation (EEC) No 3906/89 of 18 December 1989 on economic aid to the Republic of Hungary and the Polish People's Republic, and subsequent amendments, still applicable to Bulgaria and Romania ([OJ L 375, 23.12.1989, p. 11](#)).

Council Regulation (EC) No 2666/2000 of 5 December 2000 on assistance for Albania, Bosnia and Herzegovina, Croatia, the Federal Republic of Yugoslavia and the Former Yugoslav Republic of Macedonia and repealing Regulation (EC) No 1628/96 and amending Regulations (EEC) No 3906/89 and (EEC) No 1360/90 and Decisions 97/256/EC and 1999/311/EC ([OJ L 306, 7.12.2000, p. 1](#)).

Council Regulation (EEC) No 443/92 of 25 February 1992 on financial and technical assistance to, and economic cooperation with, the developing countries in Asia and Latin America ([OJ L 52, 27.2.1992, p. 1](#)).

Council Regulation (EC, Euratom) No 99/2000 of 29 December 1999 concerning the provision of assistance to the partner States in Eastern Europe and Central Asia ([OJ L 12, 18.1.2000, p. 1](#)).

Decision No 792/2004/EC of the European Parliament and of the Council of 21 April 2004 establishing a Community action programme to promote bodies active at European level in the field of culture ([OJ L 138, 30.4.2004, p. 40](#)).

Decision No 508/2000/EC of the European Parliament and the Council of 14 February 2000 establishing the Culture 2000 programme ([OJ L 63, 10.3.2000, p. 1](#)).

Decision No 1419/1999/EC of the European Parliament and of the Council of 25 May 1999 establishing a Community action for the European Capital of Culture event for the years 2005 to 2019 ([OJ L 166, 1.7.1999, p. 1](#)).

Council Decision of 22 September 1997 regarding the future of European cultural action [OJ C 305, 7.10.1997, p. 1](#)

Council Decision of 22 September 1997 on cross-border fixed book prices in European linguistic areas ([OJ C 305, 7.10.1997, p. 2](#)

Council Directive 89/552/EEC of 3 October 1989 on the coordination of certain provisions laid down by Law, Regulation or Administrative Action in Member States concerning the pursuit of television broadcasting activities ([OJ L 298, 17.10.1989, p. 23](#)). Directive amended by Directive 97/36/EC of the European Parliament and of the Council ([OJ L 202, 30.7.1997, p. 60](#))

Council Decision 2000/821/EC of 20 December 2000 on the implementation of a programme to encourage the development, distribution and promotion of European audiovisual works (MEDIA Plus - Development, Distribution and Promotion) (2001-2005) ([OJ L 336, 30.12.2000, p. 82](#)).

Decision No 163/2001/EC of the European Parliament and of the Council of 19 January 2001 on the implementation of a training programme for professionals in the European audiovisual programme industry (MEDIA-Training) (2001-2005) ([OJ L 26, 27.1.2001, p. 1](#)).

Council Regulation (EC) No 659/1999 of 22 March 1999 laying down detailed rules for the application of Article 93 of the EC Treaty ([OJ L 83, 27.3.1999, p. 1](#)), relating to State aid.

Directive 2004/48/EC of the European Parliament and the Council of 29 April 2004 on the enforcement of intellectual property rights ([OJ L 157, 30.4.2004, p. 45](#)).

Directive 2001/29/EC of the European Parliament and of the Council of 22 May 2001 on the harmonisation of certain aspects of copyright and related rights in the information society ([OJ L 167, 22.6.2001, p. 10](#)).

Directive 2001/84/EC of the European Parliament and of the Council of 27 September 2001 on the resale right for the benefit of the author of an original work of art ([OJ L 272, 13.10.2001, p. 32](#)).

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Council Directive 93/83/EEC of 27 September 1993 on the coordination of certain rules concerning copyright and rights related to copyright applicable to satellite broadcasting and cable retransmission ([OJ L 248, 6.10.1993, p. 15](#)).

Council Directive 93/98/EEC of 29 October 1993 harmonising the term of protection of copyright and certain related rights ([OJ L 290, 24.11.1993, p. 9](#)).

Council Directive 92/100/EEC of 19 November 1992 on rental right and lending right and on certain rights related to copyright in the field of intellectual property ([OJ L 346, 27.11.1992, p. 61](#))

The exercise of Community competence is, by its nature, subject to continuous development. In this respect, therefore, the Community reserves the right to notify other future declarations regarding the distribution of competences between the European Community and the Member States.

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