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QUADRENNIAL PERIODIC REPORT

on behalf of the European Union on measures to protect and promote the diversity of cultural expressions in the framework of the 2005 UNESCO Convention

Accompanying the document

REPORT FROM THE COMMISSION

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SUMMARY

The diversity of cultural expressions lies at the heart of the European project. The European Union has developed a vision for the role of culture in its policies which is premised on the principle 'unity in diversity'. This vision is driven by the will to create a vibrant space of cooperation and exchange, stimulating the creation and circulation of more and diverse cultural expressions, allowing for broader and better access to cultural expressions and putting in place the appropriate conditions in which creativity and diversity may thrive.

The implementation of the Convention by the EU is not a specific legislative activity but rather the pursuit of policy developments both as regards internal and external policies. This report presents measures running the gamut of EU policies impacting on the diversity of cultural expressions in the context of the Convention. It covers measures specifically designed for the cultural and audiovisual sectors, as well as measures influencing the environment in which these sectors operate such as information society, internal market including intellectual property rights, industrial and innovation policy, competition including state aid, taxation as relating to cultural expressions, cohesion policy, common commercial policy, development cooperation and economic, financial and technical cooperation with third countries. Diverse as they may be, the presented measures reflect a shared policy objective: to ensure an enabling regulatory and support environment for artists, cultural enterprises and cultural institutions in the EU. In this environment, artists may create and disseminate their work while enjoying high protection for their works and a simplified legal environment to operate across borders; cultural enterprises find support to address the challenges posed by globalisation and the digital shift and, more recently, the financial crisis; and cultural institutions can reaffirm their role as harbingers of creativity and custodians of our cultural heritage. Moreover, culture is a standard feature of EU international cooperation instruments and in its bilateral agreements with third countries. Cultural cooperation with third countries is formulated through different means and objectives. Cooperation and policy dialogue may be based on reciprocity, mutual learning and sharing of best practice, as may be the case of industrialised or emerging partners. Cooperation with developing partners seeks, on one hand, to enhance the diversity of cultural expressions and facilitate access and, on the other, to support the development of local cultural policies and structural capacities conducive to socio-economic development. In addition, a new instrument the "Protocol on Cultural Cooperation" has been developed to promote the principles of the Convention and its implementation in the context of bilateral trade negotiations. Cooperation and policy dialogue with partners across the board is anchored on the Convention, with the objective of promoting its ratification and implementation in different parts of the world.

The EU has been actively supporting the implementation and ratification of the Convention. It has also helped to lay conditions for providing technical assistance to developing countries, for instance, by mobilizing EU funds to set up an expert facility on cultural governance run by UNESCO.

The principles of the Convention lie in the background of the EU dialogue with civil society. Moreover, the civil society has actively contributed to the preparation of this report.

The implementation of the Convention is in its early stages. Sustained focus and political support are required to address the challenges lying ahead and ensure that the positive momentum following the adoption of the Convention will be sustained and further translated into concrete results on the ground.

1. GENERAL INFORMATION

(a) Name of Party

European Union

(b) Date of ratification 18 December 2006

(c) Ratification process (eg. parliamentary process)

The UNESCO Convention was approved by the Council on behalf of the Community by means of Decision 2006/515/EC (18/5/2006).

(d) Total contribution to IFCD (to date)

no - see EU Member States' reports for national contributions

(e) Organisation(s) or entity (ies) responsible for the preparation of the report

European Commission, Directorate General Education and Culture

(f) Officially designated point of contact

Xavier Troussard, Head of Unit Culture Policy, Diversity and Intercultural Dialogue, DG Education and Culture, European Commission

(g) Date report was prepared

2 May 2012

(h) Name of the designated official (s) signing the report

Androulla Vassiliou, European Commissioner for Education, Culture, Multilingualism, Youth and Sport

(i) Description of the consultation process established for the preparation of the report and name of representative(s) of participating civil society organisations

See chapter 3 and Annex 3

The European Union (thereafter 'EU') and its Member States have actively demonstrated their political commitment during the negotiations leading to the adoption of the UNESCO Convention on the protection and promotion of the diversity of cultural expressions (thereafter 'the Convention') and remain committed to its implementation.

The Convention strengthens the obligation of Parties to mainstream culture in other policy areas and take into account the specificity of cultural expressions. This has been a long standing obligation for the EU. The Treaty of the Functioning of the EU (Article 167, TFEU) stipulates that the EU 'shall take cultural aspects into account in its action [...], in particular in order to respect and to promote the diversity of its cultures.' In other words, culture should be mainstreamed in internal and external EU policies.

Moreover, as a Party to the Convention, the EU has the legal obligation to implement the Convention when exercising its competences in policy areas falling within the scope of the Convention, in particular the common commercial policy¹, development cooperation, economic, financial and technical cooperation with third countries, free movement of goods, persons, services and capital, competition, and the internal market including intellectual property.²

This report presents policy areas falling within the scope of the Convention in which measures exist at EU level.³ Such measures may be of regulatory, legislative, institutional, policy or financial nature. Presented measures mainly date after the ratification of the Convention by the EU on 18 December 2006; in selected cases, previously existing measures are mentioned based on their relevance to the principles of the Convention.

In general, aspects relating to policies on language, youth or media are not covered in this report, while these policies may include components or activities specifically aimed at the protection and promotion of the diversity of cultural expressions. By the same token, as specialised Conventions on the protection of cultural heritage exist, cultural heritage policies and measures are not included, except when relating to cooperation, awareness-raising, access and diversity. Only isolated examples of these policies are presented based on their immediate relevance to the scope of the Convention.

2. MEASURES

This chapter encompasses internal and external EU policies with a direct or indirect impact on the protection and promotion of the diversity of cultural expressions. Information included here should be read in conjunction with the corresponding Annexes, where a more detailed account is provided.

¹ Trade is an exclusive competence of the EU. It will therefore be covered in the EU report and not in the reports submitted by Member States.

² The Council Decision 2006/515/EC on the conclusion of the Convention stipulates that 'the UNESCO Convention constitutes a relevant and effective pillar for promoting cultural diversity and cultural exchanges, to which both the Community, as reflected in Article 151(4) of the Treaty, and its Member States, attach the greatest importance'. The policy areas listed here are according to Annex 1(b) to the Council decision 2006/515/EC (the Community's declaration of competence).

³ Measures taken at Member State level are covered in the reports of the 24 EU Member States concerned by this reporting exercise (Austria, Bulgaria, Cyprus, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden, UK).

2.1. Cultural policies and measures

Measures presented in this section run the gamut of different EU policies impacting on the diversity of cultural expressions in the context of the Convention, in particular articles 5-7. Starting with policies specifically designed for the cultural and audiovisual sectors, the section will move on to illustrate other policies strongly influencing the environment in which these sectors operate such as information society, internal market including intellectual property rights, industrial and innovation policy, competition including state aid, taxation as relating to cultural expressions. Despite their apparently wide ranging, and somewhat different, focus, all these policies are embedded in the EU vision for the place of culture and diversity in the European project.

The diversity of cultural expressions lies at the heart of the European project. The EU has developed a vision for the role of culture in its policies which is driven by the will to create a vibrant space of cooperation and exchange. Stimulating the creation and circulation of more and diverse cultural expressions and reinforcing the capacity of the European cultural and creative sectors is a key axis around which the EU vision is articulated. Allowing for broader and better access, facilitating participation, developing and diversifying the social spectrum in which cultural expressions are enjoyed, forms the second pillar of EU policies and instruments. While this dual focus on capacity building and access offers the ground on which EU policies in the areas of culture and audiovisual are premised, other EU policies with a more indirect impact on the diversity of cultural expressions aspire to put in place the appropriate conditions in which creativity and diversity may thrive, thereby setting up an enabling environment for European artists, cultural enterprises and institutions.

Policy proposals in the form of Communications or Green Papers trigger debate which may result in concrete measures (i.e. Directives, Regulations, Decisions) or other initiatives at EU level. Nonetheless, the implementation of the Convention by the EU is not a strict legislative activity but rather the pursuit of policy developments both as regards internal and external policies.

2.1.1. Culture

Policy/Regulatory framework

TFEU dedicates an article to EU action in the field of culture stipulating that the EU should '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' (Article 167). EU action aims at encouraging cooperation between Member States and supporting and supplementing their action (*'principle of subsidiarity'*).

While the first programmes financing cultural cooperation at EU level exist since 1993, the policy strand emerged more recently, also in the wake of the adoption of the Convention. The **European Agenda for culture**, the first policy framework for culture at EU level, was proposed by the European Commission (thereafter 'the Commission'), following a wide consultation with the cultural sector. It was endorsed by the Council of EU Ministers (thereafter 'the Council') and by the European Council in the course of 2007.⁴ It proposes three strategic objectives which are of cross-cutting nature: cultural diversity and intercultural dialogue, culture as a catalyst for creativity and innovation, and culture in international relations. These strategic objectives are further embedded in **Europe 2020**, the EU's growth strategy for the coming decade, which was proposed in May 2010 and sets out three key drivers for the future: smart growth, sustainable growth and inclusive growth. Concrete actions at EU

⁴ Information on its implementation may be found in a report on progress published in 2010: <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2010:0390:FIN:EN:PDF>.

and national levels underpin Europe 2020 and the cultural and creative sector is relevant to EU flagship initiatives such as Innovation Union, Digital Agenda for Europe, Youth on the move, European platform against poverty.⁵

The Agenda for culture opened a new chapter of cooperation on culture policy in the EU. For the first time, all partners – EU institutions, Member States and civil society – were invited to pool their efforts on shared goals. It introduced a new reinforced co-operation with the Member States: the Open Method of Coordination (OMC), aimed at peer learning, exchange of good practice and information-sharing.⁶ It also launched a structured dialogue with civil society at European level through three Platforms set up by the Commission (Intercultural Dialogue, Access to culture, Cultural and Creative Industries).⁷

It is implemented through multiannual work plans, the priorities of which are in tune with the principles of the Convention, in particular Articles 7 and 12-16. Two Work Plans have been in place thus far (2008-2010 and 2011-2014).⁸ It is worth mentioning that promoting the ratification and implementation of the Convention is stated as a priority under both Work Plans.

Culture policies in the EU are also shaped through Conclusions adopted by the Council, a significant number of which is dedicated to objectives relating to the Convention.⁹

Lastly, a number of studies on topics relevant to the Agenda for culture and the Work Plans offer useful evidence for the development of policies.¹⁰ A European Expert Network on Culture has been set up by the Commission for the same purpose.¹¹

Instruments

The key EU instruments providing support to the cultural and creative sectors are the Culture Programme and the MEDIA Programme. In 2010, the European cultural and creative sectors accounted for between 3.3 and 4.5% of European GDP and between 3 and 3,8 % of total employment in the EU.¹²

Culture Programme 2007-2013¹³

Following up from previous cultural cooperation programmes¹⁴, the **Culture Programme 2007-2013** (€ 400 million) promotes and protects Europe's cultural and linguistic diversity, in line with the EU

⁵ http://ec.europa.eu/europe2020/index_en.htm

⁶ http://europa.eu/legislation_summaries/glossary/open_method_coordination_en.htm

⁷ http://ec.europa.eu/culture/our-policy-development/european-agenda-for-culture/involving-the-cultural-sector_en.htm. For more on the civil society platforms, see chapter 3 and Annex 3.

⁸ Their detailed priority areas are outlined in Annex 2.1.1.a.

⁹ For a complete list of Council Conclusions adopted since 2007, see Annex 2.1.1.b.

¹⁰ A list of recent studies with short summaries may be found at http://ec.europa.eu/culture/key-documents/studies_en.htm

¹¹ <http://www.eenc.info/>

¹² "Building a Digital Economy: The importance of saving jobs in the EU's creative industries", TERA Consultants, 2010 and European Competitiveness Report 2010: http://bookshop.europa.eu/en/european-competitiveness-report-2010-pbNBAK10001/downloads/NB-AK-10-001-EN-C/NBAK10001ENC_002.pdf;pgid=y8dIS7GUWMDSR0EAIMEUUsWb00004DZctcli;sid=7ttKAepziKhKDaXr8_3UpohWo7hUc6cQ8Kk=?FileName=NBAK10001ENC_002.pdf&SKU=NBAK10001ENC_PDF&CatalogueNumber=NB-AK-10-001-EN-C, p. 166.

¹³ [http://ec.europa.eu/culture/our-programmes-and-actions/culture-programme-\(2007-2013\)_en.htm](http://ec.europa.eu/culture/our-programmes-and-actions/culture-programme-(2007-2013)_en.htm)

¹⁴ For more information see Annex 2.1.1.c.1 and http://ec.europa.eu/culture/our-programmes-and-actions/former-programmes-and-actions_en.htm

Treaty, the Charter of Fundamental Rights of the EU and the EU's obligations as a Party to the Convention.

Its rationale rests on the benefits that linguistic and cultural cooperation can bring for European integration as well as social and economic development. It also recognises the need to support and strengthen capacity for the cultural and creative sectors (with the exception of audiovisual operators for which a separate instrument exists).

Support takes the form of co-financing of cooperation activities or entities enhancing intercultural dialogue and promoting the transnational mobility of cultural professionals and the transnational circulation of cultural works and productions across the EU. Two broad types of activities are typically undertaken: cooperation activities (artistic exchanges, joint cultural creation, co-productions, tours and festivals, and circulation of works) and support activities (exchanges of experience and networking, provision of information and practical support for operators, training).¹⁵

With a yearly average budget of € 57 million, EU support is highly cost effective.¹⁶ It helps an estimated 20,000 of artists and cultural professionals each year to develop international careers by improving their skills and knowhow through informal peer learning and new professional pathways. Thousands of works are able to circulate each year, including some 500 translated literary works. Some 1,000 cultural organisations are reached directly or indirectly each year to work across borders and create partnerships. Lastly, many millions of citizens have been reached both directly and indirectly and enjoyed cultural works from other European countries. This has had a positive, structuring effect on the sector and its capacity to address wider markets. It has helped the creation, development and diffusion of cultural expressions, enhanced their diversity and promoted access and participation for diverse audiences.

The Programme is open to ten European countries¹⁷ in addition to the 27 EU Member States, while it also supports cooperation with third countries that have concluded association or cooperation agreements with the EU. Since 2007, support has been provided to projects in China, India, Brazil, Mexico and the European Neighbourhood Policy (ENP) countries (€ 10 million). In the case of ENP countries (2009 & 2010),¹⁸ the condition for participation was the ratification of the Convention.¹⁹

In addition to the projects proposed by cultural operators, the Programme also seeks to showcase the European cultural sector by granting prizes and by supporting special actions such as European Capitals of Culture and the European Heritage Label.²⁰

MEDIA Programme 2007-2013

A key objective of EU action in the audiovisual area is to strengthen the competitiveness of the European audiovisual sector, increase the circulation of European audiovisual works inside and

¹⁵ For more on the specific strands of the programme and the type of actions supported, please see Annex 2.1.1.c.2. For more information about selected projects in the period 2007-2011, see Annex 2.1.1.c.3.

¹⁶ See interim evaluation of the Culture Programme 2007-2013, http://ec.europa.eu/dgs/education_culture/evalreports/culture/2010/progreport_en.pdf.

¹⁷ This concerns countries of the European Economic Area (Lichtenstein and Norway) and Accession countries (Croatia), candidate (Turkey, Iceland, the Former Yugoslav Republic of Macedonia, Montenegro) or potential candidate countries (Serbia, Bosnia-Herzegovina and Albania).

¹⁸ http://eacea.ec.europa.eu/culture/funding/2009/selection/selection_strand_13_2009_en.php and http://eacea.ec.europa.eu/culture/funding/2010/selection/selection_strand_135_2010_en.php

¹⁹ For more information see Annex 2.1.1.c.4.

²⁰ For more information see Annex 2.1.1.c.5, Annex 2.1.1.c.6 and Annex 2.1.1.c.7.

outside the EU, enhance European cultural and linguistic diversity and preserve its cinematographic and audiovisual heritage.

The MEDIA Programme 2007-2013 (€ 750 million) is the EU funding instrument for the cinema and audiovisual sector. Since 1991, a total of € 2 billion have been used to support the European audiovisual industry through its predecessor programmes.

MEDIA 2007 supports the European audiovisual industry by facilitating access to financing and promoting use of digital technologies. Support focuses on distribution, development, promotion and training, while the programme encompasses a Production Guarantee Fund. In addition to EU Member States, the Programme is open to European countries (ie. EFTA, candidate and potential countries) parties to the Council of Europe Convention on Trans-frontier Television, subject to the compatibility of their national legislation with the EU legislation (including the ratification of the Convention), or to other third countries which have concluded Association and Cooperation Agreements with the EU incorporating clauses on the audiovisual sector and sharing a common approach on cultural diversity.²¹

In a global context the international dimension of audiovisual policy appears increasingly important. Cooperation with the European film industry is indeed in strong demand, as shown by the initial success of the MEDIA International Preparatory Action (2008-2010, € 8 million).²² Against this background, the EU launched **MEDIA Mundus** (2011 – 2013)²³, an international cooperation programme aimed at strengthening cultural and commercial relations between Europe's film industry professionals and their counterparts in third countries. With a total budget of € 15 million, the programme supports some 35 projects per year.²⁴ The programme focuses on strengthening skills, information and knowledge sharing, and building sustainable networks. It is also designed to improve the circulation of audiovisual works worldwide and increase public demand for culturally diverse audiovisual content. In this context, the EU is supporting an important number of projects, for example international networks of distributors, sales agents or cinemas for the circulation of culturally diverse content worldwide.

A new programme for culture and audiovisual operators, 2014-2020

Creative Europe is the Commission proposal (23 November 2011) for an EU framework programme dedicated to the culture and creative sectors for the period 2014-2020. The proposal is currently under discussion at the Council and the European Parliament in the context of the legislative process. Creative Europe will build on the experience and success of the Culture and MEDIA programmes. The proposed €1.8 billion budget represents 37% increase on current spending levels. EU support will help the European cultural and creative sectors to overcome challenges such as market fragmentation, globalisation, the digital shift, or accessing financing through the creation of a Loan Guarantee Facility. It will also improve policy-making by facilitating sharing of know-how and experience.²⁵

Other initiatives

²¹ An overview of the Programme and selected projects may be found at http://ec.europa.eu/culture/media/index_en.htm; see also Annex 2.1.1.d

²² http://ec.europa.eu/culture/media/mundus/international/index_en.htm

²³ http://ec.europa.eu/culture/media/mundus/index_en.htm

²⁴ http://ec.europa.eu/culture/media/mundus/funding/funding2011_en.htm

²⁵ For more information see: http://ec.europa.eu/culture/creative-europe/index_en.htm

Policy development and support instruments are complemented by broad range of policy-related, awareness-raising or ad hoc initiatives aiming to support the diversity of cultural expressions in the EU and beyond.

Recent initiatives address a wide range of issues such as reinforcing the capacity of European cultural and creative industries, tackling obstacles to the mobility of artists and culture professionals, enhancing the evidence-base of cultural policies, protecting and promoting the cultural expressions of vulnerable groups, supporting diversity in today's multicultural societies. The scope of these initiatives, which are highlighted here in a selective manner, is fully aligned with articles 7 and 8 of the Convention.

Reflecting the essential role of Europe's cultural and creative industries for cultural diversity, but also their contribution as an economic sector, the Commission published a **Green Paper on "Unlocking the potential of cultural and creative industries"** (2010).²⁶ This policy proposal generated a broad debate among policy makers and cultural stakeholders. Its follow up is traced in the proposals adopted by the Commission in the course of 2011 in the context of the new EU programmes 2014-2020, in particular the Creative Europe Programme and the Cohesion Policy instruments.

Support for evidence-based policymaking is one of the new working methods advocated by the European Agenda for Culture. The task of improving the comparability of **statistics on culture** is coordinated through Eurostat²⁷ with the aim of improving the use and dissemination of harmonised statistics at EU level and developing a specific methodology in the field of cultural statistics.²⁸ Two statistical pocketbooks on culture in the EU were published (2007, 2011) presenting an impressive array of data on the economy of culture and related activities in the EU Member States.²⁹ Closer collaboration with international organisations working in the field of cultural statistics (UNESCO, Council of Europe, OECD, UNCTAD and WIPO) has been initiated and is ongoing with the objective of improving the development of cultural statistics worldwide.

Removing obstacles to **mobility** of artists and culture professionals as a means of promoting diversity across the EU and beyond has been the focus since 2007 in the context of the open method of coordination in the field of culture and a pilot project decided by the European Parliament and implemented by the Commission (2009).³⁰

A series of initiatives after 2007 has addressed aspects relating to the promotion of cultural expressions in the context of multicultural societies or as regards vulnerable groups (Article 7.1 of the Convention). Set up in co-operation with the Council of Europe, the **Academic Network on Romani Studies** (2011) aims to facilitate intercultural dialogue and support the cultural recognition and social inclusion of a vulnerable population. The initiative bridges academic research in the field of culture with policies for social inclusion at European, national and local levels and aims to ensure that cultural patterns are taken into consideration by Roma policies. The **European Year of Intercultural**

²⁶ http://ec.europa.eu/culture/our-policy-development/cultural-and-creative-industries/green-paper_en.htm; see also Annex 2.1.1.e

²⁷ <http://ec.europa.eu/eurostat>

²⁸ For that purpose, ESSnet-culture was set up in September 2009 and presented its outcomes and recommendations in the autumn 2011. See: <http://www.essnet-portal.eu/culture-1>. The final report is expected for mid 2012 and will provide the basis for reflection on follow-up measures.

²⁹ See 2007 edition: http://epp.eurostat.ec.europa.eu/cache/ITY_OFFPUB/KS-77-07-296-EN.PDF and 2011 edition: http://epp.eurostat.ec.europa.eu/cache/ITY_OFFPUB/KS-32-10-374-EN/KS-32-10-374-EN.PDF. See also Annex 2.1.1.f.

³⁰ For more see http://ec.europa.eu/culture/our-programmes-and-actions/doc417_en.htm; see also Annex 2.1.1.g.

Dialogue³¹ (2008) focused on both awareness-raising and on developing across the EU the policy debate on intercultural dialogue. The legacy of the Year is felt in new policies and structures in a number of Member States and the related Council Conclusions adopted in 2008. In addition, the Platform for Intercultural Europe published, and continues to promote, the ‘Rainbow Paper’ with civil society recommendations.³² Lastly, a joint action with the Council of Europe, **Intercultural cities**, is exploring since 2008 how the potential of cultural diversity in cities may stimulate creativity and generate economic prosperity and quality of life.

Mainstreaming culture in EU policy areas

A great number of measures in different EU policies have an impact on the diversity of cultural expressions. In order to address this condition, the Commission has reinforced inter-departmental/inter-services consultation and coordination and, further, set up in 2007 a dedicated inter-service group bringing together all Commission services for which culture has a direct or indirect relevance.³³

The remainder of this chapter gives an overview of measures in EU internal and external policies relevant to the diversity of cultural expressions in the context of the Convention, in particular as regards Articles 5-7, 12-14 and 16 of the Convention.

Diverse as they may be, the measures presented in the following pages reflect a shared policy objective: to ensure an enabling regulatory and support environment for artists, cultural enterprises and cultural institutions in the EU. In this environment, artists may create and disseminate their work while enjoying, for example, high protection for their works and a simplified legal environment to operate across borders; cultural enterprises find support to address the challenges posed by globalisation and the digital shift and, more recently, the financial crisis; and cultural institutions can reaffirm their role as harbingers of creativity and custodians of our cultural heritage.

2.1.2. Education

The overall scope of EU education policies exceeds the remit of the Convention. Nonetheless, it is worth highlighting briefly the linkages between the diversity of cultural expressions and EU education policy, in particular as regards measures directly promoting cultural expressions in education at all levels across the EU and supporting the vocational training and lifelong education of professionals in the cultural and creative sectors.

Policy/Regulatory Framework

With each EU Member State responsible for its own education and training systems, EU education policies are designed to support national actions and help address common challenges such as ageing societies, skills deficits among the workforce, and global competition.³⁴ Anchored on the EU's overarching programme on growth and jobs since 2000, the **strategic framework for European cooperation in education and training ("ET 2020")** reinforced cooperation in 2009. Enhancing

³¹ See Annex 2.1.1.h.

³² http://ec.europa.eu/culture/documents/rainbowpaper_en.pdf

³³ This group succeeded the inter-services group on cultural diversity set up internally for the preparation and negotiations on the Convention.

³⁴ For more about education policy in the EU, see http://ec.europa.eu/education/index_en.htm and Annex 2.1.2.

creativity and innovation, including entrepreneurship, at all levels of education and training features for the first time among its strategic objectives, thereby reaffirming the contribution of cultural expressions to developing skills, enhancing innovation potential and strengthening competitiveness and adaptability in today's evolving societies and economies.

Instruments

Lifelong Learning Programme (€7 billion, 2007-2013) enables individuals at all stages of their lives to take part in stimulating learning experiences, as well as helping to develop the education and training sector across Europe.³⁵ The programme funds a range of actions including exchanges, study visits and networking activities in schools, higher education, vocational education and training and adult education. Support actions may target directly the promotion of cultural expression in education as part of teaching material and innovative teaching methods; they may facilitate learning mobility of individuals in the arts and culture (i.e. teachers, students, professors); or they may offer training opportunities for artists and professionals in the culture and creative sectors. Promoting cultural expressions as a means of developing skills in a learning environment conducive to creativity and innovation and diversifying access to and participation in cultural expressions are two key pillars.

Moreover, a distinct international cooperation strand has been growing in the recent years developing policy dialogue and cooperation actions with partner countries (i.e. Erasmus Mundus³⁶, Tempus³⁷, Alfa³⁸, Edulink³⁹). Support for networking and cooperation among higher education institutions, including in the area of arts and culture, as well as for learning mobility of individuals from the culture and creative sectors, is possible in this context.

2.1.3. Information society

Policy/Regulatory Framework

Key policy objectives focus on promoting cross-border circulation and diversity of European audiovisual works, promoting diversity and enhancing access to cultural content on line and ensuring the protection of cultural heritage of European significance. These policy objectives have been translated into a number of initiatives.⁴⁰

As regards the circulation of audiovisual works and the promotion of diversity in this area, **the Audiovisual Media Services Directive** sets out the core elements of EU policy, while also ensuring fundamental rights such as freedom of speech, access to information, protection of minors and prohibition of incitation to hatred. Specific provisions⁴¹ allow for cross-border promotion of European works in television and on-demand services, thereby enhancing diversity of cultural expressions. They impose on EU broadcasters the obligation to transmit a majority proportion of European programmes and 10% of independent European works or, alternatively, to finance independent audiovisual works

³⁵ http://ec.europa.eu/education/lifelong-learning-programme/index_en.htm

³⁶ http://ec.europa.eu/education/external-relation-programmes/mundus_en.htm

³⁷ http://ec.europa.eu/education/external-relation-programmes/tempus_en.htm

³⁸ http://ec.europa.eu/europeaid/where/latin-america/regional-cooperation/alfa/index_en.htm

³⁹ <http://www.acp-edulink.eu/>

⁴⁰ A full list is provided in Annex 2.1.3, while a selective account is found here.

⁴¹ Articles 13, 16 and 17

for an amount equivalent to 10% of their programming budget. On-demand services must also promote the production of and access to European works.⁴²

Another policy strand focuses on the digitisation of cultural content and challenges linked to diversity and access, as well as the specific needs of cultural and creative industries in the digital era. "**The Digital Agenda for Europe**" (2010)⁴³ – a flagship initiative of Europe 2020 strategy – sets out the general policy framework for the next decade through 101 actions covering a wide range of issues including copyright, promoting digitisation of European cinema and measures on cultural and creative industries. Linked to the challenges of digitisation are two other policy initiatives worth mentioning here. The **Comité des Sages on bringing Europe's cultural heritage online** – a High Level Reflection Group appointed by the Commission in 2010 – added another layer to the development of policies relating the digitisation of cultural content in the EU. Their report, entitled "The new Renaissance", highlights the cultural and economic potential of digitisation, signals a series of barriers to the digitisation and online accessibility of cultural material, and proposes recommendations to the Commission, the Member States and cultural institutions.⁴⁴ Against this background, the Commission adopted a **Recommendation on Digitisation and Digital Preservation** (October 2011), updating an earlier Recommendation (2006).

Conservation and safeguarding of film heritage of European significance is a core part of EU action (Article 167 of TFEU).⁴⁵

Instruments

Europeana⁴⁶ - Europe's digital access to European cultural heritage - is a key measure in this context. The development of Europeana is part of the broader EU policy for the digitisation and online accessibility of cultural heritage and a key action of the [Digital Agenda](#). The overall goal of Europeana is to make European cultural resources broadly accessible in an online environment and become a hub for Europe's cultural industries. Europeana was launched in November 2008 with 2 million objects and currently gives access to more than 20 million digitised books, maps, audio and video fragments. The target is to reach 30 million objects in 2015 and get Europe's entire cultural heritage digitised by 2025. The Commission has financially contributed to the development of Europeana, through the *eContentplus* and CIP-programmes and has supported the aggregation of content into the site. A recent Commission proposal for the **Connecting Europe Facility** (October 2011) foresees the funding of Europeana and related activities as one of the digital service infrastructures to be supported.⁴⁷

Other initiatives

⁴² The results of the implementation of this Directive are published in reports drawn by the Commission on the basis of data provided by Member States. The last report was published in September 2010; the next will cover both linear and non-linear services and is due by September 2012. More information on the promotion and distribution of EU works and independent production is available at http://ec.europa.eu/avpolicy/reg/tvwf/implementation/promotion/index_en.htm.

⁴³ http://ec.europa.eu/information_society/digital-agenda/index_en.htm

⁴⁴ http://ec.europa.eu/culture/news/report-comite-des-sages-on-digitisation-of-cultural-heritage_en.htm

⁴⁵ Initiatives in this area are highlighted in the Annex 2.1.3.

⁴⁶ <http://www.europeana.eu/portal/>

⁴⁷ http://ec.europa.eu/commission_2010-2014/president/news/speeches-statements/pdf/20111019_2_en.pdf

Media pluralism, including cultural expressions, has been the focus of two initiatives, a **study on indicators of media pluralism in the Member States** (2008)⁴⁸ and a **High Level Group on Media Freedom and Pluralism** (2011) to provide recommendations for protecting and promoting media freedom and pluralism in Europe.⁴⁹

2.1.4. *Intellectual property rights and the EU single market*

Regulated single market approaches exist for cultural goods and services within the EU. The EU legal framework encompasses major measures in the area of copyright⁵⁰ in order to provide a high level of protection for right holders in the various Member States, eliminate barriers to trade and adapt the European legal framework to the new forms of use made possible by information and communication technologies.

Policy/Regulatory Framework

Copyright policy, in particular, is designed as "enabling legislation" allowing for the management of rights in the most efficient way, thereby setting appropriate incentives for creation and investment, innovative business models, the promotion of cultural diversity and the broadest possible dissemination of works for the benefit of society as a whole. Worth mentioning in this context are two initiatives. First, the **Communication on a Single Market for Intellectual Property Rights**⁵¹ (IPR) (2011), presenting the overall strategic vision of the Commission for a European IPR regime that is fit for tomorrow's new economy, rewarding creative and inventive efforts, generating incentives for EU-based innovation and allowing cultural diversity to thrive. Second, the **Green Paper addressing the opportunities and challenges of online distribution of audiovisual works** (2011),⁵² which invited stakeholders to comment on the challenges and opportunities facing audiovisual media service providers, and in particular on the question whether the regulatory and legal framework poses barriers to the cross border availability of diverse audiovisual online services in the EU.

Recent measures aim at developing the full potential of the single market in the digital era, allowing better access and enhancing the capacity of cultural and creative industries to boost creativity and promote diversity.

Building on previous policy proposals,⁵³ the Commission proceeded by way of a two-pronged approach to promote the digitisation and making available of the collections of European cultural institutions (libraries, museums and archives). Two initiatives were launched to facilitate the

⁴⁸ The objective of this study was to develop a monitoring tool for assessing risks for media pluralism in the EU Member States and identifying threats to such pluralism based on a set of indicators, covering pertinent legal, economic and socio-cultural considerations. Final report is available at http://ec.europa.eu/information_society/media_taskforce/doc/pluralism/study/final_report_09.pdf

⁴⁹ http://ec.europa.eu/information_society/media_taskforce/pluralism/hlg/index_en.htm

⁵⁰ For a list of existing legal instruments Directives see Annex 2.1.4.

⁵¹ Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions "A Single Market for Intellectual Property Rights: Boosting creativity and innovation to provide economic growth, high quality jobs and first class products and services in Europe" COM (2011) 287 final http://ec.europa.eu/internal_market/copyright/docs/ipr_strategy/COM_2011_287_en.pdf

⁵² The Commission will report on the results of this consultation in 2012. See: http://ec.europa.eu/internal_market/copyright/copyright-info/copyright-info_en.htm#AV_greenpaper

⁵³ Green Paper on Copyright in the Knowledge Economy COM (2008) 466/3 http://ec.europa.eu/internal_market/copyright/docs/copyright-info/greenpaper_en.pdf and Communication on Copyright in the Knowledge Economy COM (2009) 532 final http://ec.europa.eu/internal_market/copyright/docs/copyright-info/20091019_532_en.pdf

digitisation of copyright works, a proposal for a Directive on ‘orphan works’ and a stakeholder dialogue on ‘out-of-commerce’ books and learned journals.⁵⁴ Their successful completion will boost the development of digital libraries, and notably Europeana as an online platform through which citizens can access the diversity and richness of Europe's cultural heritage.

In line with the principles of the Convention, another strand focused on ensuring adequate protection for creators, in particular performers whose performances are fixed on a phonogram. A recent amendment to the **Directive on the term of protection of copyright and certain related rights** (2011) extended the term of protection for performers from 50 to 70 years, aligning it with what is applicable in the EU for authors.⁵⁵ The extended term will benefit both performers and record producers by helping to generate additional revenue. The Directive also contains accompanying measures which aim specifically to help performers.⁵⁶

Other initiatives

An additional plank of EU action relates to improving access to culturally diverse works for vulnerable groups. In order to enhance the availability of products and services conceived for the visually impaired and reading disabled, a stakeholder dialogue was launched in 2009 resulting in a **Memorandum of Understanding (MoU) on access to works by people with print disabilities**.⁵⁷ The Commission continues to work with stakeholders to set up a network of trusted intermediaries in the EU (ETIN – European Trusted Intermediaries Network).

2.1.5. Competition including state aid

Policy/Regulatory Framework

Cartels and exclusionary practices may lead to reduced availability of cultural goods and services. Anti-competitive agreements and exploitative abuses may result in higher prices not only for consumers but also for producers and suppliers of cultural goods and services, such as writers, artists and film-makers. Competition policy is therefore an important means for protecting cultural diversity.

*Antitrust policy and merger control*⁵⁸

In general, EU Competition policy ensures that competition across the EU is not distorted as a result of anti-competitive agreements (Article 101 TFEU), abuse of a dominant position (Article 102 TFEU), anti-competitive mergers or incompatible State aid measures in individual Member States.

⁵⁴ For more details see Annex 2.1.4

⁵⁵ Directive 2011/77/EU of the European Parliament and of the Council of 27 September 2011 amending Directive 2006/116/EC on the term of protection of copyright and certain related rights

⁵⁶ The “use it or lose it” clauses will allow performers to get their rights back if the record producer does not market the sound recording during the extended period. In this way the performer will be able to either find another record producer willing to sell his music or do it himself, something that is possible easily via the internet. Finally, record companies will have to set up a fund into which they will have to pay 20% of their revenues earned during the extended period. The money from this fund will be destined to help session musicians.

⁵⁷ The MoU sets out ways and means of making an increased number of books available to disabled persons in a format suitable for their specific needs. Special emphasis is laid on the fact that such books should be legally supplied to any user, irrespective of the EU Member State they reside. See: http://ec.europa.eu/internal_market/copyright/copyright-info/copyright-info_en.htm#otherdocs

⁵⁸ See Annex 2.1.5.a

In the case of the cultural sector, this means that the specific characteristics of cultural goods and services are taken into account at various stages of the assessment.

State aid

The objective of State aid control is to ensure that government interventions in EU Member States do not distort competition and trade within the EU in a form contrary to the common interest. Culture is included among the policy objectives for which State aid can be considered compatible (Article 107(3) (d) TFEU).

Instruments

On this basis, the Commission ensures that measures in Member States with a cultural aim⁵⁹ are systematically treated in terms of the cultural derogation. A wide range of such measures have been approved benefiting diverse areas such as museums and cultural centres, heritage (also in the form of immaterial heritage), theatre and music productions, printed cultural media and the cinematographic and audiovisual sector (the latter is actually the subject to a specific Communication based on the cultural derogation).⁶⁰

2.1.6. Taxation and customs

Policy/Regulatory Framework

The EU legal framework allows for the possibility to grant a special status for cultural expressions, but the extent and modalities fall under the competence of EU Member States. While other aspects of taxation policy may simplify rules applicable for artists (ie. rules on the place of supply), one area is worth mentioning in the context of the Convention: VAT.

VAT rates

Special conditions are possible for certain cultural expressions in the EU since 1992 and they have been specified following the adoption of the Convention. Member states may apply a reduced VAT rate to certain cultural products and services that are listed in the VAT Directive. The VAT rates on cultural services differ across the EU Member States because, first, the **VAT Directive**⁶¹ only fixes minimum levels for the VAT rate (15% for the standard rate and 5% for reduced rates) and, second, the application of a reduced rate is optional for EU Member States. As a general rule, Member States may have a maximum of two reduced rates set no lower than 5%, which they may apply at their discretion to goods and services listed in the VAT Directive (Annex III). In the case of cultural expressions, this includes publications; admission to shows, theatres, circuses, fairs, amusement parks, concerts, museums, zoos, cinemas, exhibitions and similar cultural events and facilities; reception of radio and television broadcasting services; supply of services by writers, composers and performing artists, or of the royalties due to them. Member states may also apply a reduced rate to the importation of works of art, collectors' items and antiques (Article 103 of the VAT Directive). The category concerning publications covers the supply, including on loan by libraries, of books_(including

⁵⁹ Countless cases could be referred to in this context. We recommend reading them on the following site: <http://ec.europa.eu/competition/eojade/isef>, refining the search by policy area 'State aid' and primary objective 'Culture'. Selected concrete examples are highlighted in the Annex 2.1.5.b.

⁶⁰ http://ec.europa.eu/competition/state_aid/legislation/specific_rules.html.

⁶¹ Council Directive 2006/112/EC of 28 November 2006 on the common system of value added tax (OJ L 347, 11.12.2006, p.1). See following link for consolidated version: <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CONSLEG:2006L0112:20110101:EN:HTML>.

brochures, leaflets and similar printed matter, children's picture, drawing or colouring books, music printed or in manuscript form, maps and hydrographic or similar charts), newspapers and periodicals, other than material wholly or predominantly devoted to advertising. The precision "*on all physical means of support*" to books was added by the adoption of a **Directive on reduced VAT rates** (2009)⁶². All these supplies are thus eligible for a reduced VAT rate.

VAT Exemptions

Certain cultural services are exempt from VAT. This is the case for cultural services and the supply of goods closely linked thereto supplied by bodies governed by public law or by other cultural bodies recognised by the Member States.

The activities, other than those of a commercial nature, carried out by public radio and television bodies are also exempt.

Customs

The Commission manages legislation that provides for control over the export of cultural goods such as paintings, sculptures and photographs from the EU, thereby contributing to protecting the cultural diversity and identity of the EU Member States.⁶³

2.1.7. Support to cultural and creative industries, entrepreneurship and innovation

EU support for cultural and creative industries comes under the angle of their contribution to creativity and innovation, as analysis has shown that these industries have one of the greatest innovation potentials in the services field in the EU.⁶⁴

Policy/Regulatory Framework

A major policy step for small and medium enterprises in the EU is marked with the **Small Business Act for Europe** (2008), the first comprehensive policy framework in the EU and its Member States for small and medium enterprises. It applies to all companies which are independent and have fewer than 250 employees, meaning 99% of all European businesses, among which a significant number of companies operating in the cultural and creative sectors.

Instruments

With a total budget of over € 3.6 billion for the period 2007-2014, the **Competitiveness and Innovation Framework Programme** (CIP) is the EU funding instrument aimed at fostering the competitiveness of European firms, in particular small and medium-sized enterprises. The programme has supported various activities related to creative industries through its initiatives on innovation, for instance, the Europe INNOVA and Pro INNO Europe®.⁶⁵ One of the CIP's key instruments for supporting SMEs is the **Enterprise Europe Network**, launched in 2008. Its **creative industries sector group** was established in 2010 with the aim of acting as a catalyst for further take-up of innovative and commercial opportunities by the whole EU creative industry. Synergies are also possible with the **ICT sector group** (both on audiovisual production equipment and on digital content

⁶² Council Directive 2009/47/EC amending Directive 2006/112/EC.

⁶³ Regulations 116/2009 and 752/93.

⁶⁴ Challenges for EU support to innovation in services (SEC(2009)1195) and <http://ec.europa.eu/enterprise>

⁶⁵ <http://www.europe-innova.eu> and <http://www.proinno-europe.eu>

platforms), as well as the tourism and culture heritage sector group (role of art and creativity in enhancing tourism).⁶⁶

The Commission proposal for a new instrument for the period 2014-2020 – the Programme for the Competitiveness of Enterprises and SMEs - is currently under discussion in the context of the legislative process.⁶⁷ It will offer opportunities to the SMEs operating in the cultural and creative sectors.

Other initiatives

Against the background of the European Year of Creativity and Innovation (2009) the Commission took a specific focus on cultural and creative industries. Design as a driver for innovation was one line of action, which resulted in the launching of the **European Design Innovation Initiative** (2011) to exploit the full potential of design and enhance its role as a key discipline for bringing ideas to market by transforming them into user-friendly and appealing products, processes or services in the EU.⁶⁸ Business support to cultural and creative industries took the shape of the **European Creative Industry Alliance** (2011), which aims to strengthen the role of creative industries as a catalyst of innovation and structural change by supporting the emergence of new industries that combine knowledge and creativity with modern technologies, in particular ICT.⁶⁹

2.2. International cooperation and preferential treatment

This section focuses on measures undertaken in the context of EU external policies, in particular international cooperation, development cooperation and trade. Presented measures relate to articles 12, 14, 15 and 16 of the Convention.

2.2.1. International cooperation⁷⁰

TFEU sets out common principles and objectives for the EU's external action: democracy, the rule of law, the universality and indivisibility of human rights and fundamental freedoms, respect for human dignity, the principles of equality and solidarity. The creation of the European External Action Service (EEAS) in 2009 - the EU diplomatic body to assist the High Representative for common foreign and security policy and Vice-President of the Commission - aims at strengthening coherence in EU external action.

Implementation of international cooperation is the result of collaboration of EEAS and the Commission. EU Delegations are involved in the implementation of cultural cooperation with third countries. Following the entry into force of the Lisbon Treaty amending TFEU in 2009, the Delegations abroad are responsible for coordinating and hosting meetings of the EU Member States' Cultural Counsellors. They cooperate closely with Member States' cultural centres through the EUNIC network (European Union National Institutes for Culture).⁷¹ Lastly, the Commission develops

⁶⁶ http://www.enterprise-europe-network.ec.europa.eu/index_en.htm

⁶⁷ http://ec.europa.eu/cip/cosme/index_en.htm

⁶⁸ http://ec.europa.eu/enterprise/policies/innovation/policy/design-creativity/edii_en.htm. See also Commission Staff working document 'Design as a driver of user-centred innovation' SEC (2009)501. Public consultation (91 % of responses) confirmed the importance of design for the competitiveness of the EU economy.

⁶⁹ <http://creativebusiness.org/content/european-creative-industries-a>

⁷⁰ Only a general overview of cultural cooperation with selected countries or regions, as well as international organisations, is provided here. A more detailed account is available in Annex 2.2.1.

⁷¹ See <http://www.eunic-brussels.eu/asp/index.asp>

cooperation with UNESCO, the Council of Europe and other multilateral institutions which are active in the field of culture, development and external relations.

Policy/regulatory framework

A new strategic framework for culture in the EU's external relations has emerged following the adoption of the Agenda for culture in 2007: culture is increasingly perceived as a strategic factor of political, social and economic development than showcasing of isolated cultural events. Further strengthened by the ratification of the Convention by the EU and almost all its Member States, this novel approach provides for a more in-depth cultural cooperation between our continent and the rest of the world.

In addition, the Council Conclusions on the promotion of cultural diversity and intercultural dialogue in the external relations of the EU and its Member States (2008)⁷² outline a strategic approach for culture in the context of external relations of the EU. They set out fundamental principles and outline basic pointers for the implementation of the Convention. They call on Member States and the Commission to define comprehensive and consistent approaches by drawing up a European strategy for incorporating culture in external relations, as well as specific strategies for regions and countries outside the Union.⁷³

Culture is a standard feature of EU international cooperation instruments and in its bilateral agreements with third countries. Cultural cooperation with third countries is formulated through different means and objectives. Cooperation and policy dialogue may be based on reciprocity, mutual learning and sharing of best practice, as may be the case of industrialised or emerging partners. Cooperation with our developing partners seeks, on one hand, to enhance the diversity of cultural expressions and facilitate access to them. On the other hand, it seeks to support the development of cultural policies and of structural capacities within the local cultural and creative sectors in order to contribute to socio-economic development (see infra section 2.3 on the integration of culture in sustainable development). Cooperation and policy dialogue with partners across the board is anchored on the Convention, invariably taking the form of an active dialogue on diversity and culture and exchanges aimed at promoting the ratification and implementation of the Convention in different parts of the world.

Instrument⁷⁴

Culture is a recognised sector of cooperation with both developing and developed countries. The means and format of cooperation are adapted in light of the specific needs and priorities of our partners. In this respect, development cooperation forms an important part of relations with third countries both in our 'neighbourhood' and in other parts of the world. For the sake of this report, we make a selective presentation of examples of cooperation with different partners. In this part, we highlight strategic bilateral partnerships with diverse policy objectives, cooperation with candidate and potential candidate countries in the enlargement context of the EU and cooperation with

⁷² http://ec.europa.eu/culture/our-policy-development/doc/ICD_external_relations_en.doc.pdf.

⁷³ Sustaining the political momentum, the European Parliament passed a resolution on the cultural dimensions of the EU's external action (May 2011) and decided to launch a preparatory action in this field (500.000 EUR) to be implemented by the Commission.

⁷⁴ In addition to instruments dedicated to international cooperation, internal EU programmes encompass an international cooperation dimension, often with a direct impact on cultural cooperation (i.e. Culture programme, MEDIA Mundus). An overview of internal policy measures has already been given in section 2.1. 'Cultural Policies and Measures'.

*European Neighbourhood Policy countries falling under the remit of development cooperation objectives.*⁷⁵ *Cooperation with our developing partners in Africa, the Caribbean and the Pacific is presented in the following section 2.3 ('Integration of culture in sustainable development strategies').*

*Cooperation and Policy Dialogue within the framework of strategic bilateral partnerships*⁷⁶

The EU maintains an ever closer relationship with emerging global partners including China, India, Brazil, Mexico or Russia. Cooperation may take the form of policy dialogue, joint actions or development cooperation.

In each case the EU action is focused on the following elements:

- the presence of cultural provisions in international agreements e.g Partnership and Cooperation Agreements, Association Agreements and long-term strategic programming tools (e.g. Country Strategic Papers or Action Plans)
- the establishment of sustainable policy dialogues on culture (e.g. on the legal and regulatory environment for the emergence of creative industries in those countries). Such policy dialogues on cultural policies, including exchanges on the implementation of the Convention, have been initiated with certain partners who are Parties to the Convention such as Brazil, Mexico and China.
- the use of existing cooperation mechanisms for instance, the "Indian Culture for Development Fund, the EU-Mexico Cultural Fund, or the ENPI ,in the case of Russia, which supports cultural projects.

As regards bi-regional cooperation the Commission is a member of the Asia-Europe Meeting (ASEM) and a contributor to the Asia-Europe Foundation (ASEF). Both organisations are active in the field of culture and in particular as regards the fostering of cultural diversity and intercultural dialogue.

*Candidate and potential candidate countries*⁷⁷

Political dialogue with candidate⁷⁸ and potential candidate countries⁷⁹ is based on the 'Copenhagen criteria' which encompass political and economic criteria, as well as alignment with the 'Community acquis', including in the field of culture⁸⁰. It is worth noting that the main element of the acquis under culture is represented by the ratification of the Convention. All candidate and potential candidate countries have ratified the Convention, except for Turkey.

Culture forms integral part in the enlargement context of the EU and the specific policy and financial instruments have been even more tangible since 2007.. This complements participation in the Culture Programme (except for Kosovo)⁸¹ and, where relevant, the negotiations on Chapter 26 of the *acquis communautaire* concerning education and culture. A positive trend for the diversity of cultural

⁷⁵ A detailed overview of EU international cooperation instruments may be found in Annex 2.2.1. and it covers cooperation between the EU and partners across the globe.

⁷⁶ http://ec.europa.eu/culture/our-policy-development/culture-and-external-relations/culture-and-emerging-and-industrialised-countries_en.htm, see also Annex 2.2.1.a.

⁷⁷ Support measures at country level are outlined in Annex 2.2.1.b.

⁷⁸ Croatia has the 'accession' status and is expected to join the EU in July 2013. Candidate countries: Iceland, the former Yugoslav Republic of Macedonia, Montenegro, Turkey

⁷⁹ Albania, Bosnia and Herzegovina, Serbia, as well as Kosovo under UNSCR 1244/1999.

⁸⁰ http://ec.europa.eu/culture/our-policy-development/culture-and-external-relations/culture-and-eu-enlargement_en.htm

⁸¹ See chapter on culture in this document.

expressions has emerged since 2007, addressing civil society cooperation and partnerships and the rehabilitation of cultural heritage as a vehicle of reconciliation and economic development.⁸² Substantial resources have been allocated for cultural purposes through key instruments such as the Instrument for Pre-accession Assistance (IPA), the Civil Society Facility and the Technical Assistance and Information Exchange Instrument (TAIEX). The focus is on infrastructure, support for events and administrative capacities in the areas of heritage and cultural governance and support to non-state actors. As regards audiovisual and media policies, main EU priority is to promote diversity through supporting broadcasting policy reform and alignment with European standards on media regulation, in particular the Audiovisual Media services Directive.⁸³

European Neighbourhood Policy

The European Neighbourhood Policy (ENP) applies to the EU's immediate neighbours by land or sea⁸⁴ and was initially conceived to strengthen prosperity, stability and security in the region. A new vision centred on civil society development and people-to-people contacts emerged in the light of the events related to the "Arab Spring".⁸⁵

The policy is implemented through bilateral ENP Action Plans agreed with each partner. These set out an agenda of political and economic reforms, including cultural provisions, with short and medium-term priorities of 3 to 5 years.

The main support instrument is the European Neighbourhood and Partnership Instrument (€ 12 billion for 2007-2014),⁸⁶ which covers neighbourhood countries (Eastern Europe, South Caucasus and the Mediterranean partners), as well as Russia, and offers opportunities in the field of culture (including cross-border cooperation).⁸⁷

At the same time, new forms of technical assistance, such as TAIEX and Twinning which also cover culture, have been extended to ENP partners (previously available only for new Member States, candidate and potential candidate countries). Finally, the funding opportunities for ENP countries under the Special Action of the Culture Programme in 2009 and 2010 – with a clear political conditionality linked to the ratification of the Convention, are mentioned earlier in section 2.1.1.

ENP is further supported by regional forms of cooperation with our Eastern and South partners, both areas in which cultural cooperation has a visible presence.

Cooperation with Southern Neighbourhood countries

Culture has been a central component of the EU's partnership with the Mediterranean region since the Barcelona Process in 1995. In July 2008, the Euro-Mediterranean Partnership was re-launched as the Union for the Mediterranean with the aim of enhancing relations between the countries on both sides of the Mediterranean basin. The new scheme includes 27 EU Member States and 16 partners across

⁸² Specific initiatives are outlined in Annex 2.2.1.b.

⁸³ See 2.1.3 Information society

⁸⁴ Algeria, Armenia, Azerbaijan, Belarus, Egypt, Georgia, Israel, Jordan, Lebanon, Libya, Moldova, Morocco, Occupied Palestinian Territory, Syria, Tunisia and Ukraine.

⁸⁵ EEAS-Commission Communication "Partnership for Democracy and Shared Prosperity with the Southern Mediterranean" (March 2011) <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:52011DC0200:EN:NOT> and EEAS-Commission Communication "A New response to a changing neighbourhood" (May 2011) http://ec.europa.eu/world/enp/pdf/com_11_303_en.pdf

⁸⁶ http://ec.europa.eu/europeaid/where/neighbourhood/overview/how-does-enpi-work_en.htm

⁸⁷ For selected projects by country see <http://www.enpi-info.eu/index.php>

the Southern Mediterranean, the Middle East and the Western Balkans.⁸⁸ In addition to cooperation programmes, a political dialogue in the area of culture has been shaped through ministerial meetings.

Regional programmes in the areas of heritage and audiovisual have been in place since 1998. In the period 1998-2017, € 57 million are directed to support partnerships between heritage institutions and facilitate appropriations by populations.. Cooperation in the audiovisual and cinematographic field is supported by € 48 million since 2000.⁸⁹ Furthermore, the EU supports the Anna Lindh Euro-Mediterranean Foundation for the Dialogue between Cultures (€ 15 million since 2000). The Foundation brings civil society and policy makers together to foster intercultural dialogue and respect to diversity.

Eastern Partnership

The Eastern Partnership was launched in 2009 and covers the 27 EU Member States and the following Eastern partners: Armenia, Azerbaijan, Belarus, Georgia, Moldova and Ukraine.

A special focus is placed on cultural cooperation as *"the EU has specifically recognised the value of cultural cooperation and intercultural dialogue as an integral part of all external policies and has underlined the importance of cultural cooperation in addressing political processes and challenges"*.⁹⁰

In the multilateral framework, which provides for cooperation activities and an open demand-driven dialogue, four Platforms have been set up, covering inter alia the field of culture. The focus during 2009-2011 was on fostering participation of partners in EU-funded programmes, while for 2012-2013 it is on the impact of cultural investment on economic and social development, assistance on policy formulation by identifying tools and mechanisms at regional level and support for EaP partners to maximise the use of existing instruments for cooperation and foster complementarities at regional level.⁹¹

Targeted efforts to promote the ratification of the Convention have yielded positive results, with all partner countries having ratified the Convention by 2010. The Commission will continue sharing knowledge and experience about the implementation of the Convention.⁹²

The Eastern Partnership Culture Programme⁹³ (€ 12 million) is dedicated to cultural cooperation in the region. Its overall objective is to promote culture's role in sustainable development notably by assisting the partner countries in their cultural policy reform at government level, as well as building capacity and improving professionalism of cultural operators in the region through 15 projects started beginning 2012.⁹⁴

⁸⁸ Albania, Algeria, Bosnia and Herzegovina, Croatia, Egypt, Israel, Jordan, Lebanon, Mauritania, Monaco, Montenegro, Morocco, the Palestinian Authority, Syria, Tunisia and Turkey.

⁸⁹ An historical account and additional details about the cooperation instruments in this region are found in Annex 2.2.1.c.

⁹⁰ Commission Communication on Eastern Partnership (December 2008) COM(2008) 823 final: http://eeas.europa.eu/eastern/docs/com08_823_en.pdf

⁹¹ To implement the policy dialogue, an expert meeting is foreseen to be held in Brussels in the second semester 2012 and a public seminar gathering policy makers, personalities and cultural actors from the cultural scene is to be organised in 2013 in one of the EaP countries.

⁹² A regional seminar on the practical implementation of the Convention will be organised in 2013.

⁹³ http://www.enpi-info.eu/maineast.php?id=286&id_type=10

⁹⁴ More information about the supported types of action and selected projects is found at <http://www.euroeastculture.eu> and in Annex 2.2.1.d.

2.2.2. *Preferential Treatment*

While cultural cooperation is fundamental for stimulating balanced cultural exchanges, under certain conditions articulation with trade agreements may offer opportunities fostering cooperation and exchanges among artists and culture professionals, thereby enhancing the diversity of cultural expressions.

Policy/Regulatory Framework

Against the background of the adoption of the Convention and the Council Conclusions on cultural diversity and intercultural dialogue in the external relations (2008),⁹⁵ a new instrument the "Protocol on Cultural Cooperation" has been developed to promote the principles of the Convention and its implementation in the context of bilateral trade negotiations. This Protocol is the response to the negotiating directives issued by the Council regarding new regional or bilateral agreements having an economic integration dimension⁹⁶. Such agreements foresee the exclusion of audiovisual services from the scope of their trade (establishment and services) provisions, while calling for the treatment of audiovisual and other cultural services in specific cooperation frameworks.

The possibility to negotiate such a Protocol with developed and emerging countries is considered on a case by case basis, based on Articles 12, 16 and 20 of the Convention. If and when such an approach is deemed appropriate, the model text is likewise adapted to the circumstances of each specific negotiation, while reflecting the core principles and definitions of the Convention.

Horizontal provisions cover issues that are important for promoting cooperation in all cultural fields taking into account the particular (dual) character of cultural goods and services, such as exchange of best practices, creation of a relevant Dialogue as well as increase of contacts and facilitation of training opportunities. The question of temporary entry for cultural practitioners is also addressed. **Sectoral provisions** address the particularities of some specific sectors such as audiovisual cooperation and, where relevant, co-productions as well as cooperation in relation to publications, performing arts and protection of heritage sites. The provisions on audiovisual co-productions are based on the Audiovisual Media Services Directive (AVMS)⁹⁷, and foresee the criteria for co-productions conditioning their coverage by the definition of European works. The criteria are adapted for different partner countries, taking into account asymmetries.

Instruments – Measures

The first initiative of implementation of the Convention undertaken by the EC/EU, even before the ratification of the Convention by the EU and its entry into force, has been related to Article 16 on preferential treatment and led to the conclusion of a Protocol on Cultural Cooperation with the **Cariforum** countries in 2008 in the context of the Economic Partnership Agreement.⁹⁸ This Protocol was the object of extensive analysis in the framework of the experts group on Article 16 of the Convention (report by Edouard Bourcieu), which was set up by the Intergovernmental Committee.⁹⁹

⁹⁵ Calling on the Commission to "draw up a European strategy for incorporating culture consistently and systematically in the external relations of the Union".

⁹⁶ Including *inter alia* the European Partnership Agreements, Euromed countries, South Korea, India, ASEAN, the Andean Community and Central America.

⁹⁷ 2007/65/EC.

⁹⁸ See http://ec.europa.eu/culture/documents/cultural_cooperation_protocol.pdf

⁹⁹ <http://unesdoc.unesco.org/images/0017/001779/177924F.pdf> (see report on pages 57-97)

Important adaptations to the Cariforum template were undertaken in the context of the Protocol contained in Appendix to the Free Trade Agreement concluded with **South Korea**¹⁰⁰. Such changes aimed in particular to (i) conditioning entry into force of the Protocol only upon ratification by Korea; (ii) setting coproduction criteria which allow qualifying for the respective "broadcasting quotas" and (iii) ensuring a full institutional separation for the Protocol from the Agreement's Trade Committee general dispute settlement mechanisms. This Protocol is based on strict reciprocity and balance on the basis of Article 12 of the Convention - compared to the Protocol with Cariforum countries which is asymmetrical in nature.

The most recent examples of a Protocol on Cultural Cooperation concern the EU trade agreement with **Colombia and Peru**¹⁰¹, and the **EU-Central America** Association Agreement¹⁰². In the course of both negotiations, stand-alone Agreements on Cultural Cooperation have been concluded.

Other initiatives

Besides the examples above, Cultural Cooperation Protocols with other countries or groupings of countries might be envisaged following an in-depth case by case assessment. The content of those potential protocols shall be adapted depending on a number of factors such as the existence of national cultural preference policies in the partner country, overall level of development/ level of development of cultural industries, presence Most Favoured Nation exemptions and position towards the Convention.

2.3. Integration of culture in sustainable development

This section addresses the role of culture in sustainable development from a dual perspective, that of internal and external policies, and presents measures falling under two distinct policy strands: development cooperation between the EU and third countries (in relation to articles 13-14 of the Convention) and local/regional development within the EU (in relation to article 13). This dual perspective offers a comprehensive overview of the EU's vision on the integration of culture in sustainable development policies ranging from the local level to the regional and international levels.

*2.3.1. Culture and development cooperation*¹⁰³

Policy/regulatory framework

TFEU classifies development cooperation as "shared parallel competence": this means that the EU conducts an autonomous policy, which neither prevents the Member States from exercising their competences nor makes the EU policy merely "complementary" to those of the Member States.

The EU has an extensive practice of development cooperation with third countries, and is, together with its Member States, the first provider of official development assistance globally. Reduction and the eradication of poverty is the primary objective of the EU's development cooperation policy.

¹⁰⁰ http://trade.ec.europa.eu/doclib/docs/2009/october/tradoc_145194.pdf

¹⁰¹ Initialled in April 2011.

¹⁰² Initialled in March 2011.

¹⁰³ For more on culture and EU development cooperation, visit the dedicated website Culture and Creativity, Vectors for development: http://www.culture-dev.eu/pages/en/en_accueil.php. See also http://ec.europa.eu/europeaid/what/culture/index_en.htm. More information on culture projects financed in the framework of development cooperation by the EU and Member States: Culture and Development: Action and impact: <http://www.culture-dev.eu/pdf/fr/BD-Unesco-EN-DE.pdf>

Culture has been an integral part of the EU vision of development cooperation¹⁰⁴ and its overall commitment to the Millennium Development Goals (MDGs). Following the ratification of the Convention, the EU vision on culture and development has been reinforced with an explicit recognition of the contribution of culture to MDGs, a position reflected in the outcome document of the 2010 MDG summit with regard to the contribution of culture to sustainable human, social and economic development.¹⁰⁵

The EU's approach to culture in development cooperation is articulated around the following objectives: integration of cultural aspects into development cooperation policies and programmes in partner countries and regions; support for culture, including cultural heritage and cultural industries, as a vector for growth in connection with tourism development, exports and trade, urban development, and education; help creating an enabling environment for the cultural and creative sectors in partner countries and enhancing exchanges between cultural professionals of the EU and of partner countries; promote peace, intercultural dialogue, respect for human rights and the emergence of an active civil society; encourage partner countries to include culture in their own poverty reduction strategies and national development plans.

This broad approach has allowed to mainstream culture in development cooperation strategies. Ownership by the partner countries is a core principle, while fostering capacity of the local cultural sector and facilitating South-South cooperation are overarching objectives. The link between culture, good governance and social stability constitutes another avenue through which development cooperation is channelled.

Instruments

EU development assistance – also for cultural expressions - is implemented through multi-annual geographic and thematic instruments covering both national and regional levels.

For the period 2007-2013, **geographic instruments** include the European Development Fund (Africa, Caribbean and Pacific countries)¹⁰⁶, the Development Co-operation Instrument (Latin America, Asia and South Africa)¹⁰⁷, and the European Neighbourhood & Partnership Instrument (in the neighbouring regions¹⁰⁸).¹⁰⁹ Cultural expressions may be financed under all three instruments.

The thematic programme 'Investing in People' under the Development Co-operation Instrument, complements bilateral and regional cooperation in the area of culture. Promoting access to culture, diversity and intercultural dialogue, it supports culture as a vector for development, growth and social cohesion (€ 50 million). Emphasis is given to private/public partnerships and South-South cooperation, preservation of material and immaterial cultural heritage, establishment of networks for exchanges of expertise and good practice, and training and professionalization of the sector.¹¹⁰

¹⁰⁴ European Consensus on Development: http://ec.europa.eu/europeaid/what/development-policies/european-consensus/index_en.htm

¹⁰⁵ http://www.unesco.org/culture/pdf/outcome_document_%20mdg_%20summit_ny_%20sept_%202010_en.pdf

¹⁰⁶ http://ec.europa.eu/europeaid/how/finance/edf_en.htm

¹⁰⁷ http://ec.europa.eu/europeaid/how/finance/dci_en.htm

¹⁰⁸ http://ec.europa.eu/europeaid/where/neighbourhood/country-cooperation/index_en.htm

¹⁰⁹ Based on a dialogue with the partner countries, strategy papers are drawn based on countries' and regions' needs and performance. An action programme is adopted each year to define the specific objectives, fields of intervention, expected results and amount of funding.

¹¹⁰ Three calls for proposals (€ 25.5 million) have been published thus far. See http://ec.europa.eu/europeaid/how/finance/dci/investing_en.htm

Support for culture in EU development cooperation instruments covers a large number of countries and regions across the globe. We have already seen the example of European Neighbourhood policy countries. In this part, we highlight the case of Africa¹¹¹, Caribbean and Pacific countries, a key area of EU development cooperation complying fully with articles 13 and 14 of the Convention.

The EU and its Member States have a clear mandate to support culture in **African, Caribbean and Pacific countries** (ACP) under Article 27 of the Cotonou Partnership Agreement, which recognizes culture as a fully-fledged sector of cooperation.¹¹² This creates a comprehensive framework for cultural cooperation with 79 ACP countries.

Cooperation is supported through the European Development Fund and may evolve on national, regional and intra-regional level. For the period 2008-2013, the EU is implementing the 10th EDF (€ 22 682 million).

At bilateral level, cultural cooperation projects or activities are embedded in the National Indicative Programmes (NIPs). This has been the case in Benin, Ethiopia, Haiti, Mali, Nigeria and Senegal. Most of the projects qualify for small allocations, but in some cases significant funding is envisaged for the culture sector, for instance in Ethiopia (€ 10 million) or Mali (€ 10 million). Alternatively, other partner countries integrate culture into transversal programmes such as local development, support to non-state actors and to small and medium-sized enterprises, microcredit, vocational training and good governance. Countries such as the Dominican Republic, Mozambique and Cameroon propose to follow this strategy and include cultural windows in larger programmes integrating several sectors.

At regional level, the focus is more on capacity building and actions with a structuring impact on whole value chain in a region, thereby fostering the emergence of regional poles of excellence. The circulation, dissemination and access to market of cultural goods and services at regional level constitute another target. In this context, a regional programme under 9th EDF supported cultural institutions, NGOs and individual actors throughout West Africa (Economic Community of West African States - ECOWAS) and Mauritania (i.e. sharing of expertise, support for creation including and new forms of expression based on new technologies). Another case concerns the PALOP regional association, which encompasses Africa's five Portuguese-speaking countries (Angola, Cape Verde, Mozambique, Sao Tome e Principe and Guinea Bissau), where culture has been a focal sector under 9th and 10th EDF.¹¹³

Support is also provided for cultural cooperation at intra-ACP level in the spirit of article 14 of the Convention. The aim of the ACP-EU Support Programme to ACP cultural sectors¹¹⁴ (ACP Cultures+, € 30 million, 2011-2015) is to reinforce the creation and production of cultural goods and services in ACP countries at intraregional level, in particular promote South-South cooperation, improve access to local, regional, European and international markets and build capacity of culture professionals, in all areas of the cultural and creative industries.¹¹⁵

¹¹¹ A forum for dialogue between Africa and the EU has been set in 2007: the Africa-EU Partnership on Democratic Governance and Human Rights: <http://www.africa-eu-partnership.org/what-africa-eu-partnership-democratic-governance-and-human-rights>

¹¹² For more information, see Annex 2.3.1

¹¹³ The second RIP PALOP (9th EDF) included a programme of EUR 3 million.

¹¹⁴ <http://www.acpcultures.eu/?lang=uk> and <http://www.acpculturesplus.eu/>

¹¹⁵ The programme is the successor of the previous ACP-Cinema, ACP-Films and ACP-Cultures programmes (2000-2012). Seven calls for proposals (EUR 26.6 million) have been published between 2000 and 2011. More information on these programmes and their outputs is provided in the Annex 2.3.1.

Besides, the Commission actively contributes to Priority 3 of the African Union - EU Democratic Governance and Human Rights Partnership iJEG: Strengthen cooperation in the area of cultural goods and other areas of cultural cooperation.

Other initiatives

The EU contributes directly to the implementation of the Convention, in particular in connection with technical assistance for developing countries (article 16). Under the thematic programme 'Investing in People', funds (€ 1 million) have been mobilized to set up an **expert facility on cultural governance** which is run by UNESCO for the period 2010-2012. The expert facility aims to strengthen the system of governance for culture in developing countries through technical assistance missions based on the needs and priorities of the beneficiary countries.¹¹⁶ The provided support intends to assist developing countries in their efforts to establish legal, regulatory and/or institutional frameworks and/or introduce policies that address the role of culture in social and economic development, particularly through the cultural industries.¹¹⁷

In addition, the Commission undertook ad hoc initiatives to raise awareness among cultural stakeholders about culture and development, in line with the principles enshrined in the Convention. In April 2009, the **Colloquium 'Culture and creation, factors of development'** in Brussels attracted over 800 participants, among them artists, professionals and high level politicians from 65 ACP and EU countries. The outcome is encapsulated in the **Brussels Declaration**¹¹⁸, signed by EU/ACP culture professionals, which includes a set of recommendations addressed to local authorities, the international donor community and the cultural sector. A Follow-up Committee was set up to monitor the implementation of the Brussels Declaration and strengthen the synergy between Commission cooperation actions and those of different public actors in the field of development (especially cultural institutes and private foundations)¹¹⁹. In order to create space for the exchange of views among cultural cooperation professionals, the Commission included culture and development in a newly established web platform.¹²⁰

2.3.2. Culture and regional development – Cohesion policy

This part focuses on the place of culture in sustainable development within the EU and, in particular, in the context of EU cohesion policy for regional and local development. Information provided here complements information with regard to cohesion policy measures implemented in individual EU Member States, presented in the periodic reports of Member States on the implementation of the Convention.

Examples across European cities and regions show how culture can be used within an integrated approach to sustainable development in order to diversify local economies or boost economies in decline by creating growth and jobs, foster social cohesion and build branding leverage.¹²¹ These

¹¹⁶ Beneficiary countries must be Parties to the Convention.

¹¹⁷ Three calls of proposals have been published and technical assistance missions are currently underway <http://www.unesco.org/new/en/culture/themes/cultural-diversity/diversity-of-cultural-expressions/programmes/technical-assistance/>

¹¹⁸ <http://www.culture-dev.eu/www/colloque/Culture-dev.eu-declabxl-en.pdf>

¹¹⁹ The first meeting of the Follow-up Committee took place in the framework of the Seminar on culture and development organised by the Spanish Presidency in Girona (4-6 May 2010): <http://www.culturaydesarrollo2010.es/eng/index.asp>

¹²⁰ <http://capacity4dev.ec.europa.eu/>

¹²¹ The Contribution of culture to local and regional development-Evidence from the structural funds, 2010, study prepared for the European Commission by Centre for Strategy and Evaluation Service with

experiences equally help to illustrate the link between culture and sustainable development when addressing these issues in the framework of our cooperation with third countries.

Policy/regulatory framework

The core aim of cohesion policy is to reinforce the conditions for a balanced development across the EU by boosting employment and growth potential and by strengthening the human and social capital on local and regional level. Culture may be financed under all three objectives of cohesion policy (convergence, regional competitiveness and employment, territorial cohesion) and, mainly, through two structural funds (European Fund for Regional Development and European Social Fund).

The strategic objectives and overall policy framework are agreed upon at EU level. On this basis, Member States and regions set up, in consultation with the Commission, operational programmes outlining specific objectives. Priorities are jointly decided upon between Member States and the Commission, but the funds are managed by Managing Authorities in the Member States.¹²²

Instruments

For the total of 434 operational programmes in Member States over the period 2007-2013 amounting to € 347 billion, the Member States have earmarked € 6.14 billion for the 'Culture' heading. This includes € 3.1 billion for protection and preservation of cultural heritage, € 2.3 billion for the development of cultural infrastructure, and € 0.75 billion for assistance to improve cultural services. Further support to culture is provided under other relevant headings such as Tourism, Urban regeneration, Research Technology Development, SME promotion, information society and human capital. Reporting figures on 31 December 2010 indicated that a substantial part of the amounts planned for the 'Culture' heading (63%) has already been allocated by the Member States to selected operations.

In addition, the Commission manages two programmes which finance cross-border, transnational and interregional cooperation, including in the area of culture (INTERREG¹²³ and URBACT¹²⁴). A valuable contribution towards further mainstreaming culture in regional development comes from related innovative actions and territorial cooperation schemes carried out during the period 2000-2007, for instance 42 projects under the category 'heritage, culture and tourism' of interregional cooperation (INTERREG III c).

The Commission proposals for cohesion policy programmes for the period 2014-2020 (€376 billion) were adopted in 2011 and are currently being discussed in the context of the legislation procedure at the Council and the European Parliament.¹²⁵ The new proposals are designed to reinforce the strategic dimension of the policy and to ensure that EU investment is targeted on Europe's long-term goals for growth and jobs ("Europe 2020"). Investment priorities are likely to cover all the sectors including culture.

Other initiatives

the support of ERICARTS. See http://ec.europa.eu/culture/key-documents/doc2942_en.htm and http://ec.europa.eu/culture/eu-funding/doc2756_en.htm

¹²² http://ec.europa.eu/regional_policy

¹²³ <http://www.interreg4c.eu/>

¹²⁴ <http://urbact.eu/>

¹²⁵ http://ec.europa.eu/regional_policy/what/future/proposals_2014_2020_en.cfm

A Commission initiative, ‘Regions for Economic Change’ (2010), aims at highlighting good practice in urban and regional development with a particular focus on innovation. Three fast-track networks of this initiative relate to culture (cultural heritage, cultural industries and cultural diversity).¹²⁶

In the context of the Work Plan for culture 2011-2014, a policy handbook was prepared in April 2012 by a working group of EU Member States, with the aim of sensitizing authorities and the cultural community about the potential of cultural and creative sectors to boost regional and local development and serve as a tool for a strategic use of the EU support programmes, including the Structural Funds.
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2.4. Protecting cultural expression under threat

While the EU has no specific policy or initiative protecting cultural expressions under threat on its territory in the spirit of Article 8 of the Convention, EU international and development cooperation instruments may be mobilised for the protection of cultural expressions under threat in partner countries, in particular developing countries (Article 17).

3. AWARENESS-RAISING AND PARTICIPATION OF CIVIL SOCIETY

Following the adoption of the European Agenda for culture in 2007, the Commission has been conducting a structured dialogue with the cultural sector. The three platforms (Intercultural Europe, Cultural and Creative Industries and Access to culture) develop policy recommendations on their area of competence, a first set of which was published in 2010. The principles of the Convention lie at the background of the dialogue with civil society.

In addition, the European Culture Forum – gathering several hundreds of cultural stakeholders from different parts of Europe - offers the opportunity for exchange and debate on issues relating to the Agenda for culture. The first European Culture Forum took place in Lisbon in 2007 and was co-organised with the Portuguese Presidency of the EU, while the last two editions were organised by the Commission in Brussels in 2009 and 2011.¹²⁸ Debates in different thematic panels addressed aspects relating to the diversity of cultural expressions such as access to culture, mobility, regional development, external relations and trade, human rights and conflict resolution, and brought together Commission representatives, policy makers in Member States and culture professionals from the EU and partner countries.

Awareness-raising about the Convention forms part of the Commission's regular contacts with culture stakeholders, as well as policy makers within the EU and beyond. In addition to standard practices, the Commission organised a high-level event to celebrate the 5 years since the adoption of the Convention (Brussels, 8 December 2010).

¹²⁶ http://ec.europa.eu/regional_policy/cooperate/regions_for_economic_change/index_en.cfm

¹²⁷ See Annex 2.3.2

¹²⁸ European Culture Forum 2009: http://ec.europa.eu/culture/glance/glance2368_en.htm and European Culture Forum 2011: http://ec.europa.eu/culture/events/forum-2011_en.htm.

As regards the preparation of this report, the Commission made a special effort to engage cultural stakeholders. A questionnaire addressed to civil society organisations of European (transnational) dimension was made available on line (20 December 2011-22 February 2012).¹²⁹

Eligible contributions provide an eclectic overview of activities undertaken by civil society organisations active at European level and allow drawing some preliminary remarks. Civil society action targets mainly the promotion of the implementation of the Convention rather than its ratification.¹³⁰ Most organisations focus on cooperation with different regions at the same time, some privilege neighbourhood countries of the EU in South and East, others focus on regions where the Convention is underrepresented (i.e. Asia, Arab region). The nature of described activities is quite diverse and includes: the organisation of fora, symposia and conferences,¹³¹ as well as participation in events organised by other parties; the publication of studies, magazines and surveys;¹³² the facilitation and support for networks, civil society platforms and dialogue within the EU and with other regions of the world;¹³³ the participation in exchange and cooperation projects promoting the principles of the Convention such as mobility of artists and culture professionals, training and capacity building, sharing of information and peer learning. For about one fourth of contributing organisations the promotion of the Convention lies in their core business. Monitoring of policies focuses mostly on the areas of culture and education,¹³⁴ international cooperation, trade and intellectual property rights, while a special focus is given to the transversal dimension of cultural diversity. Monitoring takes the form of participating in public consultations launched by the Commission in different policy areas, formulating recommendations for EU institutions and national authorities, or lobbying activities. Overall, a picture of a vibrant civil society sector transpires at European level, which takes an active interest in the areas covered by the Convention.

4. MAIN ACHIEVEMENTS AND CHALLENGES TO THE IMPLEMENTATION OF THE CONVENTION

The Commission and the EU Member States have been actively engaged in implementing the Convention since its entry into force. Within the Intergovernmental Committee, the EU as such has observer status. EU Member States play an active role in their capacity as members of the Intergovernmental Committee.

The total funds contributed to the International Fund for Cultural Diversity by EU Member States amount at \$ 2.363.441,88. As the Commission cannot contribute core funding to UNESCO, including the International Fund on cultural diversity (IFCD), it was decided to fund the expert facility for cultural governance in developing countries Parties to the Convention (see section 2.3.1.).

As a matter of principle and in line with the Work Plans for culture, the EU pursues a proactive stance regarding the implementation and ratification of the Convention in policy dialogue with partner countries, emerging partners and third countries across the board. Efforts in the context of the EU

¹²⁹ http://ec.europa.eu/culture/forms/questionnaire-unesco_en.htm. Forty one contributions were received out which sixteen were eligible. The template of the questionnaire, the list of eligible organisations and eligible contributions are presented in Annex 3.

¹³⁰ Only one fourth of contributions mentions actions relating to the promotion of the ratification of the Convention.

¹³¹ About two thirds of contributing organisations.

¹³² About two thirds of contributing organisations.

¹³³ More than half of contributing organisations.

¹³⁴ More than half of contributing organisations.

enlargement and European Neighbourhood Policy have yielded positive results, as the ratification rate among candidate, potential candidate and Eastern Partnership countries is impressive. Similar efforts were undertaken in the context of policy dialogues with partners in other parts of the world, especially where the ratification of the Convention has been slow.

While there is no statistical matrix measuring the evolution of the diversity of cultural expressions in the EU since the ratification of the Convention, it seems overall that the combination of EU and Member States' policies have adequately safeguarded and promoted cultural diversity in the EU and, further, ensured the development of the European cultural and creative sectors. The rising contribution of the cultural and creative industries to the EU GDP since 2006 reflects a vibrant and growing sector and is telling in this context.¹³⁵ At the same time, the EU has remained fully open to non-European cultural expressions and continues to develop its international cultural exchanges and cooperation.

Celebrating the progress achieved since the entry into force of the Convention would be meaningless if we don't make full account of the challenges lying ahead.

Awareness-raising and advocacy as regards the Convention is essential in dissipating misunderstandings about its core principles and concepts (ie. diversity, cultural expressions) and reaffirming that these principles are enshrined in the fundamental framework of human rights instruments.

Engaging in an active dialogue with states that are not yet parties to the Convention is another avenue worth developing in terms of advocacy and outreach. This would foster mutual understanding and pave the way for better-informed exchanges on the issues covered by the Convention.

The need is present and ever pressing for capacity building in terms of policy reform and development with the view to helping developing countries create an enabling environment for the cultural and creative sectors, where diversity may thrive. Concerted and targeted efforts should be made by the Parties to the Convention to address this reality. Improving the governance of the cultural sector and capacity building in partner countries will continue to be a priority for the EU. Supporting local cultural actors and reinforcing the diversity of cultural expressions as vectors of human rights, conflict resolution and democratisation will be a focus area in the coming years, also in light of recent political developments in the South neighbourhood of the EU.

Participation of the civil society in the implementation and monitoring of the Convention is a sine qua non condition and a measure of its success. Parties to the Convention should pursue active policies involving civil society. The EU is committed to this objective and will continue to ensure a transparent and open dialogue with civil society organisations.

Lastly, coherence and transparency are two core principles guiding the implementation of the Convention, including the functioning of its governing bodies and the management of the International Fund for Cultural Diversity. Support projects and technical assistance actions implemented in the

¹³⁵ In 2006, cultural and creative industries in the EU contributed around 2.6 % to the EU GDP and offered jobs to around 5 million people. In 2010, they represented between 3.3 and 4.5% of the EU GDP and between 3 and 3.8% of the EU workforce. The economy of culture (Kea consultants, 2006), European Competitiveness Report 2010: http://bookshop.europa.eu/en/european-competitiveness-report-2010-pbNBAK10001/downloads/NB-AK-10-001-EN-C/NBAK10001ENC_002.pdf;pgid=y8diS7GUWMdSR0EAIEMEUsWb00004DZctcli;sid=7ttKAepziKhKDaxr8_3UpohWo7hUc6cQ8Kk=?FileName=NBAK10001ENC_002.pdf&SKU=NBAK10001ENC_PDF&CatalogueNumber=NB-AK-10-001-EN-C, p. 166, and Building a digital economy: The importance of saving jobs in the EU's creative industries (TERA consultants, 2010).

context of Convention should avoid duplication and foster synergies in terms of impact and economies of scale.

As the Convention is coming out of the first phase of consolidating its structures and mechanisms, Parties should focus their efforts in the coming years on ensuring that the positive momentum following the adoption of the Convention will be sustained and further translated into concrete results on the ground.

ANNEX: COMPLEMENTARY DATA AND INFORMATION

1. GENERAL INFORMATION

The following annexes complement the quadrennial periodic report on measures to protect and promote the diversity of cultural expressions in the framework of the Convention, which is submitted by the Commission on behalf of the EU.

References to main sources of information and data used in compiling the periodic report are included in the main body of the report. The annexes contain additional background information and data.

As the EU has the legal obligation to mainstream culture in EU policies, different EU institutions and bodies contribute directly or indirectly to the production of information and knowledge in the fields addressed by the Convention. An overview may be found at <http://europa.eu/>.

1.1. Main sources and links

As a preliminary remark, it is important to underline that unlike other Parties to the Convention, the EU has a special status. It is a regional organisation whose Member States are as well Parties to the Convention. Therefore, some data requested in the context of this report are either not relevant or unavailable in the specific case of the EU.

Most of useful studies, documents and statistics related to this report can be found under the "culture" tab of the website of the European Commission:

- Studies: http://ec.europa.eu/culture/key-documents/studies_en.htm
- Publications: http://ec.europa.eu/culture/key-documents/publications_en.htm
- Statistics: http://ec.europa.eu/culture/key-documents/statistics_en.htm

1.2. Reporting on available statistics

The main source for statistics on the EU in general is Eurostat, the Statistical Office of the European Union: <http://epp.eurostat.ec.europa.eu/>

When it comes to culture in the EU, relevant statistics are gathered in the "Pocketbook on cultural statistics" published by Eurostat in April 2011, which is extensively referred to in this Annex: http://epp.eurostat.ec.europa.eu/cache/ITY_OFFPUB/KS-32-10-374/EN/KS-32-10-374-EN.PDF.

Another useful source is the European Audiovisual Observatory: <http://www.obs.coe.int>.

1.2.1. Demographic context

a) Population structure

Information about the demographic context of the EU may be found at http://europa.eu/about-eu/facts-figures/index_en.htm.

EU population sorted out by age group can be found on Eurostat under Demography – National data – Population: http://epp.eurostat.ec.europa.eu/portal/page/portal/population/data/main_tables#

b) Migration

EU number of long-term immigrants can be found on Eurostat under International Migration and Asylum - Immigration:

http://epp.eurostat.ec.europa.eu/portal/page/portal/population/data/main_tables#

c) Language and literacy

The EU has 23 official languages: http://ec.europa.eu/languages/languages-of-europe/eu-languages_en.htm. Information on adult literacy in the EU can be found on Eurostat in this table on lifelong learning:

<http://epp.eurostat.ec.europa.eu/tgm/table.do?tab=table&init=1&plugin=1&language=en&pcode=tsiem080>

1.2.2. Flow of cultural goods and services

Relevant information on external trade in cultural goods in the EU sorted by product can be found in the Pocketbook on cultural statistics, pp. 111-137.

1.2.3. Cultural production, distribution

a) Films

Information on EU film production can be found on the European Audiovisual Observatory: <http://www.obs.coe.int/medium/film.html>

b) TV/Radio broadcasting

Information on EU TV and Radio broadcasting can be found on the European Audiovisual Observatory: <http://www.obs.coe.int/medium/radtv.html>

c) Books

Information relating to the number of existing enterprises, employment and turnover in the publishing sector in the EU can be found in the Pocketbook on cultural statistics, pp. 87-109.

1.2.4. Cultural consumption/participation

Information on cultural participation (cinema, live performances, cultural sites, books, artistic activities...) can be found in the Pocketbook on cultural statistics, pp. 160-185.

1.2.5. Connectivity, infrastructure, access

Information on the use of ICT in cultural participation, including the use of the Internet for purchasing cultural goods and services, can be found in the Pocketbook on cultural statistics, pp. 163 and 186-191.

Information on newspaper reading can be found in the Pocketbook on cultural statistics, pp. 163 and 181-183.

1.2.6. Economy and finance

a) Contribution of cultural activities to Gross Domestic Product (GDP) in percentage

The European cultural and creative sectors account for between 3.3 and 4.5% of European GDP and account between 3 and 3,8 % of total employment in the EU, according to two sources:

- "Building a Digital Economy: The importance of saving jobs in the EU's creative industries", TERA Consultants, 2010.
- European Competitiveness Report 2010 (http://bookshop.europa.eu/en/european-competitiveness-report-2010-pbNBAK10001/downloads/NB-AK-10-001-EN-C/NBAK10001ENC_002.pdf;pgid=y8dIS7GUWMdSR0EAIMEUUsWb00004DZcteli;sid=7ttKAepziKhKDaXr8_3UpohWo7hUc6cQ8Kk=?FileName=NBAK10001ENC_002.pdf&SKU=NBAK10001ENC_PDF&CatalogueNumber=NBAK-10-001-EN-C, p. 166)

For data on the place of cultural goods in the EU external trade, see 1.2.2 above.

b) Cultural employment

Information on employment in cultural sectors can be found in the Pocketbook on cultural statistics, pp. 63-83.

c) Government expenditure on culture

The EU provides co-funding in the field of culture through its programmes and financial tools such as MEDIA programme, Culture programme, structural funds, external action, funds dedicated to research and innovation, support for enterprises. Data on these programmes and tools are found throughout the main body of this report. The funds are usually allocated through co-funding. Periodic reports of EU Members States which are Parties to the Convention may present information about amounts of co-funding used together with EU funds and could help complement the picture on public expenditure on culture in the EU.

d) Household expenditure on culture and recreation

Information on household cultural expenditure by type of good or service or by type of product can be found in the Pocketbook on cultural statistics, pp. 197-216.

1.2.7. International Cooperation

Official Development Assistance (ODA) allocated to culture

Contribution of EU institutions (USD million)

2008: 44.225

2009: 85.456

2010: 66.609

NB. *The figures concern development cooperation.*

2. MEASURES

2.1. Cultural Policies and Measures

2.1.1. Culture

a) European Agenda for culture and related Work Plans for Culture

The objectives of the European Agenda for Culture are implemented through triennial Workplans endorsed by the Council. Each of them covers a number of well-defined priorities.

The first Work Plan for Culture (2008-2010) concentrated on five priority areas: (1) improving the conditions for the mobility of artists and other professionals in the cultural field; (2) promoting access to culture, especially through the promotion of cultural heritage, cultural tourism, multilingualism, digitisation, synergies with education (in particular arts education) and greater mobility of collections; (3) developing data, statistics and methodologies in the cultural sector and improving their comparability; (4) maximising the potential of cultural and creative industries, in particular that of Small and Medium Size Enterprises; and (5) promoting and implementing the UNESCO Convention.

In this framework, four working groups composed of EU Member States experts under the Open Method of coordination (OMC), were set up to exchange experience and make recommendations on the priority themes identified in the Workplan:

- CCIs
- Culture-education synergies
- Mobility of artists and other culture professionals
- Mobility of collections.

A second Work Plan for Culture was adopted at the end of 2010, covering the years 2011-2014. It is organised around six priority areas, in line with the objectives of the European Agenda for Culture and Europe 2020: (1) cultural diversity, intercultural dialogue and inclusive Europe, (2) cultural and creative industries, (3) skills and mobility, (4) cultural heritage including mobility of collections, (5) culture in external relations, and (6) culture statistics. Each of these priority areas focuses on the achievement of concrete and useable outputs, which are to be produced using a range of instruments and working methods, amongst which working groups composed of EU Member States experts under the Open Method of coordination (OMC), and Commission-convened experts groups.

During the first year of implementation of this second Work Plan for Culture, a Commission-convened expert group produced *Information Standards for the Mobility of Artists and Cultural Professionals*, while a working groups composed of EU Member States experts under the Open Method of coordination (OMC) prepared a handbook on the strategic use of EU support programmes, including structural funds, to foster the potential of culture for local and regional development and the spill over of Cultural and Creative Industries on the wider economy. Three other working groups composed of EU Member States experts under the Open Method of coordination (OMC) exchanged experience on national policies and practices in the following fields: the role of public arts and cultural institutions in the promotion of better access to and wider participation in culture; mobility support programme for artists and culture operators; ways and means to simplify the process of lending and borrowing of

collections. Each of these working groups also prepared policy handbook/good practice manuals which will be finalised and adopted in 2012. A new round of experts groups will then be launched to implement the remaining topics identified by the Work Plan.

b) Council Conclusions adopted in the field of culture since 2007

SUBJECT	DATE	WEB-LINK	REFERENCE (OFFICIAL JOURNAL)
Council conclusions on the contribution of the cultural and creative sectors to the achievement of the Lisbon objectives	May 2007	http://www.consilium.europa.eu/ueDocs/cms_Data/docs/pressData/en/educ/94291.pdf	OJ C 311, 21.12.2007, p. 7–9
Council conclusions on Intercultural Competences	May 2008	http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:C:2008:141:0014:0016:EN:PDF	OJ C 141, 7.6.2008, p. 14–16
Conclusions of the Council and of the Representatives of the Governments of the Member States, meeting within the Council on promoting creativity and innovation through education and training	May 2008	http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:C:2008:141:0017:0020:EN:PDF	OJ C 141, 7.6.2008, p. 17–20
Conclusions of the Council and of the Representatives of the Governments of the Member States, meeting within the Council, on the Work Plan for Culture 2008-2010	Jun 2008	http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:C:2008:143:0009:0016:EN:PDF	OJ C 143, 10.6.2008, p. 9–16
Conclusions of the Council and of the Representatives of the Governments of the Member States, meeting within the Council, on the promotion of cultural diversity and intercultural dialogue in the external relations of the Union and its Member States	Dec 2008	http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:C:2008:320:0010:0012:EN:PDF	OJ C 320, 16.12.2008, p. 10–12
Council conclusions on architecture: culture's contribution to sustainable development	Dec 2008	http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:C:2008:319:0013:0014:EN:PDF	OJ C 319, 13.12.2008, p. 13–14

Council conclusions on the creation of a European heritage label by the European Union	Dec 2008	http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:C:2008:319:0011:0012:EN:PDF	OJ C 319, 13.12.2008, p. 11–12
Council conclusions on the development of legal offers of online cultural and creative content and the prevention and combating of piracy in the digital environment	Dec 2008	http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:C:2008:319:0015:0017:EN:PDF	OJ C 319, 13.12.2008, p. 15–17
Council conclusions on Culture as a catalyst for creativity and innovation	Apr 2009	http://register.consilium.europa.eu/pdf/en/09/st08/st08749.en09.pdf	Not published in OJ
Council conclusions on promoting a Creative Generation: developing the creativity and innovative capacity of children and young people through cultural expression and access to culture	Nov 2009	http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:C:2009:301:0009:0011:EN:PDF	OJ C 301, 11.12.2009, p. 9–11
Council conclusions on the contribution of culture to local and regional development	May 2010	http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:C:2010:135:0015:0018:EN:PDF	OJ C 135, 26.5.2010, p. 15–18
Council conclusions on Europeana: next steps	May 2010	http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:C:2010:137:0019:0021:EN:PDF	OJ C 137, 27.5.2010, p. 19–21
Council conclusions on access of young people to culture	Nov 2010	http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:C:2010:326:0002:0003:EN:PDF	OJ C 326, 3.12.2010, p. 2–3
Council conclusions on European film heritage, including the challenges of the digital era	Dec 2010	http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:C:2010:324:0001:0004:EN:PDF	OJ C 324, 1.12.2010, p. 1–4
Council conclusions on the role of culture in combating poverty and social	Dec 2010	http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:C:2010:324:0001:0004:EN:PDF	OJ C 324, 1.12.2010, p. 16–

exclusion		:2010:324:0016:0017:EN	17
		:PDF	
Conclusions of the Council and of the Representatives of the Governments of the Member States, meeting within the Council, on the Work Plan for Culture 2011-2014	Dec 2010	http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:C:2010:325:0001:0009:EN	OJ C 325, 2.12.2010, p. 1–9
		:PDF	
Council conclusions on mobility information services for artists and for culture professionals	Jun 2011	http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:C:2011:175:0005:0007:EN	OJ C 175, 15.6.2011, p. 5–7
		:PDF	
Council conclusions on the contribution of culture to the implementation of the Europe 2020 strategy	Jun 2011	http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:C:2011:175:0001:0004:EN	OJ C 175, 15.6.2011, p. 1–4
		:PDF	
Council conclusions on cultural and creative competences and their role in building intellectual capital of Europe	Dec 2011	http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:C:2011:372:0019:0023:EN	OJ C 372, 20.12.2011, p. 19– 23
		:PDF	

c) Culture Programme 2007-2013

1. Previous cultural cooperation programmes

In 1993, the enactment of Treaty of Maastricht gave rise to a new article in which cultural cooperation became a recognised aim of EU action, with an accompanying legal basis. As a result, an initial range of pilot programmes and subsequent sectoral programmes was launched. The background to these had already been prepared when the Commission published the selection criteria and conditions for participation in the Platform Europe, which became the first Kaleidoscope programme in support of artistic and cultural events involving at least three Member States. This was reorganised to encourage artistic creation and cooperation, to promote better public access to European heritage and improve artistic and cultural cooperation between professionals. More than 500 cultural projects received Community support, several pilot projects were initiated in the area of translation and the promotion of books, providing support for more than 500 projects or translations. These pilots then gave rise to three full cultural programmes:

Kaleidoscope (1996-1999), to encourage artistic and cultural creation and co-operation with a European dimension.

- Ariane (1997-1999), supporting books and reading, including translation.

- Raphael (1997-1999), to complement Member States' policies in the area of cultural heritage of European significance.

With this experience to build on, preparatory actions were undertaken in 1999 to bring Culture 2000 into play. This was an EU programme established for seven years (2000-2006). It differed from earlier financial instruments in that it provided grants to cultural co-operation projects in all artistic and cultural fields. The objective of Culture 2000 was to promote cultural diversity and a shared cultural heritage. The programme had three actions to support artistic and cultural projects with a European dimension. Activities supported included festivals, master classes, exhibitions, new productions, tours, translations and conferences. Over 1,000 projects were supported under the Programme between 2000 and 2004, with 88% of them being specific and/or experimental innovative actions under Action 1 and 10% structured and multi-annual co-operation agreements under Action 2. Twenty-four Special Cultural Events or Cultural Heritage Laboratories were also set up under Action 3. On average, €32million were allocated per annum, giving a total spend of almost €160million. On average, Action 1 projects were awarded €88,000 and Action 2 projects €667,000.

2. The Culture Programme's 2007-2013 three main strands

The Culture programme aims to achieve three main objectives: to promote cross-border mobility of those working in the cultural sector; to encourage the transnational circulation of cultural and artistic output; and to foster intercultural dialogue. For the achievement of these objectives, the programme supports three strands of activities: cultural actions; European-level cultural bodies; and analysis and dissemination activities.

Strand 1: Support for cultural actions; multi-annual co-operation projects of three to five years duration and involving at least six cultural operators from six countries receive grants of €200,000-€500,000 per year on the basis of 50% co-financing. Similar co-operation projects aimed at smaller cultural operators are for up to two years duration and benefit from grants of €50,000-€200,000 (also on the basis of 50% co-financing). Publishing houses receive grants of €2,000-€60,000 for translating literary works, again on the basis of 50% co-financing. Cultural co-operation projects with third countries benefit from grants of €50,000-€200,000 (also 50% co-financing), last for up to two years and involve at last three cultural operators from three countries, together with one from a third country (which is selected each year by the Commission and in the years covered by the evaluation included Brazil, India, China and the EU Neighbourhood countries). The European Capitals of Culture (ECOC) initiative is also included under this strand, where designated cities receive grants of up to €1.5 million. Strand 1 funding also supported four prizes⁸ and joint actions with international organisations such as the Council of Europe. In the years covered by the evaluation (2007-09), some 30 multiannual co-operation projects, 257 smaller co-operation projects, 34 co-operation projects with third countries and 1,046 literary translations have been supported.

Strand 2: Support for organisations active at European level in the culture field; multi-annual framework partnership agreements or annual operating grants (up to a maximum EU co-financing rate of 80%) support the permanent work programmes of organisations pursuing an aim of general European interest in the field of culture. During the period of study, this kind of support was available for organisations acting as ambassadors for European culture, advocacy networks, festivals, structured dialogue platforms and policy analysis groupings. To date, 89 organisations have received annual grants and 37 organisations multiannual framework partnership grants under this strand.

Strand 3: Support for analysis and dissemination activities; Strand 3 has three components: co-financing of 34 Cultural Contact Points (CCPs)⁹, charged with promoting and disseminating information about the Culture Programme at national level; support for studies and analyses; and

support for the collection and dissemination of information about EU-funded cultural activities to raise public awareness.

3. Overview of supported projects 2007-2011

	Received applications	Selected applications	Budget	Other actions	Sectors
<u>2011</u>	<u>1,509</u>	<u>328</u>	<u>57 mill EUR</u>	<u>2 European Capitals of Culture in 2012 and for 3 Prizes in the field of culture</u>	<u>Performing arts: 142</u> <u>Literature: 133 (594 books transl)</u> <u>Cultural heritage: 68</u> <u>Visual arts: 63</u> <u>Interdisciplinary approach: 62</u> <u>Multimedia/new technologies: 29</u> <u>Architecture: 23</u> <u>Design/applied arts: 22</u> <u>Other themes: 2</u>
<u>2010</u>	<u>842</u>	<u>313</u>	<u>55 mill EUR</u>	<u>2 European Capitals of Culture in 2011 and for 3 Prizes in the field of culture</u>	<u>Literature: 125 (509 books transl)</u> <u>Performing arts: 85</u> <u>Interdisciplinary approach: 67</u> <u>Cultural heritage: 57</u> <u>Visual arts: 52</u> <u>Multimedia/new technologies: 27</u> <u>Design/applied arts: 15</u> <u>Architecture: 8</u> <u>Other themes: 4</u>
<u>2009</u>	<u>749</u>	<u>256</u>	<u>51 mill EUR</u>	<u>5 European Capitals of Culture (2 for 2009 and 3 for 2010), and 4 Prizes in the field of culture</u>	<u>Literature: 109 (370 books transl)</u> <u>Performing arts: 86</u> <u>Interdisciplinary approach: 78</u> <u>Visual arts: 54</u> <u>Cultural heritage: 53</u> <u>Multimedia/new technologies: 44</u>

					<u>Design/applied arts: 21</u> <u>Architecture: 14</u> <u>Other themes: 5</u>
<u>2008</u>	<u>819</u>	<u>264</u>	<u>42 mill</u> <u>EUR</u>	:	<u>Literature: 116 (433 books transl)</u> <u>Performing arts: 100</u> <u>Interdisciplinary approach: 63</u> <u>Cultural heritage: 52</u> <u>Visual arts: 46</u> <u>Design/applied arts: 18</u> <u>Multimedia/new technologies: 18</u> <u>Architecture: 16</u>
<u>2007</u>	<u>N/A</u>	<u>187</u>	<u>41 mill</u> <u>EUR</u>	<u>2 European Capitals of Culture</u>	<u>Performing arts: N/A</u> <u>Literature: N/A (282 books transl)</u> <u>Cultural heritage: N/A</u> <u>Visual arts: N/A</u> <u>Interdisciplinary approach: N/A</u> <u>Multimedia/new technologies: N/A</u> <u>Architecture: N/A</u> <u>Design/applied arts: N/A</u> <u>Other themes: N/A</u>

4. Third countries involved

The following countries have participated in the special action with third countries. 2007: China and India. 2008: Brazil. 2009: Countries covered by the European Neighbourhood Policy: Armenia, Belarus, Egypt, Georgia, Jordan, Moldova, occupied Palestinian Territory and Tunisia. 2010: the 2009 countries + Azerbaijan and Ukraine. 2011: United States of Mexico. 2012: Republic of South Africa. 2013: Australia and Canada. Since 2007, a total of 63 projects have been supported for a budget of more than 10 million EUR, ranging from sectors such as performing arts, cultural heritage, books and reading, visual arts, new technologies, design and architecture.

5. EU Prizes

The EU Prize for pop music (European Border Breakers Awards – EBBA)

The EBBA's were launched 10 years ago. Carla Bruni, Gabriel Rios, Dolores O'Riordan, Adele, Milow and Peter Fox are just some of the European artists who have been awarded an EBBA for their international debut album. The winners are selected on the sales results of their international debut album in the previous year in countries taking part in the Culture Programme (outside the country of production), airplay on public radio stations (part of the European Broadcasting Union) and their ability to perform live. Since 2010 the event is organised by Eurosonic/Noorderslag in Groningen and the show is hosted by music and television legend Jools Holland. The winners of the 2012 edition are Elektro Guzzi (Austria), Selah Sue (Belgium), Agnes Obel (Denmark), Ben l'Oncle Soul (France), Boy (Germany), James Vincent McMorrow (Ireland), Afrojack (Netherlands), Alexandra Stan (Romania), Swedish House Maffia (Sweden), Anna Calvi (UK). For more information: http://ec.europa.eu/culture/our-programmes-and-actions/prizes/european-border-breakers-awards_en.htm

The EU Prize for contemporary architecture (Mies van der Rohe Award)

The EU Prize for contemporary architecture/Mies van der Rohe Award and the emerging architect Special Mention are biennial awards that are granted to the European author(s) of architectural works recently built in Europe. The Prize and the Special Mention highlight the achievements of European professionals in the progress of new architectural concepts and technologies and it offers European citizens as well as those responsible for urban development the chance to gain a better understanding of the crucial role played by architecture and urban planning in the shaping of cities and communities and their influence on the quality of life and the environment. The winners are selected by a jury from a short list based on nominations submitted by the member associations. The selection of works is based on their excellence in conceptual, technical and construction terms. Material on the shortlisted works is used for an exhibition which travels throughout the EU and beyond and is accompanied by a catalogue giving detailed information on the selection process and the submitted works. Some of the previous winners were: the Norwegian National Opera and Ballet Theatre in Oslo (Snøhetta architects); Stanstead Airport, United Kingdom (Sir Norman Foster); Municipal Sports Stadium Barcelona, Spain (Esteve Bonell, Francesc Ruis); Kunsthaus Breganz, Austria (Peter Zumthor); Car Park and Terminus Hoenheim North, Strasbourg, France (Zaha Hadid); the Netherlands Embassy, Berlin, Germany (Rem Koolhaas, Ellen van Loon). Some Special Mention winners were Sharnhausere Park Town Hall, Ostfildern, Germany (Jürgen Mayer); and the Faculty of Mathematics, Ljubljana, Slovenia (Matija Bevk, Vasa J. Perovi'c). The Neues Museum in Berlin is the winner of the 2011 European Union Prize for Contemporary Architecture / Mies van der Rohe Award. The building is a reconstruction, blending old and new, by UK architect Sir David Chipperfield. The 'Emerging Architect Special Mention' award goes to Ramon Bosch and Bet Capdeferro for the Collage House in Girona, Spain. The award ceremony for the 2011 prize took place on 20 June 2011 at the Mies van der Rohe Pavilion in Barcelona, Spain. For more information: http://ec.europa.eu/culture/our-programmes-and-actions/prizes/architecture-prize_en.htm

The EU Prize for cultural heritage (Europa Nostra Awards)

European cultural heritage is very much alive and kicking: it plays a vibrant role in communities across Europe, it brings people together to share their heritage and learn from each other and it can help to economically revive areas. Great work is taking place across Europe to protect our heritage, to conserve our industrial heritage, to regenerate the cities and areas we live in, to research how digital developments can provide a greater access to heritage and how it should be protected from climate change, as well as to educate and train people about our heritage. All this work not only helps to make Europe a beautiful place to live, well-maintained. Heritage also generates jobs, attracts tourists and

contributes to sustainable development. This prize is granted jointly by the Commission and Europa Nostra to celebrate exemplary initiatives showing the many facets of Europe's cultural heritage. 27 projects won the 2011 European Union Prize for Cultural Heritage / Europa Nostra Awards. The awards were presented on 10 June 2011 during a ceremony at the Concertgebouw in Amsterdam in the presence of Androulla Vassiliou, European Commissioner for Education, Culture, Multilingualism and Youth, and Plácido Domingo, the world-renowned tenor and president of Europa Nostra. Out of the 27 winning projects, six will be named as 'grand prix' laureates at the ceremony as 2011's most outstanding heritage achievements. For more information:

http://ec.europa.eu/culture/our-programmes-and-actions/prizes/cultural-heritage_en.htm

The EU Prize for contemporary literature

Fiction engages. It revives and rouses, it enriches and enhances, opening up a world of different experiences and circumstances. The aim of the prize which was launched in 2009 is to celebrate the diversity of European fiction, to promote the chosen authors outside their own country including translation of their work, and to contribute to boosting the international circulation of literature more generally. The prize is unique, being the only award to reward authors from so many different European countries writing in such an array of languages. Indeed, over a three year period (2009, 2010, 2011), emerging authors from 35 different countries will be rewarded for their achievements. The prize is organised for the Commission by a consortium comprised of the Federation of European Publishers (FEP), the European Booksellers Federation (EBF), the European Writers Council (EWC). They are responsible for organising the national selections in each country, for organising the award ceremony and other promotional activities. The 2011 winners are: Kalin Terziyski (Bulgaria), Tomáš Zmeškal (Czech Republic), Kostas Hatziantoniou (Greece), Ófeigur Sigurðsson (Iceland), Inga Zolude (Latvia), Iren Nigg (Liechtenstein), Immanuel Mifsud (Malta), Andrej Nikolaidis (Montenegro), Rodaan Al Galidi (Netherlands), Jelena Lengold (Serbia), Ciler Ilhan (Turkey), and Adam Foulds (United Kingdom). For more information:

http://ec.europa.eu/culture/our-programmes-and-actions/prizes/literature-prize_en.htm

6. European Capitals of Culture

25 years and more than 40 cities later, the **European Capitals of Culture** stand out as one of the European Union's most recognised cultural initiatives. Its primary objective is to highlight the richness and diversity of European cultures and the features they share, and to encourage a sense of belonging to Europeans of all ages and lifestyles. The European Capitals of Culture, (€1.5 million per Capital), have in some cases had an eight-fold leverage effect on generated revenue, triggered between €15 and 100 million worth of investment in their operational programmes and served as a catalyst for additional capital investment. They have typically reached millions of people, involved hundreds as volunteers and left a long-term legacy for the cities in terms of improved skills, cultural capacity and vibrancy, infrastructure and image.

European Capitals of Culture since 2007:

2007: Luxembourg (Luxemburg) and Sibiu (Romania)

2008: Liverpool (United Kingdom) and Stavanger (Norway)

2009: Linz (Austria) and Vilnius (Lithuania)

2010: Essen for the Ruhr (Germany), Pécs (Hungary) and Istanbul (Turkey)

2011: Turku (Finland) and Tallinn (Estonia)

2012: Guimarães (Portugal) and Maribor (Slovenia)

7. The European Heritage Label

The European Heritage Label is a scheme to highlight heritage sites that celebrate and symbolise European integration, ideals and history. Built on a previous intergovernmental initiative, the Commission proposal was adopted in 2011 as a way to bridge the gap between the EU and its citizens by improving knowledge of European history and the role and values of the EU. It is hoped that it will help strengthen Europeans' sense of belonging to the EU and promote mutual understanding in Europe. Care has been taken to ensure the scheme does not overlap with other cultural heritage initiatives such as the UNESCO World Heritage List, the Council of Europe Cultural Routes or the EU Prize for Cultural Heritage – Europa Nostra Awards. The focus will not be on preservation – this should be guaranteed by existing protection regimes – but rather on promoting the European dimension of sites, making them accessible and providing high-quality information and activities. Specifically the European Heritage Label will:

- Designate sites which have played a significant role in the history of Europe and the building of the EU
- Choose sites on the basis of their European symbolic value, rather than beauty or architectural quality
- Help people learn about our shared cultural heritage, the history of Europe, the building of the EU, and the democratic values and human rights underpinning it
- Encourage networking between the sites and heritage professionals, to share experience and best practice
- Help increase cultural tourism, with the economic benefits which flow from it.

For more information:

http://ec.europa.eu/culture/our-programmes-and-actions/label/what-is-the-heritage-label_en.htm

d) MEDIA Programme 2007-2013

As a consequence of the digital revolution and the enlargement of the EU, measures under MEDIA 2007 are constantly being adapted and structured in a growing number of different action lines: Training (Initial and Continuous) Development and producers' support, Access to finance for SMEs, Distribution (Selective and Automatic), Promotion (Access to the market / Festivals), Exhibition and New Technologies (Video on Demand and linear services / Pilot Projects).

The need to face the challenges of a rapidly changing sector — new technologies, new players and new participating countries, market fragmentation and difficulties in getting access to financing — led to the two new action lines for supporting **Video on Demand (VoD) and Digital Cinema Distribution** and **Access to Finance**. The main objective of the 'VoD' action — which started in 2007 — is to support the creation and exploitation of catalogues of European works and their digital distribution across borders. The competitiveness of the audiovisual content industry in Europe will

largely depend on the use of these technologies. Since 2011 the new MEDIA Production Guarantee aims at facilitating access to financing for European audiovisual production companies.

Each year, around 50 specialised **training events** for professionals are organised with the support of MEDIA. Also, about 15 'Initial Training' initiatives receive MEDIA 2007 support aiming to increase exchanges of good practices and networking between film schools students, trainees and trainers.

Through the **distribution schemes**, more than half of the European films shown on European cinema screens benefit from MEDIA support. Nine out of ten European films which cross borders within Europe receive support from the programme. Distribution and promotion of European films outside their originating country both across Europe and worldwide (almost 60% to 65% of the total budget) are a clear priority. The MEDIA programme also supports **cinema networks** and more than 100 **film festivals** every year (on condition that they show at least 70% of European films). This helps improve the diversity and quality of films produced and distributed in Europe while creating greater choice.

Recent MEDIA 2007 Programme achievements:

About 300 new films are supported yearly by MEDIA, representing one out of two European films distributed in Europe outside their country of origin.

6 films supported by the European Union's MEDIA programme for cinema were among those honoured at the 2011 European Film Awards in Berlin on 3 December 2011. "Melancholia" received the award for best European film. In the other main award categories, Susanne Bier was named as best European Director, Colin Firth as best European Actor, and Tilda Swinton as best European Actress. In addition, The King's Speech received the People's Choice Award for Best European Film and Stephen Frears was honoured with the European Film Academy's lifetime achievement award. Jean-Pierre and Luc Dardenne took the award for European Scriptwriter.

17 out of the 24 nominated films at the awards received support totalling more than € 7.5 million from the MEDIA 2007 Programme for production and distribution. Moreover, the winner of the 2011 LUX film Prize (awarded by the European Parliament) is "Les neiges du Kilimandjaro" by French director Robert Guédiguian. The film, which questions the injustices of today's societies and their political and trade union conflicts, and makes a plea for tolerance, has received Distribution support from MEDIA 2007 Programme.

Culture production and distribution in the audiovisual sector

A wealth of information – including data bases on television channels, admissions for films, funding for the film and audiovisual sector - is provided by the European Audiovisual Observatory. It is the only centre of its kind to gather and circulate information on the audiovisual industry in Europe. The Observatory is a European public service body with 37 member States and the EU, represented by the Commission. See <http://www.obs.coe.int/db/index.html>

e) Green Paper on cultural and creative industries

In 2010, the European Commission – as part of its European Agenda for Culture - published a Green Paper on "Unlocking the potential of cultural and creative industries" (COM (2010) 183 final): http://ec.europa.eu/culture/documents/greenpaper_creative_industries_en.pdf.

The Green Paper outlined the specificities of these industries and helped launch a policy debate at EU level and launched a public consultation to gather views on various issues impacting these industries,

from business environment to the need to open up a common European space for culture, from capacity building to skills development and promotion of European creators on the world stage.

The Green Paper argued that cultural and creative industries need the right business environment which meets the specific needs of creative entrepreneurship.

For cultural and creative industries to be able to make the most of the opportunities offered by cultural diversity, globalization and digitization, the key drivers for these industries' further development, the challenge is:

- (1) To put the right enablers in place through an increased capacity for experimenting and innovating, easier access to funding and access to the right mix of skills;
- (2) To help cultural and creative industries develop in their local and regional environment as a launch pad for a stronger global presence, including through increased exchange and mobility; and
- (3) To move towards a creative economy by catalyzing the spill-over effects of cultural and creative industries on a wide range of economic and social contexts.

The Commission received 350 answers from public authorities, the general public and civil society bodies active in the cultural field across Europe. The respondents largely supported the broad approach of the Green Paper. Any successful support for CCIs calls indeed for a cross-departmental cooperation at all levels of policy governance.

They however emphasised the relevance and importance of the local and regional levels. Respondents also called for a better integration of CCIs in the Europe 2020 strategy and underlined the vital importance of copyright as a fair rewarding for creativity.

A majority of respondents insisted on the need to make CCIs' access to funding easier, to promote skills' development, including creative, managerial and digital skills, as well as culture/media literacy, to promote mobility as a way to strengthen the sectors' capacity to go international and contribute to cultural diversity, and to further reinforce international cooperation and exchange.

The follow up to the Green Paper will mainly happen through measures to be implemented in the context of the new EU programmes post 2013, in particular the new Creative Europe Programme and the Cohesion Policy instruments, and the flagship initiatives of Europe 2020.

The contributions received have helped to ensure that these programmes and policies involving cultural and creative industries are "fit for purpose".

f) Cultural statistics

The task of improving the comparability of **statistics on culture** is coordinated through Eurostat (<http://epp.eurostat.ec.europa.eu/portal/page/portal/culture/introduction>) with the aim of improving the use and dissemination of harmonised statistics at EU level and developing a specific methodology in the field of cultural statistics

For that purpose, the ESSnet-culture was set up in September 2009, composed of four thematic Task Forces:

- Methodological framework of cultural statistics;
- Financing and expenditure on culture;
- Cultural/creative industries;
- Cultural participation and social impact of culture.

The ESSnet-Culture presented its outcomes and recommendations in a final report, in the autumn 2011 (See: <http://www.essnet-portal.eu/culture-1>). Following recommendations by Eurostat, it is still in an improvement phase. The definitive version is expected in coming weeks, and will provide the basis for reflection on follow-up measures.

Two statistical pocketbooks on culture in the EU were published, presenting an impressive array of data on the economy of culture and related activities in the EU Member States. See 2007 edition: http://epp.eurostat.ec.europa.eu/cache/ITY_OFFPUB/KS-77-07-296/EN/KS-77-07-296-EN.PDF and 2011 edition: http://epp.eurostat.ec.europa.eu/cache/ITY_OFFPUB/KS-32-10-374/EN/KS-32-10-374-EN.PDF

g) Mobility of artists and culture professionals

Trans-national mobility of artists and culture professionals has been a priority of the Culture Programme **since 2000** and is reinforced as **one of the three specific objectives** of the current Culture Programme for the period until 2013. With the adoption of the **European Agenda for Culture** in 2007, the mobility of artists and culture professionals has become a strategic objective on the EU agenda in the field of culture. Removing obstacles to the mobility of artists and cultural professionals contributes to all three of the strategic objectives of the Agenda: promoting intercultural dialogue and cultural diversity; making the most of culture as a catalyst for creativity and growth; and ensuring that culture plays its full role in EU external relations.

Artists' mobility has been included in the priorities of two consecutive **Work Plans for Culture**, for the years 2008-2010 and 2011-2014 respectively, adopted by the Council of the European Union. Through these Work Plans, the European Agenda for Culture is being implemented. **In 2011**, the European Commission convened an Expert Group, which has developed a detailed proposal on **Information Standards for the Mobility of Artists and Cultural Professionals**. These standards provide policy makers in the EU Member States with practical guidance for setting up or further developing quality information services for both outgoing and incoming artists and culture professionals, whether from an EU or non-EU country.

Mobility is a cross-cutting theme in the **three civil society platforms** (Access to Culture, Cultural Industries and Intercultural Dialogue) set up by the European Commission as a means to facilitate a structured dialogue with the cultural sector.

A **pilot project for artist mobility decided by the European Parliament**, was implemented by the Commission (2009) with the aim to feed into the work of the EU Member States in the context of the Open Method of Coordination, as well as to test new ideas in order to contribute to the preparation of the Culture programme for the next programming period 2014-2020.

Related studies

Impediments to mobility (2007) was conducted for the "Mobile Home" project partners. Through interviews with artists and culture professionals, a "helpdesk" service for the performing arts sector and literature reviews, in the context of this study obstacles to mobility were researched. Four main problem areas were identified: visas and work-permits for third country nationals; social security regulations; double taxation and VAT; intellectual property rights. The study concluded that national authorities have a particular responsibility to make relevant information in the four key areas easily accessible and that pan-European exchange of information about nationally applicable rules and procedures needs to be improved.

Mobility Matters (2008) conducted by the ERICarts Institute on behalf of the European Commission provided an overview of the mobility schemes which exist in Europe, identified gaps and made recommendations to achieve a more balanced offer of such schemes across the EU, especially for incoming artists and culture professionals. ERICarts worked with national correspondents in 35 countries, collecting information on existing mobility schemes and examining the sources where culture professionals can find information about mobility. The study team underlined that efforts to establish a more balanced offer of mobility programmes throughout the EU would remain unfulfilled unless obstacles to mobility are seriously addressed, one major such obstacle being divergent visa, tax and social security regulations in the Member States.

Information systems to support the mobility of artists and other professionals in the culture field: a feasibility study (2009) conducted by Ecotec Research and Consultancy Limited on behalf of the European Commission. This is a feasibility study on a comprehensive European-wide system of information for artists and cultural workers on the different legal, regulatory, procedural and financial aspects to mobility in the cultural sector.

The research included 85 interviews with cultural professionals from different sectors, pan-European stakeholder organizations, and the Cultural Contact Points (CCPs), which provide information in each Member State on EU funding instruments for culture. The study concluded that both the information needs of artists and cultural professionals and the current state of information provision were very diverse. The solution recommended by the study is a "knowledge network", in which each Member State designates a body or bodies able to provide the necessary information and advice to artists and culture professionals. These national bodies network together at European level, to make available information and advice for artists coming from third countries. The Commission should have to role of facilitating the networking of the national bodies.

h) Structured dialogue with the civil society

As part of the European Agenda for Culture, the Commission is committed to dialogue with the culture sector, aiming to ensure that its voice is clearly heard in policy debate at European level.

Since 2007, the structured dialogue with the sector is taking place through two main structures: thematic platforms of European associations or networks and the European Culture Forum.

In the run-up to the 2008 European Year of Intercultural Dialogue, the sector formed the "Rainbow Platform", an interface between civil society and the Commission for planning and supporting the Year. This has since developed into the Platform for Intercultural Europe. Drawing upon this example, two further platforms were set up in mid-2008 to encourage cultural organisations with a strong European dimension to work on Access to Culture and CCIs.

One main benefit of the process is deeper and broader dialogue within the culture sector. This process is an invitation to players in the very heterogeneous culture sector to search for common ground. Through it, the sector is better informed of policy development and is more open to engaging with it.

Each platform produces policy recommendations and presents these to the broader sector during the European Culture Forum that occurs every two years. The last Forum took place in October 2011.

2.1.2. Education

The long-term strategic objectives of EU education and training policies are:

- Making lifelong learning and mobility a reality;
- Improving the quality and efficiency of education and training;
- Promoting equity, social cohesion and active citizenship;
- Enhancing creativity and innovation, including entrepreneurship, at all levels of education and training.

An overview of the policy framework and main instruments may be found at: http://ec.europa.eu/education/index_en.htm

The Commission also supports a range of international education and training activities. These activities are an essential part of the EU's international policies and are becoming increasingly important. They intend to serve four goals: support partner countries outside the EU in their modernisation efforts; promote common values and closer understanding between different peoples and cultures; advance the EU as a centre of excellence in education and training; and improve the quality of services and human resources in the EU through mutual learning, comparison and exchange of good practice. A comprehensive overview may be found at: http://ec.europa.eu/education/external-relation-programmes/overview_en.htm

2.1.3. Information society

List of policy and regulatory documents

1 June 2005 - Communication from the Commission to the Council, the European Parliament, the European Economic and Social Committee and the Committee of the Regions, launches the "**i2010** – A European Information Society for growth and employment" initiative", as a framework for addressing the main challenges and developments in the information society and media sectors up to 2010.

http://ec.europa.eu/dgs/information_society/evaluation/data/pdf/ia/i2010extended_impact_assessment.pdf

30 September 2005 - Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee of the Regions. The Digital libraries initiative (DLI) was launched as part of the Commission's i2010 strategy to boost the digital economy.

<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2005:0465:FIN:EN:PDF>

http://ec.europa.eu/information_society/eeurope/i2010/index_en.htm

Recommendation to Member States on film heritage 2005

The **Recommendation** of the European Parliament and of the Council of 16 November 2005 to **Member States on film heritage** and the competitiveness of related industrial activities calls for Europe's film heritage to be methodically collected, catalogued, preserved and restored so that it can be passed on to future generations. Member States submit reports on the implementation of the Recommendation every two years.

<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:32005H0865:EN:NOT>

The **first implementation report** was published in August 2008 and the second one in July 2010. The 2010 report highlights Member States' best practices for dealing with the challenges of analogue and digital film heritage. The results presented in the 2010 report were only a first evaluation of the challenges and opportunities of the digital era for European film heritage.

http://ec.europa.eu/avpolicy/reg/cinema/report/index_en.htm

http://ec.europa.eu/avpolicy/reg/cinema/report_2/index_en.htm

The Commission has subsequently launched and financed an **independent study on a Digital Agenda for Film Heritage Institutions (2011)**. The study ran from January to December 2011. An on-line consultation on the preliminary finding of the study was open from July to September 2011. A workshop to validate the results of the study took place on 20 September 2011 in Brussels.

Full report: http://ec.europa.eu/avpolicy/docs/library/studies/heritage/final_report_en.pdf

Summary: http://ec.europa.eu/avpolicy/docs/library/studies/heritage/exec_summary_en.pdf

On 24 August 2006 - Commission "Recommendation on the digitisation and online accessibility of cultural material and digital preservation;

http://ec.europa.eu/information_society/newsroom/cf/itemlongdetail.cfm?item_id=2782

On 13 November 2006 - Council Conclusions on the Digitisation and Online Accessibility of Cultural Material and Digital Preservation:

[http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:52006XG1207\(01\):EN:NOT](http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:52006XG1207(01):EN:NOT)

14 February 2007 - Commission Communication on scientific information in the digital age;

<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:52007DC0056:EN:NOT>

22 March 2007 – Commission Decision setting up the Member State Expert Group on Digitisation and Digital Preservation;

<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2007:119:0045:0047:EN:PDF>

27 September 2007 - European Parliament Resolution on 'i2010: towards a European digital library'.

<http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//TEXT%20TA%20P6-TA-2007-0416%200%20DOC%20XML%20V0//EN>

3 January 2008 – Commission Communication on Creative Content Online in the Single Market;

<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2007:0836:FIN:EN:PDF>

13 February 2008 – Adoption of the opinion of the European Economic and Social Committee on 'Promoting broad public access to the European digital library'.

http://eescopinions.eesc.europa.eu/EESCopinionDocument.aspx?identifier=ces\ten\ten292\ces268-2008_ac.doc&language=EN

11 August 2008 - Commission Communication on Europe's cultural heritage at the click of a mouse - Progress on the digitisation and online accessibility of cultural material and digital preservation across the EU ;

<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2008:0513:FIN:EN:PDF>

20 November 2008 - Council conclusions on the European digital library EUROPEANA;

<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:C:2008:319:0018:0019:EN:PDF>

28 August 2009 – Commission Communication "Europeana - next steps" ; accompanying Staff Working Document which looks ahead to the next phase of development of Europeana and its orientation for the future;

<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2009:0440:FIN:EN:PDF>

19 October 2009 – Commission Communication on Copyright in the Knowledge Economy;

http://ec.europa.eu/internal_market/copyright/docs/copyright-infso/20091019_532_en.pdf

5 May 2010 - European Parliament Resolution on "Europeana - Next Steps" joining the Commission in asking EU Member States to step up their efforts to make their cultural heritage available through the European Digital Library.

http://ec.europa.eu/information_society/activities/digital_libraries/doc/parliament/resolution_europeana.pdf

10 May 2010 - Council Conclusions outlining the next steps for Europeana - the European digital library. Member States agreed to continue and strengthen their support to Europeana and to the digitisation projects carried out by their cultural institutions in order to increase the number of objects from libraries, museums, archives and audiovisual collections accessible through the Europeana service;

<http://register.consilium.europa.eu/pdf/en/10/st08/st08843.en10.pdf>

27 October 2011 – Commission Recommendation on the digitisation and online accessibility of cultural material and digital preservation.

http://ec.europa.eu/information_society/activities/digital_libraries/doc/recommendation/recom28nov_all_versions/en.pdf

In addition, focus has been given to aspects of digitisation of topical interest. For instance, in October 2010 the **Council adopted the Conclusions on European film heritage**, including the challenges of the digital era (October 2007). In these Conclusions, the Council highlights that "digitisation of cinemas also offers opportunities for promotion of and access to European film heritage. Appropriate

measures at various levels are therefore required to maximise these opportunities, including for education purposes".

http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/en/educ/117799.pdf).

2.1.4. *Intellectual property rights and the EU single market*

The EU legal framework (Copyright acquis)

http://ec.europa.eu/internal_market/copyright/documents/documents_en.htm#directives

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

Directive 96/9/EC of the European Parliament and of the Council of 11 March 1996 on the legal protection of databases

Directive 2006/115/EC of the European Parliament and of the Council of 12 December 2006 on rental right and lending right and on certain rights related to copyright in the field of intellectual property (codified version)

Directive 2011/77/EU of the European Parliament and of the Council of 27 September 2011 amending Directive 2006/116/EC on the term of protection of copyright and certain related rights

Council Directive 93/83/EEC on the coordination of certain rules concerning copyright and rights related to copyright applicable to satellite broadcasting and cable retransmission

Directive 2009/24/EC of the European Parliament and of the Council of 23 April 2009 on the legal protection of computer programs (Codified version)

Council Directive 87/54/EEC on the legal protection of topographies of semiconductor products

Directive 2001/84/EC of the European Parliament and of the Council on the resale right for the benefit of the author of an original work of art

Directive 2004/48/EC of the European Parliament and of the Council of 29 April 2004 on the enforcement of intellectual property rights

A proposal for a **Directive on orphan works** (24 May 2011) is currently discussed in the context of the legislative process. Its objective is to facilitate the digitisation and dissemination over the internet of works the right holders of which cannot be identified or located.

A parallel strand is the promotion of voluntary agreements for online use of works still protected by copyright but no longer commercially available, the so-called "Out-of-Commerce" works.

A **Memorandum of Understanding on Key Principles on the Digitisation and Making Available of Out-of-Commerce books and learned journals** was signed by representatives of European authors, collecting societies, libraries and publishers under the aegis of the Commission (21 September 2011). For more details see: http://ec.europa.eu/internal_market/copyright/copyright-info/copyright-info_en.htm#mou

2.1.5. Competition including state aid

a) Antitrust policy and merger control

An approach has been followed which, in the competition analysis, takes into account impacts on cultural diversity in the entire chain (production/distribution/consumption) leading to availability of a diversity of cultural goods and services.

Antitrust policy

The Commission tackled the issue of collective management of authors' rights in music works in the **CISAC** case. It applied the competition rules and issued on 16 July 2008 the antitrust decision addressed to 24 EEA collecting societies which manage music rights on behalf of their authors (both composers and lyricists), all members of CISAC (*International Confederation of Societies of Authors and Composers*). The CISAC decision prohibits membership and exclusivity clauses in the reciprocal representation agreements between collecting societies for all modes of exploitation and ends a concerted practice concerning the territorial delineation of mandates to license established under these representation agreements for internet, cable retransmission and satellite exploitation. However, the decision does not call into question the network of reciprocal agreements as such. Also, it does not affect cultural diversity as it does not affect authors' revenues nor does it affect the ability of small collecting societies to license their local repertoire.

Merger control

In Case No COMP/M.5272 - Sony / Sony BMG, a transaction cleared on 15 September 2008, the Commission analysed the vertical integration between the activities of Sony in consumer electronics (portable music devices, mobile phones), video games and cinema, and the activities of Sony BMG in music publishing and music recording. The Commission concluded that Sony would continue to have the incentive to sell its music to as many customers of portable music devices, mobile phones, video games and films as possible, and would therefore not restrict access to its music catalogue to competitors in these markets. In any event, Sony's competitors for portable music devices, mobile phones, video games and movies would continue to have access to a sufficiently large portfolio of music rights from alternative suppliers. In addition, Sony would continue to have the incentive to purchase music for its portable music devices, mobile phones, video games and films from different sources. The Commission therefore concluded that the transaction did not have any negative impact on consumer choice and cultural diversity (explicit reference made in the decision).

b) Examples of implementation of the UNESCO Convention in internal policies

Competition

- Case C39/1996 Centre d'exportation du livre français (CELF)

§ 72: "La préservation et la promotion de la diversité culturelle figurent parmi les principes fondateurs du modèle européen. Ils sont inscrits au traité, à l'article 151, paragraphe 1, qui dispose que « La Communauté contribue à l'épanouissement des cultures des Etats membres, dans le respect de leur diversité nationale et régionale, tout en mettant en évidence l'héritage culturel commun », ou encore à l'article 151, paragraphe 4, qui dispose que « La Communauté tient compte des aspects culturels dans son action au titre d'autres dispositions du traité, afin notamment de respecter et de promouvoir la diversité de ses cultures ». La Commission note d'ailleurs que la Communauté est partie à la Convention de l'UNESCO sur la protection et la promotion de la diversité des expressions culturelles.

Les autorités françaises, en favorisant et en soutenant financièrement la diffusion d'ouvrages francophones, ont mis en œuvre une politique culturelle qui correspond aux objectifs fixés par le traité".

- Case C47/2006(ex. N648/2005) Crédit d'impôt pour la création de jeux vidéo - FR

§ 63: "Sur la question générale de savoir si les jeux vidéo peuvent être considérés comme des produits culturels, la Commission note que l'UNESCO reconnaît le caractère d'industrie culturelle de l'industrie des jeux vidéo, ainsi que son rôle en matière de diversité culturelle. Elle prend aussi note des arguments avancés par certains tiers et par les autorités françaises, notamment ceux selon lesquels les jeux vidéo peuvent véhiculer des images, des valeurs, des thèmes qui reflètent l'environnement culturel dans lesquels ils sont créés et peuvent agir sur les modes de pensée et les références culturelles des utilisateurs, et tout particulièrement sur les jeunes classes d'âge. La Commission note aussi dans ce contexte que l'UNESCO a adopté une convention sur la protection et la promotion de la diversité des expressions culturelles. (...)" Cette convention a été adoptée par la Conférence générale de l'UNESCO le 20 octobre 2005 et introduite en droit communautaire par la décision 2006/515/CE du Conseil du 18 mai 2006 relative à la conclusion de la Convention sur la protection et la promotion de la diversité des expressions culturelles (JO L 201 du 25.7.2006, p. 15) (voir <http://unesdoc.unesco.org/images/0014/001429/142919f.pdf>).

- Case E 4/2008, Sweden, Aid to the press

§ 63: "The Commission should assess whether the cultural derogation of article 87(3)(d) EC which concerns "*aid to promote culture and heritage conservation where such aid does not affect trading conditions and competition in the Community to an extent that is contrary to the common interest*" is applicable to the press aid scheme. Furthermore, according to Article 151 (4) EC, 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, and the Community ratified the UNESCO Convention on the promotion and the protection of the diversity of cultural expressions".

- Communication from the Commission on the application of State aid rules to public service broadcasting, Official Journal C 257 , 27/10/2009 P. 0001 - 0014

§ 13: "The role of public service broadcasting in promoting cultural diversity was also recognised by the 2005 UNESCO Convention on the Protection and Promotion of the Diversity of Cultural Expressions, which was approved by Council decision 2006/515/EC of 18.5.2006 on behalf of the Community and thus forms part of EC law. In accordance with Annex 2 to of the Council decision, "the Community is bound by the Convention and will ensure its implementation." The Convention, Article 6 (1) and (2) h), states that each Party may adopt "measures aimed at protecting and promoting the diversity of cultural expressions within its territory". Such measures may include, among others, "measures aimed at enhancing diversity of the media, including through public service broadcasting".

Audiovisual

- Judgment of the Court in Case C-222/07, REFERENCE for a preliminary ruling under Article 234 EC from the Tribunal Supremo (Spain), made by decision of 18 April 2007, received at the Court on 3 May 2007, in the proceedings - Unión de Televisiones Comerciales Asociadas (UTECA)

http://ec.europa.eu/dgs/legal_service/arrets/07c222_fr.pdf

<http://merlin.obs.coe.int/iris/2009/4/article2.en.html>

Full ruling:

<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:62007J0222:FR:HTML>

33: "Since language and culture are intrinsically linked, as pointed out by, inter alia, the Convention on the Protection and Promotion of the Diversity of Cultural Expressions, adopted at the General Conference of UNESCO in Paris on 20 October 2005 and approved on behalf of the Community by Council Decision 2006/515/EC of 18 May 2006 (OJ 2006 L 201, p. 15), which states in paragraph 14 of its preamble that 'linguistic diversity is a fundamental element of cultural diversity', the view cannot be taken that the objective pursued by a Member State of defending and promoting one or several of its official languages must of necessity be accompanied by other cultural criteria in order for it to justify a restriction on one of the fundamental freedoms guaranteed by the Treaty. Indeed, in the present proceedings, the Commission has been unable to state precisely what those criteria should actually be".

- Proposal for a Decision of the European Parliament and of the Council establishing an audiovisual cooperation programme with professionals from third countries MEDIA Mundus, January 2009

<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2008:0892:FIN:EN:HTML>

2.2. International cooperation and preferential treatment

2.2.1. International cooperation

a) Cooperation within the framework of strategic bilateral partnerships

Brazil

The EU's strategic partnership with Brazil has a strong cultural dimension, reflected in the reference to culture in the Joint Action Plan and the conclusions of the **EU-Brazil Summit** of December 2008.

The structured **sectoral policy dialogue on culture** was launched by a **Joint Declaration on culture** signed in May 2009 by the Commission and the Brazilian Government. Both parties stress that 'enhancing cooperation and dialogue on culture is instrumental to improve mutual understanding and to establish a genuine intercultural dialogue, as well as a community of views as regards questions of cultural governance at international level'.

In the margins of the 5th EU-Brazil Summit held in Brussels on 4 October 2011, a Joint Programme on Culture for the period 2011-2014 was signed by the European Commission and Brazilian Minister of Culture. One of the three identified priority areas is the implementation of the 2005 UNESCO Convention.

On 5 October 2011 a Round Table gathering Brazilian and EU cultural operators and policy-makers was organised in Brussels with the support of the "Policy Dialogue Support Facility" created by both parties to fund joint activities.

The Culture Programme selected Brazil for the external cooperation action in 2008 ('Special measures: cooperation with third countries'). Seven bi-annual projects scheduled for the period 2008-2010 were selected with a total budget of **EUR 1.3 million**. They involve cultural cooperation between European and Brazilian cultural organisations and/or cultural activities carried out in Brazil. To learn more about selected projects, see: http://eacea.ec.europa.eu/culture/funding/2008/selection/documents/call_2005_2008_selected_organisations_en.pdf

Mexico

The **Joint Declaration on culture**, signed in June 2009, set the scene for a structured sectoral **policy dialogue** on culture between the EU and Mexico.

The **Cultural Fund EU – Mexico** is a bilateral cultural cooperation project which started in December 2007 with a budget of **EUR 1 million** for the first phase (2008 – 2010). The aim of the Fund is to stimulate better reciprocal understanding between Mexican and European societies and provide new perspectives on cultural exchanges that will benefit EU and Mexican cultural operators.

During the first phase of the Cultural Fund, six projects were financed in 2008 for a total amount of almost **EUR 1 million**. Two projects were in the cinematographic diffusion area, two related to the organisation of theatre festivals and two were concerned with art exchange. An agreement for financing the second phase of this programme, **Cultural EU – Mexico II Fund** 2009 – 2012, was signed in 2009 with a total budget of **EUR 5.6 million**, financed equally by the European Commission and the Mexican government. The objectives include support for artist and cultural industry exchanges as well as seminars on public policies dealing with access to culture and job creation.

A **special action** was dedicated to Mexico in the framework of the **Culture Programme** (2011). 13 projects were supported for a total budget of € 2.201.039,48 million.

See selected projects at:

http://eacea.ec.europa.eu/culture/funding/2011/selection/documents/09_projects_summary_selected.pdf

Asian countries

The cooperation strategy with Asia is based on a partnership approach. One of the priorities is to increase awareness of the EU in Asia and vice versa, which should be achieved by, among other things, strengthening educational and cultural exchanges between the two regions, and promoting enhanced civil society contacts and intellectual exchanges.

These objectives are pursued through the Asia-Europe Meeting (**ASEM**), an informal process of dialogue and cooperation between the EU Member States and the European Commission and 16 Asian countries and the ASEAN Secretariat. ASEM activities on the cultural pillar include a wide range of enhanced contacts and dialogue between the two regions, as well as cooperation in the protection of cultural heritage. Since 1997 the Commission has been co-financing project activities carried out by the **Asia-Europe Foundation (ASEF)**, whose aim is to promote mutual understanding, deeper engagement and continuing collaboration among the people of Asia and Europe through intellectual, cultural and people-to-people exchanges between the two regions.

India

The New Delhi **EU-India Summit Joint Statement** of 30 November 2007 provided support for further cooperation in the field of culture, including stepping up the activities of organisations such as the Indian Council for Cultural Relations (ICCR) and the Indian cluster of the European Union National Institutes of Culture (EUNIC).

In the European Year of Intercultural Dialogue (2008), a conference on '**Multilingualism and Intercultural Dialogue in Globalisation**' was organised in December 2008 in New Delhi. This was the first EU-India platform for discussion and exchange between high-level scholars and intellectuals on the issue of multilingualism and its implications in the fields of business, politics, identity, intercultural dialogue and education. The event was the first step towards a more permanent policy dialogue with India in this domain, initiated by the signature of an EU-India Joint Declaration on Multilingualism on 6 March 2009.

In financing terms, a number of cultural cooperation initiatives were supported in the context of the **EU-India Economic Cross-Cultural Programme**, as well as through the special action under the **Culture Programme** in 2007 with a budget of EUR 1.8 million (together with China). The EU Delegation and Embassies of the EU Member States in Delhi supported a wide range of cultural activities aimed at raising the profile of the EU, and of European culture, in India. Key events included cultural weeks that were organised in 2008 and 2009 and, in 2010, the 15th anniversary of the European Union Film Festival (24 April - 4 May), which showcased European cultural diversity and brought European cinema to Indian audiences.

China

In October 2007 the Commission and the Chinese Ministry of Culture signed a **Joint Declaration on cooperation in the field of culture**. The **EU-China sectoral dialogue on culture** was kick started in May 2009 with a focus on three priority areas of cooperation: promotion of cultural and creative industries, preservation of cultural heritage, and cooperation on the management of cultural organisations and institutions.

The importance of the cultural dimension of EU-China relations was underlined at the 12th EU-China Summit in November 2009, in Nanjing. Premier Wen further endorsed the proposal to establish a **high-level cultural forum** that would take place in the margins of the EU-China Summit in October 2010. President Barroso also stressed the importance of cultural and people-to-people exchanges for increasing mutual understanding. Both sides decided that **2011** would be the **Year of EU-China Youth**.

The **Joint Statement** issued on this occasion promoted further strengthening of the exchanges and cooperation on the basis of the existing good cultural relations, continuing the EU-China cultural policy dialogue, and working closely together to push for implementation of the Unesco Convention on the Protection and Promotion of the Diversity of Cultural Expressions.

During the 13th EU-China Summit in October 2010 in Brussels, it was decided that **2012** would be the **EU-China Year of Intercultural Dialogue**. Building on the success of the 2011 Year of Youth, the 2012 Year of Intercultural Dialogue is to be regarded as an opportunity to promote not only cultural exchanges but all forms of people to people contacts and mobility contributing to mutual understanding as well as the associated policy fields (culture, education, research, youth, multilingualism...).

Following the launch of the **Third Pillar** (dedicated to people to people exchanges) of the EU-China strategic partnership during the 14th Summit held on 14 February 2012, Commissioner Vassiliou and Minister of Culture Cai Wu welcomed the upgrading of the policy dialogue and cooperation on culture under the future **High Level People to People Dialogue**, the first meeting of which will be held on 18 April 2012 in Brussels. They stressed that the EU-China Year of Intercultural Dialogue would be the first concrete action to be pursued in this new framework in the field of culture.

Regarding **funding opportunities**, the third country call under the **Culture Programme** in 2007 covered China and India with a budget of € 1.8 million. Ten projects in the fields of performing arts, cultural heritage, new media technologies, library books and reading, architecture, design and applied arts were carried out in a spirit of cooperation between European, Chinese and Indian operators.

Russia

Policy dialogue with Russia has taken different forms since 2007 (Joint Working Group on Culture, Permanent Partnership Council (PPC) on Culture and EU-Russia high-level seminar on cultural cooperation) but a comprehensive vision of EU - Russia cultural relations still has to be formulated.

EU-Russia cooperation in the field of culture is covered by the 1997 EU-Russia **Partnership and Cooperation Agreement (PCA)**, and it will also be a part of the **New EU-Russia Agreement (NA)**, which is currently under discussion.

In May 2010, a Memorandum of Understanding establishing a **Northern Dimension Partnership on Culture (NDPC)** under the Northern Dimension policy, with the participation of Norway, Iceland, EU Member States and the Russian Federation, was signed.

The Institution Building Partnership Programme (IBPP): the EU-Russia Culture Window

For a number of years, the European Commission has fostered cultural cooperation between the EU and Russia through the **EU-Russia Cultural Cooperation Initiative** designed to support grassroots initiatives in the area of culture via the **Institution Building Partnership Programme (IBPP)**. The purpose is to support the EU-Russia cultural initiatives implemented through partnerships among non-governmental organisations, local/regional authorities, artistic universities, museums and other cultural institutions from the EU and Russia. Project promoters act in partnership and projects involve at least one organisation from Russia and one from the EU.

In 2007, 2008 and 2009, the Commission's Delegation to Russia launched three successive thematic **calls for proposals specifically focused on culture** (EUR 6 million).

Latin America

The Heads of State and Government of the EU and the Latin American and Caribbean (LAC) countries recognised the importance of cultural diversity as a factor for development, growth and stability at the **EU-LAC Summit** that took place in Vienna in 2006. They committed themselves to finding ways to enhance both EU-LAC and intra-LAC cooperation and exchanges of expertise and good practices and agreed to commemorate historic and cultural events with the aim of contributing to closer ties between their peoples.

In line with these political recommendations, at sub-regional and bilateral level, **sectoral dialogues** are on the increase and cooperation on culture is being developed. Several policy initiatives in the cultural field have taken place or are scheduled.

Regarding regional cooperation, the **MERCOSUR Audiovisual Programme** aims to strengthen the cinematographic and audiovisual sector in MERCOSUR as an instrument fostering the regional integration process and the participation of civil society. With an EU contribution of EUR 1.5 million, the programme is based on five axes of intervention, which are: to support harmonisation of the legislation governing the sector in MERCOSUR countries; to strengthen the capacities of the MERCOSUR Audiovisual Observatory; to disseminate audiovisual content; to support the preservation, dissemination and digitalisation of audiovisual heritage; and to provide professional and technical training for the audiovisual sector.

The **VI EU-LAC Summit** of Heads of State and Government held in Madrid on 18 May 2010 announced the creation of an **EU-LAC Foundation** for promoting mutual understanding and cooperation between the peoples of Latin America and the EU through cultural, intellectual and people-to-people exchanges, and fostering the transfer of knowledge and good practice between the two regions.

b) Candidate and potential candidate countries

Three Commission Communications have supported new actions in the cultural field since 2007:

- **'Western Balkans: Enhancing the European perspective'** of March 2008 established the **Civil Society Facility**, covering a number of sectors, including culture;
- The **Enlargement Strategy 2008-2009** specifies that under IPA 2009 'support schemes to civil society partnerships will give priority to sectors such as culture, minorities and business associations'. The relevant call for proposals was published early in 2010;

- The **Enlargement Strategy Paper 2009-2010** emphasises that ‘the Commission, in the context of the Ljubljana Process, supports the rehabilitation of cultural heritage as an important means for reconciliation also contributing to the development of local economy.’

In addition, at the request of the European Parliament, extra funds (EUR 6 million) were allocated in 2008 and 2009 for a pilot project for preserving and restoring cultural heritage in post-conflict areas. Projects are implemented in Bosnia-and-Herzegovina, Croatia, Kosovo, Serbia and Montenegro.

In order to ensure full coherence of the EU’s policies in the Western Balkans, Commission services and EEAS work closely with EU Special Representatives (EUSR), whenever relevant. The most striking example is Kosovo where a **Technical Forum on Cultural Heritage** was launched in January 2009 to facilitate coordination and transparency among local and international stakeholders.

The Commission meets with key international interlocutors in the field of culture, namely the **Council of Europe** and **UNESCO**, at headquarters and at field level with a view to enhancing coordination and cooperation.

As part of the preparatory actions for the multi-beneficiary **IPA 2011-13** programming, a working group with the main stakeholders dealing with **Culture and History in the Western Balkans** was set up for the first time to identify key strategic sectors in the fields of culture, heritage and history. The priorities identified were incorporated into the 2010 Multiannual Indicative Programme (MIPD). NGOs are participating in identifying priorities as well as in the programming process.

Under the Instrument for Pre-accession Assistance (IPA), significant resources have been invested in this area in the last few years:

- The joint European Commission-Council of Europe action called "Ljubljana Process", aiming at rehabilitating cultural heritage in South East Europe, after being supported from the Culture Programme (until 2010), is now being supported under IPA. After the successful "Ljubljana Process I", launching the "Ljubljana Process II" was done with the agreement of the Ministers of Culture of South East Europe. The project is implemented by the Regional Cooperation Council with the financial support of the IPA. To learn more about Ljubljana Process, see:

http://www.coe.int/t/dg4/cultureheritage/cooperation/see/irppsah/ljubljanaprocess_EN.asp

- Many other heritage projects have been financed under IPA to restore monuments identified in the framework of the Ljubljana Process from the IPA bilateral envelopes (more or less 33 million EUR).

- Under the Civil Society Facility, support was provided in 2010 for partnerships between cultural organisations (2.5 million EUR), with the specific objective of increasing involvement and ownership among civil society organisations, as well as citizens, in the cultural field. Results of this support are available at <http://sites.google.com/site/ipa129799/>. Another call was published in 2011 on heritage (3 million EUR) entitled “Preparatory actions for preserving and restoring cultural heritage in the Western Balkans” (this is the follow-up of the European Parliament pilot scheme on cultural heritage – see below).

The Commission-funded **Technical Assistance and Information Exchange Instrument (TAIEX)** has been used for cultural purposes, more precisely to help Albania and Kosovo respectively to improve fund-raising and cooperate with external donors, and to restructure central and decentralised cultural administrations. TAIEX is also implementing the Civil Society Facility’s **People 2 People Programme (P2P)** that supports visits to EU institutions and bodies to exchange experience, know-

how and good practices between beneficiaries, EU and Member States' Civil Society Organisations (CSOs). In this context, some visits have focused on cultural diversity and intercultural dialogue.

Albania

There are two interlinked projects concerning one of the 26 consolidated projects of the Ljubljana Process, i.e. the Bazaar of Korca, in south-east Albania.

- Under **CARDS 2006** the project for 'Sustainable and integrated development of cultural and historical heritage Albania' is preparing the designs and tender documents for the restoration of historical sites identified in Tirana, Kruja, Himara, Korca, Elbasan and Shkodra, and is financing works on three sites until 2011.
- Under **IPA 2009** there is a EUR 5 million project that aims at providing 'Support to sustainable and integrated development of cultural and historical heritage — phase II', entailing physical restoration of urban areas in and around selected historical heritage sites based on the economic and development plans concerning the following sites: Korca Bazaar, Via Egnatia in Elbasan, street next to the Cathedral in Shkodra and streets around the castle in Berat.

Bosnia and Herzegovina

Under **IPA 2009 and 2010** the sum of EUR 9 million is earmarked for restoration and rehabilitation of the Sarajevo and Novi Grad Town Halls destroyed during the war in 1992. This is one of the projects identified and consolidated in the framework of the Ljubljana Process I. Both heritage buildings will be fully revitalised upon project completion and back in use.

Under **IPA 2011** an additional EUR 2,5 million is earmarked for partly restoration of Kastel Fortress in Banja Luka as part of Ljubljana Process II.

Croatia

Under **IPA 2009** a project (EUR 1.8 million) related to cultural heritage aims at rehabilitating the Maskovica Han in the Ljubljana Process framework. There are also a number of small-scale projects financed under Cross-border Programmes (IPA Component II) mostly related to cultural tourism and preservation of cultural heritage. Under the EIDHR, Croatian CSOs benefit from funds mainly for intercultural activities fostering reconciliation.

The Former Yugoslav Republic of Macedonia

Supporting the implementation of the Ljubljana Process, a cultural heritage project has been programmed under **IPA 2009** (EUR 1.2 million) for conservation and revitalisation of the cultural and tourist site St. George – Staro Nagorichane.

Kosovo

From CARDS 2001 until IPA 2009 around EUR 10 million have been implemented under UNSCR 12244/99 for cultural heritage projects in Kosovo, like restoration of medieval orthodox churches, but also for capacity-building and training of civil servants at central and decentralised levels in the administration dealing with culture. Logistical support has been provided for organisation of the technical forum on heritage in Kosovo. Moreover, in accordance with the Commission Communication on 'Enhancing the European Perspective of Kosovo', endorsed by the EU Council in

December 2010, the Kosovo-tailored scholarship scheme called Young Cell Scheme (YCS) has opened its eligibility criteria to postgraduate students from the cultural sector.

Serbia

In the framework of the **Ljubljana Process**, an EU-funded project will aim at rehabilitating the coal mine of Senj: *Senjski Rudnik*. The old industrial centre will be transformed into a regional heritage centre and contribute to sustainable tourism and development. Senjski Rudnik is the birthplace of the industrialisation of Serbia, established in 1853. The project amount is EUR 1.5 million. Also, under CARDS 2006, the Commission supported the restoration and conservation of, and access to, the Yugoslav Film Archive collection. The budget for the project amounts to EUR 2 million. The Archive is considered to be one of the five most important in Europe and one of the 10 largest in the world, with a collection containing over 95 000 copies of national and international films.

Turkey

Culture is considered an important vector for the development of civil society in Turkey. Therefore, while actively promoting civil society dialogue between the EU and Turkey, the EU-funded programmes 'Culture in Action' and 'Cultural Bridges' allow cultural actors to receive grants to develop projects in the culture and arts areas. Between 2006 and 2009, the **Culture in Action** programme funded 15 joint EU-Turkey projects contributing to heightened public interest in different aspects of European art and culture (EUR 1.5 million). The **Cultural Bridges** programme targets mainly the cultural institutes of EU Member States and their Turkish and European partners (EUR 6 million). It provides direct grants to engage in multi-partner cultural activities with the aim of establishing a permanent dialogue and partnerships between cultural actors from Turkey and the EU.

Furthermore, EUR 1.5 million has been allocated to support **Istanbul** as the **2010 European Capital of Culture**.

Iceland

Given the recent inclusion of Iceland among the Enlargement countries, there is no EU assistance implemented in this country. Iceland is an EEA signatory and has therefore already been participating in the **Culture Programme** for many years. If shared, its successful experience in this field could help the other Enlargement countries.

c) Cooperation with Southern Neighbourhood countries

Since 1995, the **Barcelona process** has become the regional framework for dialogue between members of the Euro-Mediterranean Partnership. Dialogue between cultures was recognised right from the outset as a major component of the process and as a new development in relations between the EU and Mediterranean partners. The social, cultural and human chapter of the Barcelona process aims to bring people on both sides of the Mediterranean together, to promote their mutual knowledge and understanding and to improve their perception of each other. The Union for the Mediterranean takes the Barcelona acquis forward in the area of culture.

Particular attention is paid to intercultural and inter-religious dialogue and to the fundamental contribution that civil society organisations can make towards bringing people together. These goals have been the target of a wide variety of regional programmes and projects in the field of culture, notably actions to preserve and promote tangible and non-tangible cultural heritage as well as in the film sector.

The **Euromed Heritage Programme** was the first regional MEDA programme focusing on cultural heritage. It was launched in 1998 and is continuing in four phases until 2013 for a total amount of almost EUR 84 million, involving 48 projects and with approximately 400 partners from EU Member States and South Mediterranean countries. The aim of the programme is to highlight Euro-Mediterranean common heritage, to promote exchange of know-how and knowledge about heritage and to offer training in heritage-related skills and professions. One of the main results of the programme is the production of a strategy paper entitled '**Strategy for the development of Euro-Mediterranean Cultural Heritage: priorities from Mediterranean countries (2007-2013)**', drafted in consultation with the Mediterranean partner countries. This document, which defines priorities for Cultural Heritage in the framework of the Euro-Mediterranean partnership and the European Neighbourhood Policy, serves as a reference tool for future and on-going policies in this field.

This document was the basis to develop the **Euromed Heritage IV** (2008-2012) which carry forward the achievements of Heritage I + II + III. Today embedded in the European Neighbourhood Policy, Euromed Heritage 4 contributes to the exchange of experiences on cultural heritage, creates networks and promotes cooperation. It focuses on local populations' appropriation of their cultural heritage and favours access to education on this subject. It supports a framework for exchanging experiences, channelling the dissemination of best practices and new perspectives aimed at the development of an institutional cultural environment. See: www.euromedheritage.net

Another major regional programme, **Euromed Audiovisual**, continues to foster cooperation in the audiovisual and cinematographic sector across the Mediterranean with a third phase (total budget EUR 41 million since its creation in 2000). **Euromed Audiovisual III** (2009-2012) contributes to intercultural dialogue and cultural diversity through support for building cinematographic and audiovisual capacity in the Mediterranean partner countries. The on-going phase of the programme aims to contribute to intercultural dialogue and cultural diversity through support for the development of cinematographic and audiovisual capacity in the partner countries. It promotes complementarity and integration of the region's film and audiovisual industries, while seeking to harmonise public sector policy and legislation. It builds on the achievements of Euromed Audiovisual I + II, aiming to tap into the potential of a developing audiovisual market in the region and help Mediterranean films to secure a place on the global scene. See: www.euromedaudiovisuel.net

The **Euro-Mediterranean Anna Lindh Foundation for Dialogue between Cultures**, as the first common institution created within the Barcelona process, aims at bringing people and organisations of the region together by launching actions impacting on mutual perceptions across the Mediterranean region, including culture, education and media, as well as developing its position as a space of expertise on the human and cultural dimension of the EuroMed partnership through its report on intercultural trends. The Foundation coordinates 43 national networks involving civil society actors and public bodies, thus serving as a catalyst to develop activities on the ground. It acts in partnership with regional and international organisations to promote the role of intercultural dialogue as a tool to prevent conflict and to build human, cultural and political bridges across the Euro-Mediterranean region. With a total initial budget of almost EUR 13 million for the period 2008-2011, provided by all EuroMed partners, of which the European Commission provides EUR 7 million, the activity of the Anna Lindh Foundation is now well established and provides the ideal framework for developing cultural dialogue between the two shores of the Mediterranean Sea.

The Foundation was jointly created and is co-financed by all member countries of the Euro-Mediterranean Partnership. It covers Algeria, Egypt, Israel, Jordan, Lebanon, Morocco, Occupied Palestinian Territory, Syria, and Tunisia as well as all 27 EU Member States and remaining members

of the Union for the Mediterranean, making a total of 43 countries. The Foundation promotes intercultural dialogue in the fields of culture, education, science, human rights, sustainable development, empowerment of women and the arts.

The **EuroMed Youth Programme** supports and strengthens the contribution of youth organisations and young people from the region to the development of society and democracy, and promotes dialogue and understanding. The fourth phase of the programme - with a budget of EUR 5 million for 2010-2013 - supports concrete actions implemented by organisations on the ground focusing on three types of activity: youth exchanges, voluntary service, and training and networking (the same scheme as the Youth for Europe programme). Thematic priorities focus on the fight against racism and xenophobia and the promotion of more tolerance, active citizenship and gender equality.

Political dialogue – Ministerial meetings

The third meeting of Ministers of Culture (Athens, May 2008) launched a process which should have led to the adoption of a new Strategy on Culture by 2010. The general difficult political context in the South-Mediterranean has however slowed down the process. Nonetheless, the Athens Conclusions marked a milestone as regards the cultural dimension of the Euromed Partnership, but also the implementation of the European Agenda for culture: for the first time a mandate was given at political level for the elaboration of a regional Strategy on Culture. As a means of paving the way, during 2009 the Commission drew a needs assessment following a consultation process with public entities and civil society organisations in the partner countries, and organised a consultation seminar with cultural operators from partner countries (October 2009). See: http://ec.europa.eu/europeaid/where/neighbourhood/regional-cooperation/enpi-south/documents/strategy_culture_final_report_en.pdf

d) Eastern Partnership countries

The Eastern Partnership Culture Programme contributes to exchange of information and experience among cultural operators at a regional level and with the EU. The programme seeks to support regional initiatives which demonstrate positive cultural contributions to economic development, social inclusion, conflict resolution and intercultural dialogue.

The Programme takes the Convention into account in its activities as described below:

- The Convention forms is used as one element to assess the culture sector and to monitor the function of culture in terms of its contribution to the democratization of the EaP countries and their social and economic modernization.

The following indicators will be used for evaluation of current situation and changes during the Programme's implementation:

- (1) Level of awareness about the Convention;
- (2) Examples given by the Ministries of (responsible for) Culture of where their signing of the Convention has led them taking action in a way which they otherwise would not have done;
- (3) Number/level of mentions of the Convention in official policy documents or statements

- The implementation of international conventions and this Convention in particular is included into the list of priority needs expressed by public institutions and the region's culture sector key stakeholders of the Programme. The following measures will be considered in this respect:
- Include the topic of the implementation of the Convention and the role of culture for social and economic development in an appropriate way into the capacity building activities of the RMCBU/programme (conferences, workshops) ;
- Providing technical assistance upon request to public authorities of the Eastern Partnership countries (namely to the Ministries of (responsible for) Culture) on the implementation of the Convention.
- Based on the assessment of priority needs in the field of culture of the EaP region, the RMCBU/programme will address through its capacity building activities specific topics related to the Convention, e.g.
 - (1) Integration of culture into general development strategies of the Eastern Partnership countries;
 - (2) Elaboration/formulation of sustainable sector/sub-sector strategies/policies;
 - (3) Raising awareness on the role of culture for social and economic development.

In order to achieve those objectives

- EUR 3 million are dedicated to provide capacity building activities to the main actors of the culture sector of the region (including public national and local actors) to reinforce their policy reforms and to help overhaul legal and regulatory framework to foster cultural sector modernisation. The Regional Technical Assistance started to work in April 2011.
- EUR 8.3 million have been granted to 15 projects in August 2011. Those 15 projects were selected through the 1st call for proposals ever launched by the EU and dedicated to the Cultural sector specifically for the Eastern partnership region.

The Kyiv Initiative: Black Sea and South Caucasus

The Kyiv Initiative (a joint initiative with the Council of Europe) brings together five countries at the south-eastern edge of Europe, namely Armenia, Azerbaijan, Georgia, Moldova and Ukraine. This joint EU-Council of Europe pilot project launched in 2009 continued with a 2nd Covenant in 2011 (financed from the Culture programme until December 2011). It focused on five themes of common interest among participating countries: heritage management, film, cultural policy, literature, wine culture and tourism exchange. Cross-border collaboration is encouraged through a series of projects. For instance, the Pilot Project 2 on "Rehabilitation of Cultural Heritage in Historic Towns" focuses on institutional capacity building in relation to rehabilitation of cultural heritage sites.

2.3. Integration of Culture in Sustainable Development

2.3.1. Culture and Development Cooperation

Thematic programmes are designed to complement geographical programmes that are the main focus of EC cooperation with third countries by bringing specific added value in a particular area of activity. **Investing in People** supports projects in the area of human and social development for all partner countries. **Investing in People** covers several domains, among them culture, which benefits from a fund allocation of EUR 50 million for the period 2007-2013. Through this programme, the Commission is also promoting culture in new regions – outside the African, Caribbean and Pacific (ACP) countries and the southern Mediterranean, where it has long been active.

The programme promotes culture as part of its approach to development and reducing poverty, with the general aim of improving human and social development levels in partner countries and thus contributing to the **Millennium Development Goals**. It promotes intercultural dialogue, cultural diversity and respect for the equal dignity of all cultures and supports the cultural sector as a promising economic sector for development and growth.

The objectives of the programme have been taken into account in two calls for proposals under the 2007, 2008 and 2009 Annual Action Programmes, revolving around the general theme ‘**Access to local culture, protection and promotion of cultural diversity**’.

The first call for proposals, published in December 2007, aimed to strengthen the capacities of cultural actors by encouraging networking and coordination, as well as to stimulate regional cooperation. It sought projects promoting access to culture, dissemination of culture and intercultural dialogue. Strengthening of local culture, access to and dissemination of culture continued to be supported in the second call for proposals, combining the budget allocations for 2008 and 2009. A particular focus was put on the promotion of cultural expressions contributing to the fight against all forms of discrimination. In all, 32 projects have been funded to the tune of EUR 17.8 million. In 2010 the programme focus shifted to governance of the cultural sector, so as to support the implementation of effective cultural policies and the development of an enabling institutional, regulatory, economic and professional environment, essential to foster access to culture and creation, promote cultural diversity and support the sustainable development of the cultural sectors. In total, three calls for proposals have been published for a total of 24 million EUR.

African, Caribbean and Pacific (ACP) countries

The cooperation programmes financed by the EDF are governed by the Cotonou partnership agreement, signed by the ACP countries and the EU Member States in June 2000 and revised in Luxemburg in 2005 and in Burkina Faso in 2010.

Article 27 of the Cotonou agreement (see http://ec.europa.eu/europeaid/where/acp/overview/cotonou-agreement/index_en.htm) states that the cultural dimension is to be implemented at all levels of development cooperation; recognising, preserving and promoting cultural values and identities to enable intercultural dialogue; recognising, preserving and promoting the value of cultural heritage; supporting the development of capacity in this sector; and developing cultural industries and enhancing market access opportunities for cultural goods and services.

The second revision of the Cotonou partnership agreement was signed in June 2010. This revision changes the title of the relevant Article 27 from ‘Cultural development’ to ‘Culture and development’ and introduces two new points, namely ‘e) recognising and supporting the role of cultural actors and cultural networks and their contribution to sustainable development’; and ‘f) promoting the cultural dimension in education and the participation of youth in cultural activities’.

Intra-ACP support programmes to the cultural sector

In accordance with the ACP-EC Partnership Agreement, intra-ACP cooperation is embedded in the regional cooperation and integration framework and covers all the regional operations that benefit many or all ACP States. Such operations may transcend the concept of geographic location. The general principles governing intra-ACP cooperation are subsidiarity, complementarity and visibility.

Culture is one of the areas of intra-ACP cooperation. The current budget of 30 million EUR allocated to the 10th **EDF ACP Cultures+ programme** represents a significant increase to previous actions supporting culture and covering all ACP countries. The first call for proposals for 12 million € was published in February 2011 (7 million € for cinema/audiovisual and 5 million € for the other cultural sectors). A second call for proposals will be published in the second semester of 2012. See: <http://www.acpculturesplus.eu/appel.php?lg=EN>

Previously, two programmes were active under the 9th EDF (2000-2007) with a total of EUR 15 million: **ACP Films and ACP Cultures**.

ACP Films co-financed the production, distribution and promotion of ACP audiovisual works, including feature films, TV series, documentaries and animated films. Its funding level is EUR 8 million, of which EUR 6.5 million has been allocated in the form of grants to 24 projects supporting production and distribution of audiovisual works, and professional training. This programme built on the achievements of the previous 8th EDF EU-ACP programme supporting cinema (2000-2004), which had co-financed the production of 47 films and eight distribution actions. This focus on cinema and audiovisual cooperation reflects the economic importance of the sector and the importance of audiovisual media as a vector of culture.

ACP Cultures is a **Cultural Industries Support Programme** that provided support to cultural operators. The programme also created an ACP Cultural Observatory, operating under the Secretariat of the ACP Group of States (see http://www.acpcultures.eu/?lang=uk&page=observatoire_culturel_ACP2), which aims at a better view and understanding of the cultural sector in the ACP region, its emerging trends and features, and will help structure the sector on a professional and political level. The budget for this action is over EUR 6 million, of which EUR 2.1 million in grants have been allocated to six projects currently in progress in the areas of performing arts, visual arts and music, including technical training, organisation of art events, professional seminars and networking as well as artists' residences. A pilot project in five countries also targeted the strengthening of the culture sector with a view to maximising the sector's economic and job potential.

Projects funded by the above mentioned programmes result from calls for proposals addressed to cultural operators and involve partners from a large number of ACP countries covering all geographical and linguistic regions, as well as several European countries. Seven calls for proposals (EUR 26.6 million) have been published between 2000 and 2011.

The beneficiaries are all the ACP countries, on a global scale, and therefore, intra-ACP programmes try to build up synergies within the different ACP countries and regions, but also beyond the ACP realm, encompassing the EU and its Member States. The primary objective is to develop networks enhancing the exchange of competences and the diffusion and circulation of cultural goods, services and works and to structure the cultural sectors complementing the national and regional levels.

2.3.2. *Culture and regional development – Cohesion Policy*

a) Cultural and creative sectors

The **regional level** is the one best suited to promoting creativity and innovation. Regions are large enough to matter and small enough to care for the people working and living there. Metropolitan centres are naturally in an advantageous position to attract cultural and creative industries.

But cultural and creative sectors are also a catalyst for structural change in many **industrial and rural areas** with the potential not only to rejuvenate their economies but also to changing their public image.

Creativity and innovation require **networking** both within the region and with other regions in the same country as well as outside. Grouping different regions and exploring different approaches can increase the effectiveness of a network. One factor of success in networking to increase creativity and innovation is to connect a wide variety of public and private partners from different sectors, regions and communities.

Recent studies show that the cultural and creative sectors tend to be **highly innovative** companies with much economic potential and are one of the most dynamic emerging sectors in world trade. Moreover, examples suggest that they play an important role in many regions, offering scope for cluster policies to further “strengthen the strengths”. The cultural and creative sectors therefore appear to be increasingly important for the development of the knowledge economy; they are both knowledge and labour intensive and they have a large potential for generating employment and export growth.

The cultural and creative sectors are an essential part of the move from societies with a strong focus on specific hardware production to those producing less tangible output. They provide content for the further development of **ICT**, spur impulses for innovation and are instrumental in shaping social and cultural trends and consumer demand in the emerging 'experience economy'. Creative innovation services are often inputs to innovative activities by enterprises in the wider economy.

The cultural and creative sectors can also help to combat a wide range of **social problems**, from crime prevention to the fight against social exclusion, from expanding social capital to regenerating communities and improving public services.

As highlighted in the **Commission Green Paper “Unlocking the potential of cultural and creative industries”**, these industries “often contribute to boosting local economies in decline, contributing to the emergence of new economic activities, creating new and sustainable jobs and enhancing the attractiveness of European regions and cities”.

Also, in its conclusions of 10 May 2010 on the contribution of culture to local and regional development, the Council invited the Member States and the Commission to adopt a strategic approach to culture in local and regional development policies, including through stimulating a favourable environment for the development of the cultural and creative industries, especially **SMEs**. Specific lines of action were highlighted such as encouraging a favourable regulatory environment for cultural and creative SMEs, strengthening entrepreneurship through favouring the creation of cultural

and creative industries incubators, exploring ways of promoting new business models and consolidating creative clusters and business research centres, improving the access of cultural and creative SMEs to (digital and physical) channels of distribution, and promoting better links between cultural and creative sectors and financial services.

To reinforce the contribution of cultural and creative sectors to regional innovation systems, it is necessary to develop synergies at different levels of governance. Success requires **partnership** between public authorities in different policy areas (higher education and research, culture, economy, industries and employment) and relevant representatives from civil society (businesses, social partners, citizens associations and NGOs).

The Commission encourages Member States and regions to reap the benefits of cultural and creative industries by including them explicitly in their strategies for **research and innovation**, in cooperation with relevant stakeholders from civil society. Moreover, EU Cultural policy needs to steer the implementation of Culture and Media programmes in a way which increases the capacity of the cultural sector to act as a catalyst for creativity and innovation at regional level through mobility, peer learning, peer coaching and cooperation.

b) Cohesion Policy 2014-2020 and its impact on Culture

On 6 October 2011, the Commission adopted a **draft legislative package** which will frame the Cohesion Policy for 2014-2020. The new proposals are designed to reinforce the strategic dimension of the policy and to ensure that EU investment is targeted on Europe's long-term goals for growth and jobs ("Europe 2020").

The package includes:

- An overarching regulation setting out common rules governing the European Regional Development Fund (ERDF), the European Social Fund (ESF), the Cohesion Fund, the European Agricultural Fund for Rural Development (EAFRD) and the European Maritime and Fisheries Fund (EMFF). Three specific regulations for the ERDF, the ESF and the Cohesion Fund.
- Two regulations dealing with the European territorial cooperation goal and the European grouping of territorial cooperation (EGTC). Two regulations on the European Globalisation Fund (EGF) and the Programme for Social Change and Innovation.

On 12 October 2011, the Commission presented a set of legal proposals designed for the Common Agricultural Policy, including a specific regulation on support for rural development by the European Agricultural Fund for Rural Development (EAFRD). On 2 December 2011, the Commission proposed a new fund for the EU's maritime and fisheries policies: the European Maritime and Fisheries Fund (EMFF). The Commission has proposed to allocate an overall budget of €376 billion for cohesion policy instruments in 2014-2020.

After being discussed by the Council and the European Parliament, these proposals could be adopted by the end of 2012, to allow for the launch of a new generation of cohesion policy programmes in 2014.

The Elements for **Common Strategic Framework** adopted by the Commission in early 2012, will illustrate some of the opportunities for culture in the context of the Cohesion Policy (SWD (2012) 61, 14.03.2012).

In these new proposals, investment priorities are likely to cover all the sectors including culture. Investment in culture/cultural and creative sectors may have a significant impact on smart, sustainable and inclusive growth.

In many regions and cities, cultural and creative sectors constitute indeed a major asset for growth. The challenge is how to further integrate the cultural and creative sectors into regional innovation strategies for smart specialisation which in the current Commission proposals could be ex ante conditionality to access funds. To this end, regions have to fully take into consideration the complex links between traditional cultural assets (cultural heritage, dynamic cultural institutions and services) and the development of creative businesses or tourism. The Guide to Research and Innovation Strategies for Smart Specialisation (RIS3) of March 2012 intends to help Member States to better target the potential of investments in cultural and creative industries in the context of regional smart specialisation strategies (see <http://s3platform.jrc.ec.europa.eu/s3pguide;jsessionid=yG2vPhWlr73tyr2wsYjGXgvcNLVBJQwyBfzwYNOxDkTqf2YTJhBv!1724063290!1335514699170>).

EU Member States and regions are therefore invited to use Structural Funds to finance their own strategies in this field through investment priorities such as "promoting centres of competence; promoting clusters; developing ICT products and services; promoting entrepreneurship; developing new business models for SMEs in particular for internationalisation; improving the urban environment; developing business incubators; supporting the physical and economic regeneration of urban and rural areas and communities, etc."

3. AWARENESS-RAISING AND PARTICIPATION OF CIVIL SOCIETY

In the framework of the preparation of the EU report, the Commission made available on line a questionnaire addressed to civil society organisations of European (transnational) dimension. The objective was to allow civil society to contribute to the EU report. Eligible replies to the questionnaire are annexed here, while a short synthesis of key messages emerging from contributions received may be found in the report (see Chapter 3 *Awareness-raising and participation of civil society*).

Out of 41 contributions received, 16 were eligible. A list of eligible organisations is provided below while their contributions are listed in chronological order of submission.

The template of the questionnaire is also listed for information.

Questionnaire addressed to Civil Society

Organisation	Website of Organisation
Address	City/Country
Telephone	Fax
Email	Contact person

1. How has your organisation become aware of the Convention 2005 and why do you feel concerned by the questionnaire launched by the European Commission?

2. What specific activities (ie. programmes, projects, initiatives) is your organisation pursuing to promote the objectives and principles of the Convention 2005 within the European Union and on international level?

Activities may:

- (1) Support diversity of cultural expressions in terms of artistic creation
- (2) Support diversity in the production and distribution of cultural goods and services
- (3) Support mobility of artists (facilitate the mobility of EU artists abroad, facilitate the mobility of non EU artists to the EU)
- (4) Facilitate access and circulation of cultural goods and services from developing countries in the EU
- (5) Reinforce capacity of the cultural and creative sector in developing countries
- (6) Facilitate cultural cooperation at international level

3. What specific activities (ie. programmes, projects, initiatives) is your organisation pursuing to promote the ratification of the Convention and its implementation by national authorities?

4. What specific activities is your organisation pursuing to monitor public policies and implementation of measures aimed at integrating culture as strategic element in development cooperation policies?

Eligible organisations

Federation of European Publishers

IFRRO (The International Federation of Reproduction Rights Organisations)

U40 Network – Cultural Diversity 2030

GESAC (Groupement Européen des Sociétés d'Auteurs et de Compositeurs)

TANIT- Association pour la culture et le développement durable dans la Méditerranée

Euromedinculture(s)

Interarts Foundation for International Cultural Cooperation (Interarts)

EBU (European Broadcasting Union)

European Council of Artists

ICMP (International Confederation of Music Publishers)

Europa Nostra

ECCD (European Coalitions for Cultural Diversity)

European Cultural Foundation

European Fashion Council

IMPALA (Independent Music Companies Association)

European Music Council

1. Federation of European Publishers

31 rue Montoyer, box 8

Brussels/Belgium

0032 2 770 11 10

2012 Jan 24th, 10:48 AM

1/FEP represents one of the largest cultural industries in Europe, therefore we are following the issues related to the culture policy on the EU and wider international level. FEP welcomed the Convention on the Protection and Promotion of the Diversity of Cultural Expressions 2005 - a document of high importance, recognising the crucial role of cultural diversity while respecting the value of intellectual property at the same time. The Convention gives us, as cultural practitioners, the support for continuation of promotion of linguistically and formally diverse cultural goods. It emphasises the need for protection of the intellectual property rights as basis for cultural industries, which is especially appreciated. That is why we want to support the Convention through our actions and we recognise the need for other cultural sectors as well as the Member States to support and act according to it too.

2/FEP is actively involved in promoting the circulation of cultural goods in Europe by co-organising the European Union Prize for Literature (www.euprizeliterature.eu). The aim of the European Prize for Literature is to put the spotlight on the creativity and diverse wealth of Europe's contemporary literature in the field of fiction, to promote the circulation of literature within Europe and encourage greater interest in non-national literary works. The works of the selected winners will reach a wider and international audience, and touch readers beyond national and linguistic borders. The winners' have also priority while applying for the EU translation grant. The Prize is linked to other events; recently we have started working with supporting organisations who for example offer residency programmes to some of the authors. The Prize is an excellent example of cooperation of the book sector – the cultural sector – on the international level. We bring together the publishers, writers and booksellers from all over Europe. They work on the selection and choose representatives of 36 European countries who are awarded the Prize. Their work is promoted broadly on the national and EU level to increase its visibility. We are in continuous dialogue with the European Commission about the possibilities and developments of their culture programmes and translation grants. For example we supported the extension of European programmes for translating written works in European languages to or from non European languages. On the one hand, supporting the translation of works from non European languages to European languages would allow European citizens to access works from all around the world, while lightening the translation costs for publishers keen on contributing to the discovery of high-quality foreign works in a high-quality translation. On the other hand, supporting the translation of works in European languages to non European languages seems essential in order to facilitate the circulation and promotion of works from small linguistic areas towards areas with a strong business potential. As an example China, where one can find very few translators specialised for instance in translation from Slovene to Chinese and where there is a strong demand for this kind of support.

3/One of the objectives of the Convention states the right of States to implement public cultural policies to support diversity at the national level. FEP agrees with that very important statement. On the national level, we advocate for the national measures that support cultural diversity to be taken; such as protection of copyright (the primary condition for the maintenance of cultural diversity), but also related to the reduced VAT on digital books. FEP is also keen to retain a vast network of booksellers, keys for the preservation of cultural diversity.

4/As mentioned above; FEP actively monitors public policies regarding culture and actively advocates the support for culture and creative industries in and beyond Europe. Culture and creative industries are nowadays one of the motors of the economic and social development of any country. They create employment, economic growth and contribute to the social inclusion in our, but also in other continents, hence the need for investment to maintain the presence of culture professionals in international markets. To facilitate this exchange, it is important to focus on diversifying cooperation. The book sector is an important contributor to the development, therefore we keep monitoring the programmes on the EU/international level and we regret to conclude that none of them are dedicated to the promotion of writers and dissemination of books internationally. We wish to promote cultural diversity all over the world as well as international dissemination of literary works, within and outside our continent; therefore we support the translation from and to non-European languages, and the international programmes as well as pan-European events, such as book fairs.

2. IFRRO (The International Federation of Reproduction Rights Organisations)

www.ifrro.org

Rue Joseph II, 9-13

Brussels, Belgium

+32 2 234 62 60

+32 2 234 62 69

2012 Feb 13th, 10:03 AM

1/The International Federation of Reproduction Rights Organisations (IFRRO) has NGO Status with UNESCO. Therefore, in 2004/5, IFRRO submitted comments to the draft UNESCO Convention on the protection and promotion of the diversity of cultural expressions. In addition, we are cooperating with other intergovernmental bodies, including European Union institutions; Member States of those bodies are normally also associated with UNESCO. The cooperation includes initiatives to address the preservation of and access to cultural heritage and cumulative knowledge. As a part of the submission of its first quadriennial report, the European Commission has solicited input from NGOs with which it has relations, including IFRRO. IFRRO, with its 136 member organisations in 75 countries, links the collective management organisations in the text- and image-based sector – the Reproduction Rights Organisations (RROs) – and international and national associations of authors and publishers. One of IFRRO's core functions is to assist rightholders in maintaining viable local cultural industries in the pursuit of cultural diversity, inter alia by supporting adequate copyright laws, protecting copyright, and by facilitating access to copyright works through well-functioning RROs. Creators of intellectual property and viable copyright industries are prerequisites for cultural independence and diversity. They also provide invaluable contributions to the nations' well-being, economic growth and employment. There can be no flourishing local cultural industry without effective protection of copyright. IFRRO therefore embraces the emphasis placed on the protection of intellectual property rights in the Convention as a basis for cultural industries, as outlined in the Preamble of the Convention.

2/IFRRO was involved in the European Commission's i2010 Digital Libraries High Level Expert Group and its copyright subgroup, which developed tools to address preservation of and access to cultural heritage and cumulative knowledge, including orphan and out-of-commerce works. In September 2011, representatives of authors, publishers and collective management organisations, including RROs and IFRRO, and libraries signed a Memorandum of Understanding (MoU) on the digitisation and making available by libraries and other publicly accessible cultural institutions of works which authors and publishers have decided no longer to commercialise. ARROW, co-partnered by IFRRO, is another example where rightholders and their representative organisations, including RROs, are working together with libraries to simplify the management of rights information. ARROW is a system for the identification of rights, rightholders and rights status and the building of orphan works registries, which substantially reduces time and costs involved in information search. ARROW Plus implements the system in a number of new countries. IFRRO is also an active partner in stakeholder dialogues to facilitate access to works by persons with print disabilities: The TIGAR Project under the WIPO Stakeholder Platform has successfully started the transfer of files among authorised entities to provide books in accessible formats across borders. In Europe, the stakeholder dialogue established by the European Commission resulted in the signing of a MoU by the European Blind Union (EBU), European Dyslexia Association (EDA), Federation of European Publishers (FEP), European Writers Council (EWC), International Association of Scientific, Technical and Medical publishers (STM) and IFRRO in September 2010.

3/IFRRO is cooperating with UNESCO as well as other international, regional and sub-regional bodies to promote the protection of and facilitate access to intellectual property rights throughout the world. This includes co-financing activities developed within defined frameworks. Cooperation with UNESCO has focused on copyright awareness, capacity-building and enforcement activities. Among other things, several Anti-Piracy Training the Trainers (APTT) seminars for lawyers, judges, customs and police officers were organised between 2006 and 2009. The collaboration between IFRRO and the World Intellectual Property Organization (WIPO) has addressed education programmes, capacity-building, awareness-raising and assistance to the development of RROs to enhance legal access to copyright works and assist rightholders in protecting them from copyright infringement. With WIPO, the International Federation of Library Associations and Institutions (IFLA), the International Publishers Association (IPA) and author representatives (European Writers Council, International Authors Forum), IFRRO has since 2008 run a conference programme on the enhancement of a culture for books and reading. So far, they have been held in Bogota for Latin American countries, in Frankfurt (at the Frankfurt Book Fair) for European countries, and in Tokyo in conjunction with the Japanese year for reading for countries in Asia and the Pacific. The next conference will be for African countries and is scheduled to take place in Kenya in 2012. Even if the conferences are targeted towards a specific continent, they are open to and also attended by participants from outside the continent where the conference takes place. The cooperation with international and regional intergovernmental bodies comprises activities in and for developing countries, including in least developed countries, and also in Central Asia and Central and Eastern Europe. IFRRO and WIPO have also developed and run an education programme on copyright and management of rights for employees of national intellectual property offices and collective management organisations with the regional intergovernmental bodies African Regional Intellectual Property Organization (ARIPO), l'Organisation Africaine pour la Propriété Intellectuelle (OAPI), and el Centro Regional para el Fomento del Libro en America Latina y el Caribe (CERLALC). Together with its strategic partners, IFRRO works to raise awareness regarding the importance of the cultural sector and cultural diversity, and to promote enhanced access to copyright-protected works through developing and strengthening the necessary infrastructure for collective management organisations. This benefits both the owners and consumers of copyright and the society at large, and is of invaluable importance, not least to the educational sector. As a part of this, IFRRO provides education, capacity-building and mentoring programmes that enable partners to carry out, jointly or separately, courses for the training of the staff of collective management organisations worldwide.

3. U40 Network – Cultural Diversity 2030

<http://www.unesco.de/u40-programm.html?L=1>

c/o German Commission for UNESCO, Colmantstrasse 15

53115 Bonn, Germany

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+49-228-604 97-30

2012 Feb 14th, 11:29 AM

1/The U40 Network was set up to contribute to awareness-raising and good-practice exchange in the context of the 2005 UNESCO Convention. The Network's origins can be traced back to the Cultural

Diversity – Europe’s Wealth conference held in Essen in April 2007, organised by the German Commission for UNESCO in the context of the German EU Council presidency and the coming into force of the Convention (see <http://www.unesco.de/fkqv07.html?L=1>). An initial U40 group made of young European experts was set up on that occasion, which has expanded via international calls and a partnership with the International Federation of Coalitions for Cultural Diversity and other organisations thereafter. The Network currently gathers over 60 young experts across the world, approximately one third of whom are based in the EU or have the nationality of one MS of the EU. Even though the Network’s interests in the context of the Convention are broad (including culture and trade, international development, national and international cultural policies, etc.), the implementation of the Convention by the EU and the potential of the U40 Network, as a civil society network, to contribute to awareness-raising and innovation in Europe remain at the heart of the Network’s activities. This has been expressed in a number of discussions held in the framework of successive U40 seminars, which have also resulted in specific conclusions and recommendations.

2/The activities of the network mostly revolve around the exchange of information and knowledge, via the organisation of seminars, the promotion of national and regional working groups, the preparation and dissemination of publications and the management of a mailing list on issues related to the Convention. In addition, network members are often engaged in activities contributing to the diversity of cultural expressions in their own countries and regions as well as elsewhere. In particular, the following activities in the EU context can be noted: 1. Research and national networking. Members of the U40 Network have aimed to collect information on the implementation of the Convention in their respective countries. This has been presented in the network meetings, shared in the mailing list and often led to the design and implementation of activities in their respective countries. In addition, some network members have cooperated in the presentation of papers concerning the implementation of the Convention at major international conferences, including: - The 6th International Conference on Cultural Policy Research (Jyväskylä, Finland, August 2010); - The Anna Lindh Forum (Barcelona, Spain, March 2010); - The Study Day “5 Years After: the UNESCO Convention on the Protection and Promotion of the Diversity of Cultural Expressions at Critical Crossroads” (Brussels, Belgium, December 2010). 2. Organisation of seminars. The constitutive workshop of the European U40 group (Barcelona, September 2008, <http://www.unesco.de/3040.html?&L=1>) included a discussion session on the implementation of the Convention in the EU and a videoconference with Valérie Panis, who presented the European Commission’s views and activities in this context; an action plan was devised thereafter. The U40 World Forum (Paris, June 2009, <http://www.unesco.de/3201.html?&L=1>), which opened the membership of the network to non-European young experts and was held on the occasion of the 2nd Ordinary Meeting of the Conference of the Parties to the Convention, also addressed the implementation of the Convention in the EU. The meeting led to the drafting of the ‘Proposals for Cultural Diversity 2030’ (http://www.unesco.de/fileadmin/medien/Dokumente/Kultur/U40/EN_Proposal_U40_FINAL.pdf) and involved a Chatham-House Dialogue held at UNESCO, where the role of civil society was particularly discussed

(http://www.unesco.de/fileadmin/medien/Dokumente/Kultur/kkv/Conclusions_Chatham_House_EN_FINAL.pdf). The International Forum of U40-Fellows (Istanbul, October 2010, <http://www.unesco.de/4824.html?&L=0>) allowed participants to analyse international and national developments in the context of the Convention and to discuss the network’s ongoing activities, which have recently involved the setting up of active regional groups in Africa (Johannesburg, October 2011: <http://www.diversityconvention.co.za/>) and America (Montreal, May 2010: <http://www.cdc-cdd.org/U40-Ameriques-rencontre-de?lang=en>). One session specifically addressed the

implementation of the Convention in the external relations of the EU. 3. Publications. Following the aforementioned U40 World Forum in 2009, the German Commission for UNESCO (DUK) and the Asia-Europe Foundation (ASEF) cooperated in the preparation of a good-practice publication with contributions by U40 members from all around the world. The resulting book, Mapping Cultural Diversity: Good Practices from Around the Globe (DUK / ASEF, 2010; http://www.unesco.de/fileadmin/medien/Dokumente/Kultur/U40/Mapping_Cultural_Diversity_FINA_L.pdf), includes case studies and articles on Convention-related developments in Austria, France, Germany and Spain, as well as on several European projects (e.g the Compendium on Cultural Policies and Trends), on developments in candidate and neighbouring countries (Turkey, Ukraine, Moldova, Mediterranean cooperation) and on the cooperation of European governments and civil society organisations in third countries. The book has been presented in major international events and was launched during the 4th Ordinary Meeting of the Intergovernmental Committee (Paris, December 2010).

It may well be seen as one of the main publications addressing issues related to the implementation and the practical application of the Convention across the world.

3/The importance of ratification has been stressed in the documents resulting from the network's meetings, including documents released at the occasion of the constitutive meeting of the European U40 group (Barcelona, 2008) and the 'Network in Action – Improving the Visibility of the Convention' document approved in Istanbul, 2010 (http://www.unesco.de/fileadmin/medien/Dokumente/Kultur/U40/Engl_U40_NetworkInAction_FINA_L.pdf). This line of action is currently being pursued in particular by the U40 regional groups in Africa and the Americas. On the other hand, the U40 Network is working in close cooperation with National Commissions for UNESCO in the countries involved, the European Cultural Foundation and, mainly, the International Federation of Coalitions for Cultural Diversity, whose strategy involves an active contribution to the ratification of the Convention by countries that have yet to do so as well as the setting up of national coalitions where they do not exist. Currently, the U40 Network is elaborating a strategy to position itself for the future; thus, being able to sustain its awareness raising and capacity building activities. In 2012, the U40 Network will launch its own website providing relevant information on the Convention from all around the world. The website gives visibility to the Network, which is itself a method for raising awareness about the Convention. Moreover, the German Commission for UNESCO, as coordinator of the Network, will organize a U40 Workshop in Cairo, Egypt (November 2012) to strengthen self-organization of civil society in the Arab region and empower young experts to implement the Convention. At the same time, the workshop will promote further ratification of the Convention in the region.

4/As in other fields, the U40 Network's main contribution in the area of international development policy involves awareness-raising and information exchange. Meetings of the U40 Network have been preceded by an analysis by network members of developments related to the approval, the ratification and the implementation in their home countries. Network members have shared and compared their respective conclusions. This includes an analysis of public policies in the field of international development. This topic was also addressed in a number of articles within the aforementioned book, Mapping Cultural Diversity (2010; http://www.unesco.de/fileadmin/medien/Dokumente/Kultur/U40/Mapping_Cultural_Diversity_FINA_L.pdf).

2012 Feb 14th, 5:55 PM

4. GESAC (Groupement Européen des Sociétés d'Auteurs et de Compositeurs)

<http://www.gesac.org>

23 rue Montoyer - 1000 Bruxelles

Bruxelles - Belgique

02 511 44 54

02 514 56 62

1/GESAC links together 34 authors' societies in the EU, Norway and Switzerland, and as such speaks for more than 700 000 European authors and creators in the different fields of art: music, audio-visual and cinema, graphic and plastic arts, literature, theatre, etc. Collective rights management is important for cultural diversity. It ensures that authors are treated on a non-discriminatory basis, by enabling the smallest and least popular repertoires to access the market and by playing an important role in the promotion of local repertoires in the Member States. An extensive repertoire can be cleared through a single or small number of points of entry with complete legal certainty. GESAC followed closely the preparation and the adoption of the UNESCO Convention since its members strongly supports cultural diversity which is a cornerstone of the global economy and society: in the music field as well as audiovisual, graphic and plastic arts, literary and artistic works, consumers want the ability to choose from a wide range of different creative traditions and cultures to enjoy.

2/Most GESAC's members invest in new talent and culturally diverse content across Europe. They support cultural activities that promote and encourage cultural interaction between national and foreign creators. They try to find ways for their members to make their works known abroad and to bring them in touch with foreign artists in Europe for cultural interchanges. Information on the activities of GESAC's members can be found on their websites. Websites addresses of GESAC's members are accessible through GESAC's website: <http://www.gesac.org> As an illustration, you will find here below some examples of activities pursued by two GESAC members, BUMA the Copyright society for music authors in The Netherlands and AEPI, the Greek Copyright society for music authors in Greece. AEPI - Co-operation for organizing the European Music Day (June 21) in Greece. - Participation in MIDEM Expositions, getting information regarding music market trends and forwarding the collected information and contacts to Greek creators - Foundation of Hellenic Music Organization (OEM), a non-profit organization dedicated to the research and support of Hellenic music culture and its creators. AEPI has supported financially several cultural events and concerts of Greek and foreign artist both in Greece and abroad (either by sponsoring financially the events or by covering transportation & staying expenses), such as: - Sponsoring of Scholarships to Union of Greek Composers for two young classical composers to continue their studies abroad (academic years 2009/2010, 2010/2011) - Sponsorship of the participation of Greek group FILM in Music Festival in Iceland (Reykjavik 2010) - Sponsorship of music contest 48HOUR MUSIC PROJECT (2010) etc. BUMA Buma Cultuur is founded by the Dutch collecting society Buma. It supports and promotes Dutch music in both The Netherlands and key export markets. The foundation is also involved with a number of educational projects. Here are examples of initiatives supported by Buma Cultuur: - Amsterdam Dance Event (ADE) The international conference and festival for electronic music - ADE Next ADE's platform for new talent - Buma Music in Motion is a brand new event solely dedicated to the innovative use of music in media. - Buma Rotterdam Beats International music conference and showcase festival for hiphop, r&b, dubstep, soul and reggae - Eurosonic Noorderslag The European music conference and showcase festival Jazz Day the biggest Dutch jazz network event - Toonzetters the leading event for the composer and performer in contemporary music etc.

3/From the beginning, GESAC strongly supported the adoption and the ratification of the Convention by the EU and the Member States. In particular, through its members, GESAC has contributed to the mobilisation of the cultural sector in favour of the Convention. GESAC remit is to promote the collective management of rights which is an efficient tool to promote cultural diversity. tions of activities)

4/600 words maximum (whenever possible, make use of web links to present more extensive descriptions of activities)

5. TANIT- Association pour la culture et le développement durable dans la Méditerranée

154 rue du Faubourg Saint Antoine, 75012 PARIS

Paris/France

(0039) 333 74 19 203

2012 Feb 21st, 3:24 PM

1/TANIT, association for culture and sustainable development in the Mediterranean, is a cultural association made up of young European researchers and professionals working in the cultural sector, mainly based in Italy and France, who all think that culture plays a fundamental role for the sustainable development of societies. TANIT's members strongly believe that cultural and creative activities form constitutive part of society and belong to all people, both as individuals and members of a community. They are expressions of their history, constitute their cultural heritage, foster creation and innovation within communities, and enhance the dissemination of knowledge. Thus, by vocation, TANIT's members carefully look at all initiatives taken at the international, regional and national level dealing with culture, development and related issues. As representatives of civil society and aiming at spreading TANIT values and activities in Europe as well as in other regions of the world, they take active part to all international discussion fora. In particular, they have followed and still follow the works of the UNESCO Committee for the implementation of the 2005 UNESCO Convention and the Culture in Motion conferences promoted by the European Commission. Founded in 2010, TANIT has since the beginning tried to raise awareness of the 2005 Convention and tried to be inspired by the contents of this Convention in the development of its projects, researches and activities. Therefore, TANIT's members think that our contribution can be helpful for the outcomes of this questionnaire.

2/So far, TANIT's members carried on several research projects and study on issues referring to the interpretation and implementation of the 2005 UNESCO Convention. These studies take into account specific themes and problems and try to provide suggestions, practical solutions and policy-orientated documents. In particular, the research team developed studies on the following topics: - the relationship between the 2005 UNESCO Convention and other UNESCO Convention, in particular the 2003 Convention on Intangible Heritage: the aim of this study is to build and bolster a systemic approach to interpret and implement the Convention in a way that could ensure a stronger protection of cultural heritage in all its manifestations; - the mobility of artists from and into the EU: this research project was inspired by the EU ratification of the UNESCO Convention within the EU. It wanted to explore the likely impacts of this ratification on the mobility of artists. In particular, it tried to assess whether the EU could act as a positive actor to foster the mobility of artists from and into the Union, overcoming national barriers and more restrictive migration policies; - the enforcement of human cultural rights: this study argued that, although the 2005 UNESCO Convention is not an instrument directly enforcing human rights, its correct implementation is strictly connected to the respect of

cultural rights. The study provides an interpretative key for the implementation of the Convention. The results of these researches are made public and available for public and private consultations, in order to help the greatest audience to know and understand better the contents of the Convention. They have been presented and discussed in seminars and conferences.

3/As a young cultural association mostly composed by university researchers, TANIT has mainly contributed to the promotion of the Convention within the Italian and French contexts, as well as in other national contexts with whom TANIT has, so far, cooperated. In all works, TANIT's members always recall the importance of ratifying the Convention and make its content public and accessible at all levels (local, national, regional / private and institutional). TANIT's members also invite all ratifying States to translate the Convention into national languages, as well as minorities' languages (when they are present in the Country). This promotional and raise-awareness activities took place at the different stages of cooperation, with Universities, research networks and by working as tightly as possible with national public institutions.

4/The study on the mobility of artists focused on issues and obstacles affecting the mobility of artists coming from developing countries. We looked at some case studies and national practices and tried to provide suggestions. More generally speaking, TANIT's researchers always look at the practice of States in the field of cooperation. In effect, TANIT's researchers are developing a section (available soon on TANIT's website) that will focus on the Convention and its implementation, specifically in the Mediterranean area. This section will present a wide range of researches analyzing specific aspects of the Convention and cultural diversity, as well as main steps about the implementation of the Convention. Its aim is to give visibility to what has been done in this specific geographic area for the implementation of the Convention. This platform aims to present the main tools that professionals of the cultural sector could use for implementing at best the Convention (the fund, culture for development indicators...).

6. Euromedinculture(s)

www.euromedinculture.org

c/o ADCEI – 18 rue Jules Moulet

13006 Marseille, France

+ 33 (0)4 91 33 65 0

2012 Feb 22nd, 10:00 AM

1/The Euromedinculture(s) network brings together public authorities, universities, research centres and NGOs from European and Mediterranean countries, with a common interest in the promotion of mutual understanding and cultural cooperation in the Euro-Mediterranean space. The network was initiated in 2004 and has developed several projects in the fields of information, citizen participation and cultural exchange since then. It became a formal association in 2009. Euromedinculture(s) currently involves 29 partner organisations from 21 countries, including 13 Member States of the EU. Because of its interest in North-South and South-South cooperation in the Euro-Mediterranean space, the network has directly or indirectly addressed the implications of the Convention in a number of occasions, including the citizen consultation exercises in the context of the Euromedinculture(s) Citizenship project (2009-11) and the ongoing Arts Forum, a project aimed at facilitating cultural cooperation in the Mediterranean space.

2/The main activities carried out by Euromedinculture(s) in fields relevant to the Convention 2005 can be summarised as follows: 1. Education and awareness-raising. Implemented between 2009 and 2011 with support from the European Commission in the context of the ‘Europe for Citizens’ programme, the Euromedinculture(s) Citizenship project (http://euromedinculture.org/index.php?option=com_k2&view=itemlist&layout=category&task=category&id=18&Itemid=348 =fr) involved citizen consultation exercises in over a dozen countries within the EU, the rest of Europe and Mediterranean partner countries. The project took 2007’s European Agenda for Culture as its starting point and aimed to bring it closer to citizens, who were invited to provide views and recommendations via online surveys and public events. In this context, the place of culture in the external relations of the EU, with a particular focus on the Euro-Mediterranean context and the difficulties identified herein (visas, funding, information, etc.), were one central area of interest. Recommendations produced at the end of phase 1 in 2009 explicitly referred to the Convention as a document inspiring future policies and the network’s own activities, whereas the final document of Phase 2 in 2011 addressed issues such as the integration of culture in international development policies and the facilitation of mobility for artists and culture professionals from developing countries. Over 3000 participants from 9 countries in Europe and the Mediterranean were involved in consultations in 2009, whereas over 4000 participants from 12 countries took part in 2010-11. 2. Mobility of artists and diversity in cultural relations. One of the aims of the Euromedinculture(s) network is to foster artist mobility and cultural exchange in the Euro-Mediterranean space, with a particular emphasis on dissemination opportunities for artists from the Middle East and North Africa and the organisation of meeting spaces and co-productions for artists and culture professionals from different countries in the region. Relevant activities in this field include the network’s active involvement in the Rencontres artistiques méditerranéens du Var in 2009, 2010 and 2011, an initiative of the Conseil Général du Var, France, which have seen Euromedinculture(s) organise both public debates and presentations by artists from across the Mediterranean (http://euromedinculture.org/index.php?option=com_k2&view=itemlist&layout=category&task=category&id=180&Itemid=658 =fr). In addition, in 2011-13, several partners of the Euromedinculture(s) network are involved in a project entitled ‘Euromedinculture(s) Arts Forum – Partages et créations’, which aims to enable the presentation of Mediterranean artistic productions in different countries and to facilitate professional meetings among artists and cultural professionals from both sides of the Mediterranean basin. To this end, a number of public and professional events will take place in the EU, North Africa and the Middle East over this period. The project is supported by the European Commission in the context of the Culture Programme’s promotion of cultural cooperation with third countries (http://euromedinculture.org/index.php?option=com_k2&view=item&layout=item&id=384&Itemid=657 =fr). 3. Capacity-building in developing countries. Over the years, partners of the Euromedinculture(s) have taken part in activities in the field of youth, including the exchange of young artists and cultural professionals in the Mediterranean area through the European Voluntary Service and Leonardo. This has allowed young professionals from North Africa and the Middle East to develop their capacities in the cultural field and return to their countries to foster the development of the creative sector. For additional information, see http://euromedinculture.org/index.php?option=com_k2&view=itemlist&layout=category&task=category&id=17&Itemid=196 =fr.

3/The Euromedinculture(s) network is not directly involved in activities aimed at the ratification of the Convention. On the other hand, recommendations produced in the context of the Euromedinculture(s) Citizenship project (see above) have aimed to enhance the implementation of the Convention’s principles and objectives by the EU and its Member States, in particular in the field of culture and

external relations. Other recent activities, such as the Arts Forum held in Tunis in December 2011 (http://euromedinculture.org/index.php?option=com_k2&view=item&layout=item&id=361&Itemid=661 =fr), have explored the interaction between political change and cultural development, thus addressing the cultural policies that are relevant for sustainable and democratic development, including the recognition and promotion of cultural diversity.

4/The Euromedinculture(s) network does not actively monitor public policies in the field of culture and development cooperation. However, several of its members are involved in information exchange in the field of culture and international relations in Europe and the Mediterranean and this influences the design and implementation of projects by the network.

7. Interarts Foundation for International Cultural Cooperation (Interarts)

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1/In the context of its regular monitoring of and participation in international processes in the field of cultural policy and human development, Interarts followed the developments that led to the approval of the Convention at UNESCO in 2005. Interarts' Director attended, as part of the Spanish delegation, two of the preparatory meetings held at UNESCO and the issue was discussed at events organised by Interarts, including the 4th Euro-American Campus on Cultural Cooperation (Salvador de Bahia, Brazil, September 2005). Following ratification, Interarts has strived to raise awareness of the Convention in public events and information resources and to analyse its implications in publications and contributions to international discussions. In 2009-2010, the organisation also coordinated the production of an educational kit for secondary school students addressing the diversity of cultural expressions, on behalf of UNESCO (see www.diversidades.net). Additional information about the specific activities undertaken is presented hereafter. Because of its involvement in cultural cooperation policies and its interest both in the cultural policies of the EU and in policies in the field of culture and international development, the organisation feels concerned by this consultation exercise.

2/The main activities carried out by Interarts in fields relevant to the objectives and principles of the Convention can be summarised as follows: 1. Support to diversity and distribution of cultural goods and services. In the context of its work in the field of culture and human development, Interarts has designed and implemented a range of projects supporting the development of cultural and creative start-ups in developing countries (Colombia, Honduras, Peru, Senegal, Niger). The FOMECC Programme for the Promotion of Cultural and Creative Enterprises (www.fomecc.org), carried out in cooperation with local partners in the countries of implementation and supported inter alia by the Spanish Agency of International Cooperation for Development (AECID), provides incubating spaces, training and professional advice and aims to generate an 'enabling environment' for cultural and creative products, including their access to national and international markets. A mapping study of the potential for the development of the creative industries in 7 West African countries was carried out in 2009-10, following field visits and consultations with a large number of stakeholders. 2. Support to

international cultural cooperation. Through information channels, such as the monthly e-newsletter Cyberkaris (<http://www.interarts.net/en/newsletters.php>), and the provision of networking spaces in public events, one of Interarts' main aims is to facilitate international cultural cooperation, with one special focus on cultural relations between Europe and other world regions. Relevant public events where the Convention has been discussed include the Euro-American Campuses on Cultural Cooperation (7 editions of which have been held since 2000, including 3 since the coming into force of the Convention; the event is organised in cooperation with the Organisation of Iberoamerican States and AECID – see www.oei.es/euroamericano/) and the Euro-African Campus on Cultural Cooperation (one edition held in Maputo, Mozambique, in 2009, in cooperation with the Observatory of Cultural Policies in Africa – see <http://www.interarts.net/en/encurso.php?pag=2&p=289>). Interarts has also hosted a number of smaller seminars in Barcelona where the issue has been addressed.

3. Education and awareness-raising regarding the Convention. In 2009 Interarts was asked by the UNESCO Secretariat to coordinate the production of an educational kit aimed at raising awareness about the principles and values of the Convention among teenagers in Spanish-speaking countries (particularly in Latin America). The resulting tool, prepared in cooperation with the UNESCO Chair on Cultural Policies and Cooperation at the University of Girona, was aimed both at formal and non-formal education contexts and made available as a booklet + CD and as a downloadable material (www.diversidades.net). Awareness-raising is also pursued via the information channels and public events described above. Finally, two programmes designed and implemented by Interarts ('Improving Sexual and Reproductive Health through the Integration of a Cultural Approach' and 'Promotion of Cultural and Creative Industries (FOMECC)') were included in the collection of good practices in the field of culture and development produced by the European Commission and the Belgian Presidency of the EU in 2010 (<http://www.culture-dev.eu/pdf/fr/BD-Unesco-EN-DE.pdf>).

4. Research. Since the coming into force of the Convention, a number of articles and papers have been prepared by Interarts' staff to address its implications. Relevant references include the following: - Jordi Baltà Portolés, "The Implementation of the UNESCO Convention on the Diversity of Cultural Expressions in the EU's External Policies" (Brussels: Directorate General for Internal Policies of the European Parliament, 2010), IP/B/CULT/IC/2010_065. Available at www.europarl.europa.eu/activities/committees/studies/download.do?language=en&file=31351; - Martí Petit, Jordi Baltà Portolés, Laura Gómez Bustos and Núria Reguero, 'An International Laboratory for Diversity: The Catalan Law of Cinema'; and Jordi Baltà Portolés and Friederike Kamm, 'Culture and Creativity for Social and Economic Growth: the FOMECC Programme of the Interarts Foundation in Colombia, Honduras, Peru and Senegal', both articles included in Anupama Sekhar and Anna Steinkamp (eds.), Mapping Cultural Diversity: Good Practices from Around the Globe (Bonn / Singapore: German Commission for UNESCO / Asia-Europe Foundation, 2010). Available at http://www.unesco.de/fileadmin/medien/Dokumente/Kultur/U40/Mapping_Cultural_Diversity_FINALE.pdf.

5. Networking. Over the years, Interarts has taken part in a number of international networks where the direct or indirect implications of the Convention in fields such as international cultural cooperation, cultural policy and the integration of culture in human development policies have been addressed. Relevant initiatives include the U40 Network 'Cultural Diversity 2030' (<http://www.unesco.de/u40-programm.html?&L=1>), Culture Action Europe (www.cultureactioneurope.org), Euromedinculture(s) (www.euromedinculture.eu), the Anna Lindh Foundation (www.euromedalex.org) and the Capacity4dev.eu platform (www.capacity4dev.eu).

3/Interarts is not directly involved in activities aimed at promoting the ratification of the Convention. On the other hand, activities aimed at raising awareness and exchanging information and knowledge in

fields relevant to the Convention, as described above, may indirectly contribute to enhancing the implementation of policies and measures which are in line with the Convention's objectives.

4/Even though a systematic monitoring of public policies is not carried out, Interarts regularly collects documentation and information on international, national and local activities in relevant fields, including cultural policy development, the strengthening of the cultural and creative industries and capacity-building for artists and culture professionals in developing countries. In addition, relevant North-South and South-South cultural initiatives contributing to human development are also collected and analysed. Evidence gathered thereby is regularly used in information, training and awareness-raising activities and may occasionally lead to specific research materials.

8. EBU (European Broadcasting Union)

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2012 Feb 22nd, 10:21 AM

1/The EBU represents 85 national public service broadcasting organisations in 56 countries in and around Europe. The EBU welcomes the opportunity to respond to this European Commission questionnaire. The EBU and its member organisations have long been, and remain, actively involved in the promotion of cultural diversity at national, regional and international levels. The EBU strongly supported the initiative for a UNESCO Convention, not least because the protection and promotion of cultural diversity and media pluralism are an important factor in the European audiovisual model, and an integral part of public service remits of public service broadcasting in particular. The EBU participated already in the preparatory work of the UNESCO Universal Declaration on Cultural Diversity of 2 November 2001. Later on, it took an active part in the drafting process of the UNESCO Convention (see in particular its position paper of May 2005 commenting on the consolidated text of April 2005 that preceded the adoption of the Convention: <http://www.ebu.ch/en/legal/position/index.php>). From a broadcaster's perspective, the most important aspects in the Convention are: - the recognition of the specific role of public service broadcasting in enhancing diversity of the media as mentioned in Article 6 (h) of the Convention; - the acknowledgement of the need to ensure freedom of thought, expression and information, as well as diversity of the media to enable cultural expression to flourish within societies; - the introduction of binding standards for cultural policies that should lead to a balanced treatment and interlinking between cultural and trade policies at international scale with no subordination of cultural aspects to trade agreements; - and the principle of technological neutrality.

2/Public service media in Europe are the main producers and the main commissioning bodies for European programmes reflecting the diverse cultural identities of the Continent. EBU members invest on average 10 billion Euros a year in original European content and currently have 28 million hours of programming in their archives. They are also the largest users of subtitling, dubbing and co-productions as tools to enhance cultural dialogue and circulation of works across borders. Thanks to their funded productions most of the EU countries are able to fulfill their quotas of European works

obligations as defined in the European Audiovisual Media Services directive (2010/13/EU). In addition, freedom of expression and access to varied sources of information is part of public service media internal rules of governance so that cultural diversity is reflected in their news and other programmes. Public service broadcasters in Europe are also the main producers of programmes about societal and cultural issues. As part of their public service remit, they are committed to pay special attention to social and cultural needs of ethnic and linguistic minorities, as well as migrants. To name a few, ORF in Austria or HRT in Croatia have dedicated newsrooms for and about historical minorities in their countries. EBU member organisations also pay specific attention to disabled persons through special formats for visually-impaired and other specific tools to favour social inclusion for all. The EBU has created a number of tools to protect and promote cultural diversity among its members and in partnership with other organisations. At the core of its general activities, the EBU news exchange, Eurovision and Euroradio networks support and coordinate the sharing of content in and around Europe. Currently more than 40 broadcasters from 30 countries participate in these daily exchanges of content and culture. The EBU organizes international media conferences about cultural diversity. It has already organized four of them: in Germany (2006), in France (2007), in the Netherlands (2008) and in Belgium (2010). The EBU coordinates also the Radio Day of European Cultures organised jointly with Prix Europa and held under the patronage of the European Parliament and the Council of Europe, which takes place every two years and gathers some 90 public service radio channels for this full day of pan-European cultural programming. More specifically, the EBU supports and provides the secretariat for the Eurovision Intercultural and Diversity group (http://www.ebu.ch/CMSimages/en/InterculturalDiversity_Group_tcm6-41166.pdf), which gathers a dozen public service broadcasters and works towards reflecting the cultural diversity of our societies in their programming, and promoting values of tolerance and mutual respect both on- and off-screen. In addition to exchanging programmes, raw material and information, the group carry out common production activities. They co-produced several series of documentaries: Muslims in Europe, (delivered in 2007, co-produced by organisations from 10 countries); Roma people in Europe, (2010, 11 participating countries); and Inside Offside (two series in 2006 and 2010 on social inclusion through sport, which involved respectively 6 and 8 countries). The Eurovision Intercultural and Diversity group is encouraging the transfer of knowhow and competencies through professional training to ensure that media are not only made for all, but also by all. A training handbook for journalists, the “Diversity toolkit” (http://www.ebu.ch/en/union/under_banners/Cultural_Diversity_2010.php?display=EN), was conceived and developed with the support of the European Social Fund and the Fundamental Rights Agency of the European Union in coordination with the International Federation of Journalists. First published in 2007 in English, it is now available in 12 languages and is used by broadcasters, schools, training centres, and NGOs in the media field. Most public service media organisations have also set up their own professional training programmes like the WDR Boundless Academy in Germany, based on a contest for young filmmakers from all over the world or YLE Mundo project in Finland linking programming, training and hiring of people with an immigration background. Finally, as part of the World Broadcasting Union, the EBU cooperates closely with ASBU (Arab States Broadcasting Union), AUB (African Union of Broadcasting) and ABU (Asia-Pacific Broadcasting Union) through cooperation projects. Individually, a number of public service media take also part in co-production projects as part of cooperation activities with developing countries.

3/The EBU is committed to ensure full implementation of the UNESCO principles. The EBU has regularly called upon all its Members to encourage governments to ratify as soon as possible the UNESCO Convention, in order for it to become an effective instrument in international negotiations, and especially in the trade negotiations. This concerns not only European Member States (all of which

have now ratified the Convention, except for Belgium), but also other countries where public service media organisations are members of the EBU (the EBU is notably calling on its members in Algeria, Israel, Libya and Morocco to act in favour of the ratification of the Convention by their national authorities). The ratification of the Convention is all the more important for those EBU members in countries that are not part of the European Union or of the Council of Europe, and therefore not protected by EU or CoE legal instruments, where public service media activities may be threatened by clauses in bilateral or multilateral trade agreements against measures considered to be unduly protectionist in the cultural sector. The international media conferences about cultural diversity that were organized at the initiative of the EBU (above mentioned under question 2) were also aimed at supporting the UNESCO Convention and its ratification by national authorities. This was clearly reflected in the communications around the events (http://www.ebu.ch/CMSImages/en/PR_Essen%20conference_26.04.07_EN_tcm6-50814.pdf), and the conference in Paris in 2007 together with France Télévisions was even organized in cooperation with the UNESCO. More recently, in 2010 the EBU published a report on cultural diversity “Public media delivering on diversity” which underlines the importance of cultural diversity and put emphasis on the UNESCO Convention. In addition, some EBU members, notably in France, Germany or Switzerland, are founding members of national Coalitions for Cultural Diversity and play an active role in promoting the implementation of the Convention provisions in all relevant projects and policies in their own countries.

4/As part of a cooperation agreement between the EBU and UNESCO, the EBU and its members provide the UNESCO Institute for Statistics with their data in the audiovisual field. As an organisation with observer status at UNESCO, the EBU participates in all Conferences of the parties to the UNESCO Convention. The EBU is also part of a coordinated action of the civil society that contributes to consultations and makes suggestions on the monitoring and the implementation of the Convention. The EBU would encourage the presence of civil society representatives in all future negotiations of agreements on those specific parts dealing with cultural diversity and the audiovisual sector in particular. This would certainly contribute to ensuring that measures aimed at integrating culture are introduced as a strategic element in trade negotiations and development cooperation policy. At Community level, the EBU considers that the UNESCO Convention principles should be taken into account and reflected in all EU relevant policies. The EBU brings attention to these principles in submissions to consultations on European policy issues. The EBU is a member of the European cultural and creative industries platform. This civil society platform, originally set up by the European Commission, issued joint recommendations in 2011 and continues the work towards better recognition of the cultural and creative sector and cultural diversity at European level. In this respect, it recently called on the European Commission and the Council to give the new Creative Europe programme a sufficient budget and adapted support schemes. As regards trade negotiations between the European Community and other parties, the EBU welcomes the fact that the European Union has preserved the capacity, for itself and for the Member States, to define and implement cultural policies for the purpose of preserving cultural diversity. This has been achieved in international trade negotiations by notifying MFN (most favoured nation) exemptions and by consistently refraining from making specific commitments on market access and national treatment in cultural services, in particular in the audiovisual sector. It is of great importance that the EU should continue to pursue this approach, and in a technological and platform neutral way. There needs to be the same protection and scope for cultural and audiovisual policies online as there is offline. The EBU appreciates that the protocols on cultural cooperation included in trade agreements (EPAs, FTAs and AAs) are based on the principles and definitions of the UNESCO Convention. However, where cultural cooperation protocols are negotiated together or attached to trade agreements, there is always a risk of undue pressure or

detrimental trade-offs between cultural and economic aspects and objectives. For that reason, such protocols should be negotiated in a clearly separated way, with distinct procedures from those applying to trade agreements. This should not pose a problem where all the other parties have ratified the UNESCO Convention. The protocols also need to be adapted to each specific agreement, taking into account the needs and interests of the cultural and audiovisual sectors of all parties. Finally, the EBU supports the approach developed by the Commission to strengthen international cooperation in the field of culture. The EBU considers that such measures and policies should also be reinforced as part of the EU's neighbourhood policy, in line with the new Article 8 TEU (Treaty on European Union) introduced by the Lisbon Treaty.

9. European Council of Artists

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2012 Feb 22nd, 12:43 PM

1/250 words maximum The European Council of Artists (ECA) was part of a group of NGO's that in 2001 in the context of the ongoing free trade negotiations within WTO launched the idea of creating an international instrument in order to manifest the twofold nature of cultural goods and services, and to protect the cultural diversity that they stand for. During the subsequent years parallel processes among a group of Culture Ministers and cultural NGOs were channelled into UNESCO's domain, resulting in the adoption of the UNESCO Convention for the Protection and Promotion of the Diversity of Cultural Expressions in October 2005. ECA as an international umbrella took an active part in the process by distributing information to its national members, commenting the various drafts, putting proposals forward etc. For ECA members, representing interdisciplinary artists' councils and artists' organisations in 26 countries, the scope of the Convention is of fundamental concern as it – among other things – aims at securing a positive environment for artistic production and performance by related provisions in trade agreements and by an increased and simplified mobility of both artists and their works.

2/700 words maximum (whenever possible, make use of web links to present more extensive descriptions of activities) ECA has monitored the work in the Intergovernmental Committee for the Convention, among others on the elaboration of operational guidelines, and for example made an intervention a few years ago in favour of a proposal from the Austrian delegation concerning article 14. Concerning the European arrest warrant and its negative effects on artists and artistic freedom of expression, ECA started an (so far unsuccessful) initiative in the European Parliament with reference to the provisions of the convention. ECA finds that several of the principles listed in the UNESCO Convention for Cultural Diversity are of great importance for the artistic community and therefore can often use the Convention as an advocacy tool in the contexts of the European cultural cooperation and also in other policy areas affecting the artists, such as audiovisuals and media, trade, internal market, competition and information technology.

3/500 words maximum (whenever possible, make use of web links to present more extensive descriptions of activities) ECA as soon as November 2006 organised its annual conference round the topic "Rights and Wrongs - the UNESCO Convention for the Protection and Promotion of the

Diversity of Cultural Expressions - one year after". ECA did its best to advocate the fast ratifications in the view of the fact that the first 30 ratifications would enable the Convention to come into force. During the said autumn, political procedures were implemented in most European countries, and the conference aimed to raise the consciousness of the national delegates and provide them with arguments for action on national level. The magic number of 30 was reached when 14 EU-countries ratified the Convention in December 2006. In August 2010, Czech Republic was the last EU-country to ratify, after persistent lobbying from ECA member RUO and other Czech NGO's. ECA member organisations have subsequently monitored the state of implementation of the Convention in their countries and examples of good practice have been distributed within the network, while lack of implementing activities in some countries has also been noticed.

4/600 words maximum (whenever possible, make use of web links to present more extensive descriptions of activities) ECA has at several occasions addressed this issue for example in connection with intervention concerning the operational guidelines for article 14, when ECA argued for the importance of supporting the establishment of structures for the efficient management of Intellectual Property Rights in the developing countries, with the aim to improve the chances for artists to make a living from their art. Working together with two other NGO's (Freemuse and European Live Music Forum), ECA has published Visas - the Discordant Note, a white paper on visa issues and artists mobility. The white paper documents the consequences of restrictive and poorly coordinated European policies for integration for third country artists as well as European event organisers. It was distributed to both European and national authorities including home and foreign affairs departments, and ECA has noted some positive influence on last years' revision of guidelines for the staff at EU representations. However, many difficulties remain, and ECA is going to continue to address the issues involved. Another issue that ECA aims to address is education of culture attachés and other staff at representations and embassies in third countries. There exist several examples of individuals who due to their knowledge and commitment have made a difference, when it comes to integrating culture in development cooperation. Finally yet importantly, some ECA members have taken an active part in the elaboration of national development strategies incorporating culture and these examples of good practice will be circulated within the ECA network.

10. ICMP (International Confederation of Music Publishers)

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2012 Feb 22nd, 5:30 PM

ICMP (International Confederation of Music Publishers) is grateful for the opportunity to contribute to the preparation of the First Quadriennial report of the European Union on the implementation of the 2005 UNESCO Convention on the Protection and Promotion of the Diversity of Cultural Expressions. We have taken the liberty to answer in this format, as there are some parts in the questionnaire that we are not in a position to answer but we wanted, nevertheless, to lend our support to the European Commission's commitment to preserve and promote the diversity of cultural expressions. ICMP is the world trade association representing the interests of the music publishing community internationally. Constituent members of ICMP are music publishers' associations from Europe, Middle East, North

and South America, Africa and Asia-Pacific. Included are the leading independent multinational and international companies and regional and national music publishers, mainly SMEs, throughout the world. Music is an integral part of our cultural heritage and is considered to be capable of representing a specific society as one of the paramount expressions of its culture. By its very nature, music can easily transcend national borders. However, if a true diffusion of culture is to take place, investment and promotion are essential. Music publishers provide a bridge between the creative process and the market discovering, nurturing, developing and promoting composers and ensuring that their works find a commercial outlet. This is part of the role of music publishers. Music publishers have a long tradition of promoting cultural diversity, are particularly supportive of local culture and have effective means of transferring the songs they represent to a larger cultural community. Music publishers most notably have contributed to diversity by taking memorable melodies and recasting them in other languages to provide accessibility to broader markets. ICMP strongly supports the UN Convention on the Protection and Promotion of the Diversity of Cultural Expressions and its recognition of cultural diversity as a source of exchange, innovation, creativity and common heritage that is beneficial for present and future generations. In particular we support the Convention's affirmation of the importance of IP rights in sustaining those involved in cultural creativity, and call for its implementation at all levels. ICMP has contributed to a wide range of consultations aimed at preserving Europe's rich and diverse cultural heritage and making it available to all. In particular, ICMP responded and been party to the European Digital Library project, Europeana, Audiovisual, Music/Sound and Text Sectors -Specific Guidelines on Due Diligence for Orphan Works and was a signatory to the EU Memorandum of Understanding of June 2008. We acknowledge that, in the Internet age, innovative solutions are needed in order to maximise the benefits of cultural and creative industries. Therefore, ICMP believes that the digitisation of creative and cultural industries is of paramount importance (most publishers are already engaged in the digital production and distribution of both existing and newly-created works). Music publishers will continue to play their part in promoting cultural diversity by bringing music of all kinds and from all backgrounds to the market. However, the music publishing business currently faces hurdles in its attempts to promote musical cultural diversity and expression. With little or no state aid, the music industry must operate on a commercial basis. To invest in new markets and promote new emerging talent, a secure legal framework needs to be in place with strong IP laws in all markets. Above all, copyright - the ability of composers, lyricists and performers to benefit financially from their life's work and passion - must be upheld. ICMP calls on cultural institutions, international and national regulators to support cultural diversity both at political and policy levels and through funding of the musical arts. Cultural diversity has been recognised as a catalyst for innovation and creativity which together constitute the most important assets for growth. ICMP continues to advocate in favour of reduced VAT rate for cultural products (including music discs and online music). Not only would this be consistent with EU policy, which acknowledges the crucial role of the creative sector in driving growth and employment in Europe, but it would also improve access to culture. ICMP would like to state that IP theft remains the single most important critical issue for our sector. A policy aimed at fostering creation and dissemination of existing and new cultural creations must therefore address this effectively. We remain at your disposal should you require any further information.

11. Europa Nostra

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2012 Feb 22nd, 5:48 PM

1/En tant que fédération européenne du patrimoine culturel et voix de la société civile pour le patrimoine culturel, Europa Nostra collabore officiellement de longue date avec l'UNESCO et l'Union européenne. Europa Nostra a suivi dès le début les préparatifs et les développements de la Convention 2005 avec grand intérêt. Elle a pris part notamment à la séance d'information organisée par la DG Education et Culture en juillet 2005 sur les négociations autour de la future Convention. Dès avant son adoption par la Conférence Générale de l'Organisation des Nations Unies pour l'éducation, la science et la culture, Europa Nostra a fait part, au Directeur Général de l'UNESCO, de son entier support à la Convention préliminaire, et en particulier à l'article 11 concernant la participation de la société civile. Europa Nostra a également participé à la réunion «Le rôle et la participation de la société civile dans la mise en œuvre de la Convention sur la protection et la promotion de la diversité des expressions culturelles : échanges entre la société civile et les Parties à la Convention», organisée au siège de l'UNESCO à Paris en juin 2008. La mission d'Europa Nostra est de promouvoir et de protéger le patrimoine culturel et naturel qui constitue le reflet tangible de la diversité des expressions culturelles. La préservation et la mise en valeur du patrimoine est donc directement et automatiquement lié à la protection et la promotion de la diversité des expressions culturelles. Il est donc évident qu'Europa Nostra soit concernée par la Convention 2005 et le présent questionnaire.

2/De par son existence, sa mission et ses activités, Europa Nostra contribue à la mission et à la mise en œuvre de la Convention 2005. Elle facilite, par le biais du patrimoine culturel et naturel, la coopération culturelle au niveau européen et international. En 2008, année européenne du dialogue interculturel, Europa Nostra a consacré sa revue annuelle au thème du « Patrimoine, miroir de l'Europe interculturelle » et y a rassemblé de nombreux articles de provenance diverse traitant du sujet. En 2010, le Forum Europa Nostra organisé dans le cadre du Congrès annuel 2010 d'Europa Nostra à Istanbul, en coopération avec l'Université Mimar Sinan d'Istanbul et l'Agence Istanbul 2010, avait pour sujet « Identités multiples, patrimoine commun ». Ce thème a été discuté par une large variété d'orateurs de toute l'Europe représentant la société civile et les autorités publiques. Le Forum s'est conclu par l'adhésion des participants au « Manifeste européen pour la multiple appartenance culturelle » rédigé par un groupe d'experts sous les auspices du Conseil de l'Europe. Une traduction turque a été réalisée par le comité organisateur local pour l'occasion. <http://www.europanostra.org/news/104/> En juin 2011, le lancement de l'Alliance européenne du patrimoine 3.3, constituée de 27 réseaux et organisations actifs dans le champ élargi du patrimoine culturel, contribue également de par son existence même à la promotion et à la protection de la diversité des expressions culturelles via le patrimoine culturel. Cette Alliance, coordonnée par Europa Nostra, tire son nom de l'article 3.3 du Traité de Lisbonne qui stipule que l'Union européenne « respecte la richesse de sa diversité culturelle et linguistique, et veille à la sauvegarde et au développement du patrimoine culturel européen. » Cette Alliance préconise la nécessité d'une stratégie européenne pour le patrimoine culturel et naturel. <http://www.europanostra.org/news/164/>

12. European Coalitions for Cultural Diversity

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2012 Feb 22nd, 6:01 PM

The European Coalitions for Cultural Diversity are pleased to contribute to this consultation and would like to thank the European Commission for this opportunity. During their last meeting in Brussels on January, the 30th, the European Coalitions decided to reply to this consultation not on the online form but by a free contribution. Indeed, they considered that the focus made by this questionnaire on the actions of the civil society for the implementation of the 2005 UNESCO Convention was interesting and necessary but insufficient. The opinion of civil society on the implementation of the 2005 UNESCO Convention by the European Institutions is equally important and should be taken into account in the report to be in full compliance with the “framework for quadriennial periodic reports”: <http://www.unesco.org/new/fileadmin/MULTIMEDIA/HQ/CLT/pdf/Conv2005-Periodic%20reports-Framework-En.pdf>. Consequently, you will find below a presentation of the actions of the European Coalitions relative to the implementation of the Convention (I) as well as its comments on the European Union’s policies in favor of Cultural Diversity (II).

I. THE ACTIONS OF EUROPEAN COALITIONS FOR CULTURAL DIVERSITY

Presentation

By the end of the 90’s, associations regrouping professional cultural organizations (cinema, television, publishing, music, graphic and plastic arts, multimedia) were established in Europe and Canada in order to defend cultural diversity in the context of international trade negotiations. They developed advocacy actions so that Member States are aware of the issue of the diversity of Cultural expressions and they adopted an international text to protect the right of every Member State to maintain and develop cultural policies. In 2005, whereas the UNESCO Convention was to be adopted, Coalitions for cultural diversity in Belgium, France, Germany, Italy, Ireland, Slovakia and Spain decided to create an alliance: the 2 European Coalitions for Cultural Diversity (ECCD). Its purpose is to contribute to the Convention’s implementation in Europe by keeping the European Institutions informed on the concerns and recommendations of the cultural sector and by monitoring its respect by the European Institutions. Given the history and actions already carried out by the ECCD in favour of promoting cultural diversity of expression, the ECCD is particularly concerned by this consultation.

Activities

At the European Level

As indicated above, the action of the alliance of European Coalitions for Cultural diversity is mainly focused on the monitoring of the European Union Institutions activities. This association remains vigilant on every action or policy which could have an impact on the diversity of cultural expression, be it the trade, the competition, the culture or the internal market policy. The purpose of the alliance is to act as a watchdog and to fully inform and if necessary alert the opinion, the press, the European Parliament, etc. when it deems a European decision could have a detrimental impact on cultural diversity or is in contradiction with the principles of the UNESCO Convention. Beyond this role, the purpose of this alliance is to issue recommendations for a better respect and integration of Culture and Cultural diversity into the European Policies and to undertake awareness-raising actions on the importance of the 2005 UNESCO Convention. To this respect, the European Coalitions for Cultural Diversity organized in Brussels on January, the 31st a Conference named “*Culture : an added value for Europe*” with authors, cultural experts and MEPs. It put emphasis on five proposals:

-to reinforce the financing of cultural programs initiated by the European Union;

-to ensure cultural priorities are properly observed in European internal market, tax, trade or competition policies;

-to guarantee that the 2005 UNESCO Convention on the Protection and Promotion of the Diversity of Cultural Expressions is respected in the trade negotiations conducted by the European Union;

-to adapt the system of taxation to the digital era;

-to prevent operators outside the European Union from circumventing the national cultural policies set up in Europe.

The actions lead on behalf of the European Coalitions are completed by the activities of every European Coalition on a national and/or international level.

At the national level :

Each of the 13 European Coalitions, grouping cultural associations of their country, remains vigilant on the actions of its government and Parliament on cultural diversity of expression. As for the European level, the national activities of the Coalitions encompass the collection and analysis of data and policies, the publication of recommendations and information on the implementation of Cultural diversity of expression in their country, the organization of awareness-raising conference or events. For instance, the following actions could be mentioned:

-the French Coalition organized in 2011 a Conference on cultural diversity in the digital era as well as a Prize event to reward actions in favor of cultural diversity lead by a cultural organization as well as by individuals.

-the Austrian Working Group organizes annual expert meetings to monitor the implementation of the Convention in Austria; results and recommendations of the expert meeting are made publicly available and function as basis for a follow-up dialogue with the competent authorities.

-the German Coalition published a White Paper (2009, English Language Version 2010) on its vision regarding the implementation of the 2005 Convention in and by Germany;

-in autumn 2011, the Kaleidoscope project was initiated, a online- collection of relevant implementation practice by civil society abs by publicly funded cultural and development organizations;

-in 2011, Deutscher Kulturrat, the national umbrella organization for cultural policy and advocacy, launched country wide activities on 21 May, the World Day of Cultural Diversity ('Kultur Gut Stärken'). In 2012, this will be repeated, with the focus theme on the value of creativity.

-the UK Coalition (UKCCD) organized several Conferences to publicise the Convention and mobilise stakeholders with partners including *The Commonwealth Foundation, The British Council, Global Policy Institute, London Metropolitan and City Universities, Quebec Government Office*. For instance, *the Forum for Young Leaders on Cultural Policy* (June 4th 2010, London)

-It produced submissions representing the objectives of Convention, for instance in March 2011 for the BSKyB Review (OfCom UK).

-UKCCD is also a founding Member of Citizens Coalition for Public Service Broadcasting launched in House of Lords, (November 2009) in order to maintain the idea of public service broadcasting as being essential for the health of civic society in the twenty-first century.

At the international level:

At the international level, the 13 European Coalitions usually act separately but exchange information and experience on the projects they lead. These projects are generally dedicated to the countries which have not ratified the Convention or where the cultural sector is not fully organized. Their purpose is to inform the civil society and/or the Ministries in charge on the content and the assets of the 2005 UNESCO Convention, to provide them with the explanations adapted to their cultural and political context, to assist them with the formation and organization of the cultural sector. For instance, the following actions could be mentioned:

-the French Coalition lead several missions in South East Asia, a continent with a poor number of ratifications: in Vietnam and Thailand (March 2010), Indonesia (December 2010) and in Cambodia (October 2011).

-the German Coalition has been in continuous exchange with professional cultural organizations in Turkey, participating as resource persons e.g. in a Workshop on the Convention organized by the Turkish Ministry of Culture, 2009; and at the Symposium on Cultural Diversity and Cultural industries, co-organized by Bilgi- and McGill-University, in July 2011, leading to the initiative to build a Turkish Coalition for Cultural Diversity. In October 2010, an international capacity building conference on the 2005-Convention was organized with Bilgi-University and the U40-Network.

-the UK Coalition lead several missions of promotion of the 2005 UNESCO Convention in several countries. For instance, at the Council of Europe Meeting of Experts in Yerevan, Armenia (18.07.2008). Moreover, UKCCD Chair and former MEP, Carole Tongue, promotes the Convention with MEPs and EU Commission officials.

On the development cooperation policies

- Since 2010 the Austrian Working Group organizes in cooperation with the Austrian Commission for UNESCO and VIDC-Vienna Institute annual policy talks on “Culture and Development”; The policy talks aim to raise-awareness among policy makers, identify possible synergies between the different sectors, foster the exchange between political and civil society level and to promote net-working between the development- and culture-community.

-The White Paper of the German Coalition (February 2010) addressed the Issue of ‘Fair Culture’, recommending that the Federal Government should incorporate the objectives of the Convention – with an emphasis on “Culture and Development” – across all ministry programs, including international co-operation and in the political development of culture and education work in Germany (global learning, education for sustainable development).

Also, it advocated for capacity building among the intermediary organisations of foreign cultural and educational policy and the implementing organisations of the development policies: These arms-length bodies should invest in educating their executive staff and employees and in the objectives and orientation of the UNESCO Convention. Where applicable they play a part in raising awareness the Convention by reaching out through their programs and partner countries to their comprehensive international networks in their programs and partner countries. Funding cultural development: German

funding institutions (public and private) that commit themselves to co-operating with developing and emerging markets (North South and South South) should provide more funds for the protection and promotion of the diversity of cultural expressions by paying into the International Fund for Cultural Diversity. Intensify research: German research facilities of various disciplines were called upon to make the field of action "Protection and Promotion of the Diversity of Cultural Expressions" accessible and to set up co-operations with research institutes in partner countries (among others network of UNESCO Chairs). To date, implementation has happened in the research field, with the establishment of a new UNESCO Chair. All other recommendations are still to be implemented.

-The consultancy with British Council on future strategy for Culture and Development (February 2012) could be mentioned as an example of actions of the UK Coalition for Cultural Diversity.

II. COMMENTS ON THE EUROPEAN UNION'S POLICIES

In accordance with the framework for periodic reports, the European Coalitions for Cultural Diversity would like to make some comments on two points relative to the implementation of the 2005 UNESCO Convention by the European Union.

The first one is the integration of the cultural diversity dimension into the European policies.

Despite the commitment of the European Commission to integrate Culture into the other European Policies (Confere the European Agenda for Culture in a globalizing world, communication from the European Commission, 10.05.2007) according to the art. 151 of the Treaty (currently art. 167 TFUE), the announcements, speeches and documents of the DG EAC (mainly) but also of the other DGs of the Commission are not followed by the appropriate actions of the other DGs. For instance, DG COMP published last summer an "issues paper" on State aids to cinema which includes, for the sake of Competition and Internal Market, proposals which would be detrimental to national support measure for cinema and for the diversity of cultural expression in Europe. Although the document refers to the 2005 UNESCO Convention, it does not trigger any conclusion nor recommendation in favour of culture and the diversity of cultural expression.

Conversely, the European Commission considers that State aids to cinema should be assessed not only on "necessity", and "proportionality" but also on "effectiveness". It adds

"Considering the amount of money Europe has spent over the past years to subsidise the production of more than 1,000 feature films each year, of which only a small minority is ever seen outside their country of origin, it is important to examine whether the public funding is being applied as effectively as possible." (§22. Page 5 of the issues paper)

The reference to the effectiveness is not adapted to the specificity of the audiovisual and more widely the cultural sector and should be erased in the future communication of the Commission if it wishes to fulfill its commitment in favour of Culture and the diversity of Cultural expression. Other examples come from DG TRADE which does not take into account the 2005 UNESCO Convention. Since 2008, Cultural Cooperation Protocols (CCP) have been offered to countries without considering their cultural situation (policies/ industries); they have been negotiated by commercial experts, at the same time and according to the same agenda as trade matters. This was in contradiction to the 2005 UNESCO Convention principles (in particular, Art. 1 g and art. 2.2 of the 2005 UNESCO Convention) and presented serious risks for the cultural diversity policy of Europe (the broadcasting quotas of European audiovisual works in the CCP UE-Korea case for instance). Currently, a CETA (Comprehensive Economic and Trade Agreement) is under negotiation with Canada. The European

Coalitions would like to draw the attention of the Commission on the need to fully respect the 2005 UNESCO Convention by completely excluding audiovisual and cultural services from the agreement. Moreover, it considers that the Preamble of this agreement should refer to the 2005 UNESCO Convention which would send a positive message to the countries who have not committed yet in favour of the Cultural Diversity. One could not expect less from Canada and the EU, both having played a crucial part in the elaboration and adoption of the 2005 UNESCO Convention.

The second one regards the involvement of civil society in the European policies impacting Cultural Diversity

The alliance of European Coalitions for Cultural Diversity is fully aware of the actions undertaken by the DG EAC in order to create a structured dialogue with civil society. We recognize the importance of this initiative as well as the fruitful work of the European Platforms. However, as mentioned above, the actions from DG EAC are far from sufficient: Cultural Diversity should be fully mainstreamed in the other EU policies and the cultural sector be properly informed and consulted by the DG responsible. Unfortunately, regarding trade policy, communication to civil society is scarce and consultation absent. For instance, whereas a “concept paper” relative to *the negotiation of the Protocols of Cultural Cooperation in EU trade agreements with third countries* was issued a year ago, civil society has not been consulted yet (despite several parliamentary questions and the following commitment of Karel De Gucht on this issue).

In conclusion, we would like you to ask the European Commission to fully recognize the action of the civil society in favour of the 2005 UNESCO Convention and to ensure the Convention’s full implementation within every piece of law of the *acquis communautaire*. The European Coalitions thank you for your attention and remain at your disposal for any further information.

13. European Cultural Foundation

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2012 Feb 22nd, 6:18 PM

1/The European Cultural Foundation (ECF, www.eurocult.org) works to contribute to the empowerment of civil society in Europe. We believe cultural diversity is a fundamental respect in building a united, peaceful and democratic Europe. To foster cultural diversity and cultural expression ECF supports artists, creative projects and cultural organizations that empower people to realise a shared future in Europe. The ECF recognises the power of cultural expression and cultural policy development in society and therefore promotes the UNESCO Convention 2005 within policy development and policy recommendations. The Convention recognises both economic and cultural aspects of cultural expression and opens up new types of research, because it has a larger interdisciplinary scope. Our guiding principles relate to the operational guidelines of the UNESCO Convention. Our guiding principles are: • Empowerment of people through art and culture, supporting different communities in Europe and especially encourage the exchange and empowerment of under-represented groups; • Connecting sources of knowledge, share and connect knowledge to create an open Europe and; • Linking policy and practice, we are interested in projects that contribute to cultural

policy development locally, nationally, regionally and at the European level. Although ECF doesn't work in development countries we believe in the principles of the convention and stimulate the objectives in wider Europe and its Neighbourhood countries. ECF believes in the power of culture to build open, inclusive and democratic societies, and as such considers investment in culture as an invaluable means for building Europe.

2/The theme cultural diversity plays a key role in ECF's work. Since 2005 the theme that have shaped our work over 2005-2008 was Diversity, the Power of Culture, a search on interaction of people and their cultures in today's Europe, including migration and community building. This theme was followed by Narratives for Europe from 2009-2012. Therefore the ideas and background of the Convention are implemented in ECF's projects and activities. At present ECF has two flagship programmes (Youth and Media and European Neighbourhood), three grant streams, two awards, and is actively involved in two campaigns, we are more and More Europe. Within our advocacy work we make voices heard of civil society. We are a recognized advocate for culture on European level by initiating policy reflection and campaign action. We always work in partnership with and through collaboration to achieve our advocacy goals. These concern: - Promotion of intercultural dialogue as a fully fledged dimension of EU policies. For example ECF co-founded the Platform for Intercultural Europe in 2006 which works for policies that reflect Europe's cultural diversity and increased dialogue between people of different backgrounds; - Culture as integral part of EU External Policies. For example our European Neighbourhood programme but also the More Europe project contributes to this ambition through assessing the power of culture in advancing foreign policy objectives, providing evidence from practice, and campaigning with public and civic actors for a strong and compelling cultural dimension within the EU's external relations strategy; - An increased and a more effectively used EU budget for culture 2014-2020. For example ECF is strategic partner in the we are more campaign that aims to strengthen the position of culture in the next European Union policy period 2014-2020. We contribute to: Artistic creation: we believe artists and cultural organisations can play a powerful role in bringing about positive and grassroots change that helps all citizens feel more connected with each other and the idea of a shared future. The projects and people who receive our grants not only reflect and relate to European realities, but also act as direct inspiration for ECF's other work and advocacy efforts. We believe cultural policy development must occur on all levels, regional, national and European - and by bringing together cultural and political players in new ways, we can ensure that local perspectives are brought into the EU decision-making process. Our grants – Collaboration grants, Balkan Incentive Fund for Culture Grants and the Step Beyond Travel Grants – mobilise people of different backgrounds and often involve particular locations and activities related to ECF's central programmes. Distribution of cultural services: digital knowledge platforms engage the ECF across borders, disciplines, policy areas and special fields of interest. Therefore all ECF programmes and projects are provided with digital tools and individual online spaces to communicate with their own target groups. Mobility of artists: via our grants but also our central programmes ECF brings people together from different places. Step Beyond Travel Grant: is a travel fund that helps artists and cultural workers to move more easily across national borders to explore unfamiliar territories, meet peers and exchange views, skills and inspiration. Look at their stories at Rhiz.eu. Our Neighbourhood programme promotes network building and knowledge generation across Europe and beyond, focusing on Belarus, Moldova, Ukraine, Turkey, South Caucasus and Arab-Mediterranean regions. Part of the programme is the TANDEM project. TANDEM is a cultural managers exchange programme, currently involves 80 cultural organisations and managers from across the EU, Ukraine, Moldova and Turkey. Each of these tandems will exchange and develop experience, skills and networks as they co-produce a creative project that combines their cultural and artistic backgrounds. Our Youth and Media is a partnership network, called Doc Next, that aims to bring forward the views

of European emerging documentary-makers and opinion-makers, to promote an inclusive public society. It also gives access to young people who as a result of social, cultural or political conditions, are likely to be excluded from mainstream public discourse. Developing countries: ECF doesn't work in developing countries, but does work in Neighbouring countries as the Arab, Mediterranean region. Read our work on policy developments and mobility above and under question 3. Cultural cooperation at international level: in all our programmes and our projects we support cultural cooperation in wider Europe.

3/Via policy recommendations and consultations to the EU/ European Commission, ECF promotes the ratification of the Convention and its implementation by national authorities. Through the consultation on the future of the Culture Programme (December 2010): [...] As the only tailor made EU Community programme for arts and culture, the programme must be an example for the Member States for fostering the values of the European cultural sectors' work. It should also be among the key EU tools for contributing to the objectives of the UNESCO Convention on the Protection and Promotion of the Diversity of Cultural Expressions, some of its main principles it should also embed: to promote the diversity of cultural expressions; to create condition for cultures to flourish, to foster interculturality etc. [...] Supporting collaborative artistic creation in Europe must be in the core of the Culture Programme, as it is essential for the true co-operation and for the emergence of new forms of artistic expression! It is fully in line with the UNESCO Convention on the Protection and Promotion of the Diversity of Cultural Expressions, which should be fostered by the EU through all possible instruments. Through ECF's contribution on the MTR new Indicative Programme 2011-13 (November 2010): The Baku Declaration of 3 December 2008 on "Intercultural dialogue as a basis for peace and sustainable development in Europe and its neighbouring regions" is a step aiming at encouraging the signature, ratification and subsequent implementation of the UNESCO Convention on the Protection and Promotion of the Diversity of Cultural Expressions, further strengthening the co-operation between the Council of Europe and the European Union in order to mutually support the respective policies on intercultural dialogue and cooperation with the Arab and Islamic organisations with particular competences in education, science and culture (ALESCO and ISESCO). Through ECF's contribution to the report on Implementation of the European Neighbourhood Policy in 2010: Culture has not been introduced in the previous ENPI reports on Ukraine and Moldova, but it is laid down in the ENP Action plans for all EaP countries as follows, predominantly in the areas of international cultural cooperation, fostering transnational mobility, promoting the national culture and heritage of the EaP countries abroad and enhancing dialogue in relation to the UNESCO Convention on the Protection and the Promotion of the Diversity of Cultural Expressions. Some countries (Moldova & Ukraine) focus also on the approximation of audiovisual legislation, in view of future participation in the Media programme. In 2010 all EaP countries have ratified the UNESCO Convention (2005), which now means that a new and more concrete approach should be introduced in culture for the ENPI. Through ECF's contribution in recommendations, and as a coordinator, of the Eastern Partnership Civil Society Forum – working group 4 'People to people contacts' subgroup culture (September 2011): EaP shall be urged to fully implement the UNESCO Convention on Cultural Diversity.

4/We monitor and analyse cultural policy development and trends on European level (EU, Council of Europe, Member States) with particular emphasis on the European Agenda for Culture. Within our advocacy work one of our goals is to integrate culture as strategic element in foreign policy. (see answer 2 for our overall advocacy goals) ECF doesn't target development countries but collaborates and works in Europe and its neighbouring countries (EaP countries, Ukraine and Moldova in particular, Turkey and the Arab-Mediterranean region). More Europe contributes to this ambition

through assessing the power of culture in advancing foreign policy (including developing countries) objectives, providing evidence from practice, and campaigning with public and civic actors for a strong and compelling cultural dimension with the EU's external relations strategy. The ECF is committed to the goals of the initiative and considers it as a strategic step towards the achievement of its vision. Within our European Neighbourhood Programme we organize exchanges, publishing projects and workshops with trainers, as well as sourcing and awarding start-up funding for local initiatives and pioneering art projects. These networks can also influence the development of more comprehensive cultural policies by governments – on a regional, national and EU level. Our coordinating and recommendation work in the Eastern Partnership Civil Society Forum – working group 4 ‘People to people contacts’ subgroup culture also contributes to implementing culture in European Neighbourhood Policy.

14. European Fashion Council

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2012 Feb 22nd, 10:40 PM

1/By the information, with a meaning of invitation sent on January 5, 2012 from Ms. Edith GUETTA (EAC-EXT department) and with the subsequent communication, we declared our participation in the preparation of the EU report. The Questionnaire concerns us, because in the five-year activity of EFC from its establishment in May 2007 to the present moment and of course in the long-term development, it shows the great contribution made by the EU as a side of the implementation of the Convention on the protection and promotion of the diversity of cultural expressions. On the one hand, the Questionnaire is related to the integration of fashion and fashion design as a new element in the cultural and economic calendar and plan of the EU and Europe in support of strategy "Europe 2020" and specially prepared program "Fashion Europe" from 127, supplemented by 157 activities, internationally applicable as program "Fashion World,,. In it fashion as a long term and comprehensive format is used to initiate the power of the European and World fashion design as a basis for sustainable development and interaction between cultures in Europe and generate other initiatives at European level and beyond, relevant to the Convention, made in a most elegant way the integration of each member country of the EU and developing countries worldwide, not only culturally but also in economic and international relations. On the other hand, the subjects in the Questionnaire are in relation to specially created for this purpose in 2007 European Association of representative fashion NGOs, one from each European country / currently 19 countries / in the representative European Fashion Council, following the structure, building, management, aims and development of EU, with completed authorization and institutionalization of the single European identity as the new EU institution for fashion and fashion design, part of the body of the EU for implementation of the EU mission - to be a world leader in each area with continuous development of culture. Moreover, the Questionnaire concerns us for the particular realization of the objectives and principles set in the Convention and their application in the international field as innovation coming from the EU and Europe, spread worldwide. Thus the EU through its EMC updates and revived in a new form of

European leadership in the creative industries, which began in early 1868 with the creation of the world's first group of European French designers. This competitive advantage in fashion and fashion design belongs to Europe, and it is European know-how which is not only reserved and protected, but many times stronger in the present and subsequent long-term after 2020. Thus the Old Europe and the European Union with all its institutions, creative nations and cultural inclusiveness continues to be significant and remains outstanding in favor of a peaceful and modern world of intercultural dialogue and progress achieved by the universal need to unify European personality and creativity in a distinctive style and a cachet of the brand "Europe".

2/Global challenges and globalization of modern society are in the ground of the EFC establishment in year 2007 and year 2008 by program for the active building of United and Powerful Europe by means of fashion and modern design as an innovative policy and culture, international relations, art, education, charity for Europe to be not only an example of initiation and creativity but also a model of tolerance and ethics through the accepted in September 2008 European Ethical Fashion Code , later on in January 2010 added to the Ethical Code of EU. This is the first evidence that culture is not a side product of progress but a chief motivation for constant development as stipulated in the Convention. The registration of the European Fashion Council in the public register of EU from January 15, 2010 <http://ec.europa.eu/transparencyregister/public/consultation/displaylobbyist.do?id=25337543032-09&locale=en#en> Together with the publication of the objectives, team, structure, contact data, activities and field of interests, partnership network and financial data is the other specific deed in the technical preparation for achieving the purposes and the principles of the Convention altogether. The technical preparation reached its end with the period of Polish Presidency in the Council of EU in July 2011, when EFC was given the necessary authorization, activities connected with its sphere and other fields connected with it, to be associated as activities of EU as organization benefiting rights the goods and services to come from European institution; the goods and services that are produced and guaranteed by EC, EU or other European institution as in our case is EFC; as well as the given trademark to show that it comes from the an official institution or organization, financed or controlled by the administrative or public authorities or bodies of European Institutions. This is the major part in the fulfillment of the subject and purposes of the Convention that EU realizes and should be successfully implemented on international intercontinental level, along with the invited members of the General Conference of UNESCO and other members of unions and representative continental allies such as Asian Fashion Council, African Fashion International and those for South, North America and Australia, which we as a leader party on behalf of EU and Europe, to set in the European program for the formation of the missing unifying intercontinental form of the World Fashion Federation or World Fashion Confederation. Some proposals of EFC program "Fashion Europe" in the period 2010 till the present moment are included in the reports of the Directorates of the EU for implementation of their fields as follows: Concerning sports is our proposal to combine fashion and sport in their cultural diversity and accessibility with a clear and stated aim for international application: http://ec.europa.eu/sport/library/doc/a/position_papers/efc_00610.pdf Concerning the theme of intellectual proper rights in fashion and fashion design in March 2010 the proposal is already underway in Internal Market Department of European Commission. Concerning the subject of EVHAK as a part of the portfolio of Euro Commissioner in international activities, humanitarian assistance and crisis reactions, the proposals are accepted in the EU report, the most thoroughly discussed is the proposal for new uses of cultural diversity by means of fashion and related to its art and education in the preparation and adoption of new cultural program of The Directorate of Culture, education and Multi linguistics in EU, evidenced in and as a representative organization at the European level, EFC participated actively from 15/09/2010 to 15/12/2010 in consultations for preparation of the new Culture Programme of the European Union with 127 unique proposals,

objectives and activities by FASHION and FASHION DESIGN, which the European Commission adopted and published here: http://ec.europa.eu/culture/our-programmes-and-actions/consultation/programme/EU_org/A-901-OE-EU_fashion_Council_BG.pdf For EFC it was an honor to attend in the follow European Commission's conference "Culture in motion" in Brussels on February 15-16, 2011 with a delegation composed by Bulgaria, represented by Ms.Nadya VALEVA as the President of the European Fashion Council and Bosnia&Herzegovina as a founding states-associate member represented by Mrs.Amela RADAN. Today we welcome a new plan prepared by the European Commission to promote the sectors of culture and creativity, where FASHION and FASHION DESIGN will take its rightful place. European Fashion Council is proud with its cultural contributions and will give the utmost dedication to its complete realization. Completely specific actions implemented by EFC support the full implementation of the strategy Europe 2020 of EC that supports the aims and principles of EU-UNESCO. Also the European Fashion Council participated successfully in the adoption of the Green Paper of creative industries in April 2010 and also the Committee of the Regions of EU that is a form of development of national and regional policies. As a party to the Convention EU by means of EFC is fully realized and thus introduces a new cultural policy through the most possible application form of fashion and fashion design, comprehensive, longtime and unlimited plan which achieves all the ways of applicability of the guiding principles of the Convention and the implementation of the purposes together with the definitions related to the purposes of the Convention as cultural diversity, cultural content, cultural differences, cultural industries, cultural politics and measures, security and intercultural dialogue. All these things have a positive influence on the overall European audience and through it on the world community because the scope is for people from an early creativity age to maturity regardless their ethnicity, community and social condition and citizen status, permanent residence or refugee. With the establishment of fashion and fashion design by EU as an important innovative factor is achieved the basic political aim of the policy not only of the European institutions but as a whole in an international aspect– the messages and directives to reach in the most beautiful and elegant way the hearts of millions Europeans, they to be understood and realized by fashion and design because 90% of Europeans and the world community, if fashion is not merely a profession or hobby, is delight for the eye or desire for maximal ethical culture expressed in everyday life through clothing and modern contemporary styling. Recognition of fashion and fashion design as a new cultural segment with all its distinctive characteristics of cultural activities, as well as goods and services are a powerful engine of the European identity, values and thoughts but also globally shown as an engine of progress continentally and internationally. Immediately after the acceptance of Program "Fashion Europe" to support a strategy "Europa2020", EFC included its 127 activities supporting full multiculturalism, mobility, access and circulation of cultural goods and services from developing countries into the EU as well as cultural cooperation at both international level in the full capacity of the cultural and creatively sector in the fashion and fashion design area, it has been published on of the European Commission strategy "Europa2020" shows the following link here: http://ec.europa.eu/dgs/secretariat_general/eu2020/docs/european_fashion_council_en.pdf At the present time and immediately after receiving the Authorizations purpose in the uniform European identity, EMC started gradual through a public launch execution on every of the included activities consistent to the plan of the EU and European portfolios to every Commissioner, the activities which will be implemented completely by the plan until 2020, inclusive. For an international relevance on behalf of the EU under of the Convention Program "Fashion Europe" is transformed into the Program "Fashion World", of which ratification of member states of the EFC will finish in March 2012 during the period for preparation of the EU report about the implementation of the UNESCO Convention, the EU by the end of April 2012.

3/ The European Fashion Council was created as union of 19 NGOs, representative of the 12 member states of the European Union Community and 7 across Europe, whose activity is wholly fashion and fashion design and others associated of cultural activities, arts, sports, cultural policies, humanitarian, charity and International Relations. Exactly this activities of any NGOs member states of the EMC is enshrined in the "Fashion Europe" as a joint European program that gathered in themselves the best practices of the national realization of programs, projects and initiatives - it adds more significant contribution of the EU as part in the execution of the Convention with UNESCO because these very actions have been implemented at national level and then started process of to their EU-wide conversion through the Convention - for the implementation at international level due to the high amount they bring . Such as concrete examples of this is the successful practice of producing artists through the Fashion Week, as shown in the page of Norway, Ukraine, Latvia, Iceland, Bosnia and Herzegovina and everyone else member states of EFC with concrete example of visibility in the following links: <http://www.oslofashionweek.com/>, <http://www.fashionweek.com.ua/>, <http://www.rfw.lv/>, <http://bluepie.mysiteeasy.com/IcelandFashionWeek/> ; <http://www.fashionweek.ba/> . . . The conduct of traditional fashion awards by over 17 years of practice, as for example Malta, Latvia, Sweden, the Netherlands is also an excellent example the applicability of the objectives and principles of the Convention the national levels: <http://fashionweek.com.mt/>; <http://www.bffederation.com/>; http://www.dutchfashionfoundation.com/dff_dutch_fashion_awards_2011_01.html ; To support of education and training through arts programs for professional education and training and development is the successful practice the form of Academy, which developed Bulgaria: <http://www.camaramoda.bg/> and http://www.camaramoda.bg/index.php?lang=bg&page=services_school also Czech Republic: <http://www.comoramody.cz/> and Ukraine in the 'Fresh Fashion' project: <http://www.fashionweek.com.ua/en> conjunction with the national competitions for young designers up in each Member State. Theme of education and equal dismantle of children from yearly age to culture is a 30-year practice of Bulgaria in the Assembly "Banner of Peace": http://bannerofpeace.hit.bg/index_oficial.htm And also an acknowledgment of the personal qualities of the human person, as in the 10-year project of the Czech Republic: <http://www.interdiamondworld.org/> The international exchange of artists and management is largely present at national levels and with a specific example designating the European designer Festival Sarajevo: <http://www.fashionweek.ba/> And the mobility of artists in the program of Armenia: <http://www.style.am/> No less important application of the Convention at national levels and by conducting a traditional annual seminars, conferences and thematic meetings, as is the practice of Albania for cultural integration, and also Hungary and Romania: <http://www.certex.ro/> Excellent example of interaction of the cultural diversity, exchange and promotion of intercultural longstanding dialogue activities of Netherlands: <http://www.europaregina.eu/>; Denmark: <http://tomorrowmanagement.com/index.jsp> And Austria: <http://www.austrianfashion.net/> For example to support their own culture media channels which could have evolved immediately after the opening them in for all international artists The cultural diversity is reflected in the connection between sport and fashion, where the "Fashion Europe" is also included in the proposed and recognized initiative of Bulgaria for production of sports tournament with the awarding of Fashion Cups in European sports championships in 33 different sports, applicable at international level which already started in this 2012 successfully with their public announced perspective in the European football championship in 2012, Ukraine project: <http://www.fashionweek.com.ua/projects/eurofashion-2012-7> Cultural tourism through the fashion and fashion design has successfully applied at national levels and this is evidenced by the good practice of Belgium to Biennale the Designers Trail: <http://www.modobrussels.be/> as enshrined in the "Fashion Europe" for further pan European and international application, and also the

festival program of events in Estonia: <http://www.estonianfashion.eu/Avaleht.html> The Cultural tourism has its own modern vision and through the event Holiday Fashion Week, as they do at of Ukraine <http://www.fashionweek.com.ua/en/projects/holiday-fashion-week-3> Special attention deserves the topic of environmental projects for clean and ethical fashion from Norway: <http://www.nicefashion.org/en/> launched through the north European countries Denmark, Iceland, Sweden, Latvia, order to be the applied as pan-European program "Fashion Europe", respectively, with an international application through the EU-UNESCO Convention. Particularly value and highly special on its own conception format and strategy of development the humanitarian and charitable activities of the into Serbian projects Ethos / www.etnosan.rs / through fashion like master culture segment resulted to assist the refugees, the expelled and internally displaced persons that will go back to their homelands and / or to be socially integrated into the local community. Events by the so-called fashionable forums Ready to Rise / www.readytorise2010.com / is a unique format that applied successfully by the Serbian national level would at Monaco, USA and with the subsequent implementation of the EU territory and Europe. This is a practical an example of how across Europe, in a spirit of solidarity and cooperation and partnership support, recognizing and reinforces the capacity of the developing countries and their citizens. These are just a small part of the specific activities of the member states of EMC generated and traditional realizing themselves of national territories which have successfully taken their way to the Europe-wide realization and under the EU-UNESCO Convention demonstrated successful can be implemented such as contribution the EU to the world.

4/The strategy of development of EFC in its character is a unique kaleidoscope of events and activities that mark the evolution and the positive different stages of the optimum of the European Parliament and the European Commission in the recent decades to protect, support and the cultural diversity for introduction of new policies and protection. A concrete example of this is the foundation and introduction of EFC itself that started in 2005 with the Balkan Agreement between Bosnia and Herzegovina, Bulgaria, Serbia and Romania and turned in 2007 into EFC with 11 member states, 2008 year-13 and 2010-2012- 19 at the present. In this direction for the integration of new elements of culture and cooperation policies for development, the program of EFC for 'Fashion Europe' provides a further stage in 2013 a series of conferences and round tables for official meetings with politicians and their attraction to the cause " introduction and integration of cultural dialogue in the policy community ". This is essential measure for the cooperation between artists, non-governmental European organizations and government to be particularly enhanced and the need for legal protection of copyright in fashion and design, culture as a whole in the fight against imitation and plagiarism. A cultural sector, in particular fashion and fashion design and related arts and activities are of great importance for the development of Community and European Union implementation of multipurpose and principles of the EU, UNESCO because they help to extend European political influence by means of public messages and the decisive impact they have on the economy and international relations. In fact it is the active participation in the consultations of the EC in the drawing of public policies. This activity EFC implements successfully from 15.01.2010 since it has been registered in the public register of EC, where it has proclaimed as an union of NGO Group for the 36 areas of interest in the European Sector Policy: audio vision and media, climate activities, protection of human rights, education, culture, multi linguistics, sports, internal market and external relations, digital market, etc. to trans European networks, transport and themes for youth issues and problems entirely. Later on in 2011 EFC received Authorization of Common European Identity with the symbol of EU that proves the unity in one with the EU, also demonstrates the applicability of new forms of culture through fashion and fashion design, implementation of the EU mission and its role as an active part in the Convention by UNESCO. Here we would like to add to the development cooperation policy as a new

mean for the strengthening of our partnerships with and among civil society, NGOs and private sector, the project initiation and establishment of the World Awards for Fashion and Arts, that will combine Napoleonic, Royal, Knights, Legionary, Nobel, Honorary and Grand Masters in a strategy that we apply as worthy for the EU with the participation of the UN and UNESCO. Its initiation in 2012 and implementation by 2013 will surely make a historical, cultural, economic and social innovative contribution of Europe to the world in the implementation of the Convention, where the UN and UNESCO are presented by a public assessment of global excellence in the intercultural dialogue and peace through Honorary Awards for fashion, music, education, fine art, cinema, sport, evaluation and recognition of global patronage. This proposal of EFC by means of the EU is offered and dedicated in honor of the 70th anniversary of the UN, which is to be celebrated in 2015. Another equally important activity that we strive to realize in the behalf of the development impact of public policies is the proposal, deposited by the EC President Mr. BARROSO for the implementation in honor of the 55th anniversary of the EU this year, the required and prestigious European Order "Robert SCHUMAN" bearing the name and the image of its founder and the symbol of European prestige-EU logo. That Order of international importance could be one of the means of implementing the objectives and principles of the Convention for the constant development of culture, economics and international relations and for the celebration of the achievements in the 5 most important categories: economic growth, social policy, culture and education, world peace dialogue and innovation. As a mean to achieve unification in culture in the development of constant strategies for national development policies, including the creation of conditions for the flourishing of culture and free contact in the most beneficial way, the specific activity which EFC by means of the EU would like to realize is another general proposal deposited by the European Commission President Mr. BARROSO to generate innovative policies by creating Elegant Think-Tank Trust and their realization in publicity, together with the NGO sector to be achieved through the formation of Forums 1st Lady EU27 and 1st Lady G8/G20 parallel and identical to the rotating presidency household, program and management. The reasons for this kind of innovative leadership that the EU can offer to develop the cultural and creative industries is in this direction because the wives of the world leaders are the new generation of First Ladies and they are not only the contemporary fashion icons but have elegance with its own style. They are a gentle force that will create and shine with a positive and constructive light coming from Europe to the world. This light will not pass unnoticeable and senseless by the world community because it touches the hearts through art and culture and is the best form of encouragement and support for the understanding of the importance of protecting and supporting the diversity of cultural differences through educational programs. By encouraging the creativity and by enhancing the productive capacity in education, training and exchange programs in the field of cultural industries, through sport, music and culture as a whole. As a concrete proposal that is the power of fashion and fashion design as both art and culture, education and economy, international relations, humanitarian and charitable work, because by its very nature fashion and fashion design are the perfect form for the popularity of the European and international politics. Fashion and fashion design most successfully could be fed up with practical processes of implementation of policy decisions through public works with an exciting force. In the context of the above question in this proposal for World Awards for Fashion and Arts is offered in honor of 40th anniversary in 2015. from the establishment of the forum of highly developed countries G8/G20 be Grand master united prizes for fashion, music, education, art for arts, cinema, sports and arts sponsorship scheme issued by The First ladies for the highest achievements quality, productivity and cultural economic growth. The reasons for this are the globalization of modern society and the lack of unified global fashion and music awards, as well as movies and sports, which also to encourage the development of education, art and artistic patronage of individuals, governments and policies with a huge role in the main subject cultural development as a continuous development by providing moral and financial support.

15. IMPALA (Independent Music Companies Association)

www.impalamusic.org

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Brussels, Belgium

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2012 Feb 23rd, 9:22 AM

1/IMPALA is a non-profit pan-European association representing over 4.000 music companies and national associations across Europe, representing 99% of Europe's music actors which are micro, small and medium sized companies. Known as the "independents", they are world leaders in terms of innovation and discovering new music and artists - they produce more than 80% of all new releases, thus contributing strongly to cultural diversity. Since its inception, IMPALA has been supportive of the need for a Treaty such as the UNESCO Convention on the protection and promotion of the diversity of cultural expressions. The Convention represents a significant step taken by the UNESCO Member States to ensure cultural diversity at local, national and international level. It highlights the importance of creating favourable cultural policies to promote and protect the diversity of expressions. IMPALA feels concerned by the questionnaire launched by the European Commission as we feel that, despite the fact that the UNESCO convention is now part of EU law, the objectives are not always met and much more could be done to protect and promote cultural diversity.

2/Cultural diversity is one of IMPALA's core principles. IMPALA was set up at the initiative of independent music companies to grow the independent music sector, promote cultural diversity and cultural entrepreneurship, improve political access and modernise the perception of the music industry. As mentioned above, independent music companies produce 80% of all new releases in the music sector, and are recognised as the main innovators and discoverers of new talents and new genres. Their contribution to cultural diversity in Europe is very significant and their potential is huge. However, music SMEs are facing severe problems in terms of access to the music market. The impact on diversity, consumer choice and pluralism is clear. Over 95% of what most people hear and see, whether on radio, retail or the internet, is concentrated in the hands of four (possibly three if the purchase of EMI by the two market leaders Universal and Sony is approved by competition authorities) multinationals, known as the majors. In light of this, IMPALA calls for an adaptation of the regulatory framework to the specificities of the cultural industries, to make space for smaller actors. The role of competition authorities should be to make sure the conditions are in place for an open and competitive cultural market to thrive with a diversity of cultural entrepreneurs. Our members' biggest concern right now is the negative effect the takeover of EMI by Vivendi-Universal and Sony/ATV, announced in November 2011, will have on an already very concentrated music sector. IMPALA's opposition to these mergers constitutes a clear example of an activity we are pursuing to promote the objectives and principles of the Convention on the protection and promotion of the diversity of cultural expressions. Excessive dominance of companies in any market should be proscribed. It is all the more worrying when it takes place in a cultural sector such as music, since cultural goods are unique, unsubstitutable and are therefore unlike any other goods. The market, if left to its own devices, will not automatically deliver diversity. These mergers are not compatible with the principle of equitable access to the means of expressions and dissemination for all cultural operators. As we have already stated publicly and in letters to the European Commission and the Federal Trade Commission, we believe regulatory intervention is necessary to block these merger from going

through, as it would have a detrimental effect on music SMEs, artists and consumers. If regulators approve these mergers, this would effectively be a four-to-two reduction, with two super-majors and one much smaller major. The two market leaders Universal and Sony, with no rivals, would crush all competition and dominate the music market offline and online, to the detriment of thousands of innovative music SMEs and consequently of the diversity of music available to consumers. IMPALA strongly believes that these mergers should be rejected. More generally, there is a need for new competition rules more protective of cultural diversity. Competition rules should ensure a level playing field in the music sector, taking into account the cultural markets' specificities. Making sure the regulatory framework delivers a diversity of cultural works is one of the most important issues for music SMEs. Concrete measures in this respect are needed, such as for example introducing a non-discrimination principle for cultural SMEs, diversity obligations for content providers, or specific responsibilities for bigger actors towards smaller actors.

3/Below is a list of IMPALA's activities aimed at supporting the implementation of the UNESCO Convention on cultural diversity: - In February 2005, IMPALA submitted a position paper to the UNESCO intergovernmental experts asking them to introduce key changes to the text to promote independent cultural industries. - IMPALA collaborated on the UNESCO Convention with other organisations such as the French Coalition for Cultural Diversity and the Canadian Secretariat for Cultural Diversity. - IMPALA attended the Fourth International Conference of Cultural Professionals in Madrid (9-11 May 2005). The Conference was aimed at discussing the UNESCO Convention, receiving feedback from national "coalitions for cultural diversity", and cultural associations. - Thanks in part to the efforts of IMPALA, international music associations from across the globe called for unqualified support to adopt the proposed Convention on the Protection and Promotion of the Diversity of Cultural Expressions. - IMPALA is an active member of the Global Alliance for Cultural Diversity at UNESCO, to promote the implementation of the Convention in concrete ways which provide benefits at international, regional and national level. - IMPALA also participated in 2008 in a European Parliament hearing on the implementation of the UNESCO Convention, one of IMPALA's aims being that the Convention incorporates into EC law the principle of fair and equitable access to the means of creating, producing and distributing music and other cultural expressions. - In 2009, IMPALA participated in a study on international law and mobility of cultural goods and services launched by UNESCO. - Following this participation, IMPALA was invited in the follow-up conference as the only representative of cultural SMEs in Brussels. - IMPALA has observer status at WIPO, the World Intellectual Property Organisation, and attends meetings on a regular basis. - IMPALA has observer status at UNCTAD, the United Nations Conference on Trade and Development.

4/IMPALA at European level, and its members at national level, are constantly monitoring political discussions, legislative proposals and implementation of existing rules to make sure cultural diversity is taken into account in new policies. The fact that the Convention on the protection and promotion of the diversity of cultural expressions is legally binding means that member states of the European Union must support cultural SMEs in order to promote and protect cultural diversity. IMPALA continuously reminds decision-makers of their obligation to respect cultural diversity when formulating new rules. IMPALA monitors the correct implementation of the Convention to make sure it has an impact on EU policies. 99% of the cultural operators are micro, small and medium sized. They are the backbone of the sector, providing the necessary elements to develop a sustainable economy of diversity: cultural diversity, diversity of choice and diversity of entrepreneurship. This is why IMPALA and its members are constantly calling on policy-makers to focus on SMEs. And since the small players do most of the innovation, there is a clear need to level the playing field to ensure all

actors in the copyright ecosystem, whether big, medium or small or individual artists have access to a truly integrated and inclusive market.

16. European Music Council

www.emc-imc.org

Weberstr. 59a

Bonn

-96699843

2012 Feb 23rd, 7:30 PM

1/The European Music Council is the regional group of the International Music Council (IMC) that was founded in 1949 by UNESCO. Through this close link to UNESCO, the EMC has been aware of the convention since its publication. As a European network for music organizations, the EMC has accompanied the process of the convention from ratification to implementation, e.g. the EMC encouraged its national members to advocate for the adoption of the Convention (see below). The protection and promotion of musical diversity are the key principles of the EMC and are reflected in the 5 musical rights as proclaimed by the IMC <http://www.emc-imc.org/about-emc>. The EMC feels concerned to participate in this questionnaire because it represents a civil society organization. Civil society plays a major role in the implementation of the convention, the signatory parties may put the convention into practice in terms of legal consequences, however, the policies that will reflect the parties commitment towards the convention is reflected in the projects and activities that the civil society and its organisations are carrying out.

2/The EMC's activities aim to contribute to a Europe where a growing diversity of musical expressions is protected and promoted and where diverse cultures peacefully co-exist. The EMC undertook the following activities that are in line with the principles of the UNESCO 2005 Convention. The EMC publishes a yearly magazine "Sounds in Europe", each magazine includes at least one article dedicated to the proceedings of the UNESCO convention, the focus themes so far: 2005: Musical Diversity and Intercultural Dialogue 2006: Music and the Future 2007: Access to Music 2008: Creativity and Innovation 2009: Music and Social Responsibility 2010: Music and Development 2011: Music and Social Change <http://www.emc-imc.org/publications/> From 2006-2009 the EMC coordinated the EU funded project "ExTra! Exchange Traditions". The main aim of the project is to enhance the exchange of musical traditions existing nowadays in Europe, focusing particularly on minority and migrant cultures, which form a vital part of the musical diversity in Europe. A vital part of the ExTra! project was the publication Music in Motion. Diversity and Dialogue in Europe that complemented the project activities by giving it a scientific and theoretical dimension <http://extra-project.eu/index.php?id=330>. In the frame of the project recommendations were formulated that advocate for better access to culture, inclusive societies and respect towards the diverse context of music <http://www.extra-project.eu/index.php?id=433>. The ExTra! project has inspired other music organisations to take on the idea and to initiate similar activities, e.g. ExTra! Hamburg, M.O.R.E project <http://www.music-orality-roots.eu>. In 2010, the focus of the first EMC European Forum on Music was "Musical Diversity: Looking Back – Looking Forward". This main event of the EMC urged delegates to question their role as NGOs when it comes to 'developing culturally democratic and open societies with real respect towards different cultures.' Representatives of the Austrian UNESCO Commission introduced how perspectives of cultural diversity had changed through the 2005

UNESCO Convention, and how they would continue to do so over the coming years <http://www.emc-imec.org/events-conferences/earlier-emc-events/2010-efm-vienna/>. As European regional group of the IMC, the EMC is in close exchange with the other regions of the world such as Africa, the Three Americas, the Arab World and Asia Oceania. In November 2010, the EMC was invited to reflect on the findings of a symposium on the African Music Market in Douala, Cameroon. The most interesting result was that the key issues to successful advocacy work for music are the same in Africa and Europe: “togetherness” by all actors involved in the music sector is needed, to do successful advocacy work towards governments. Advocacy work needs statistic data and personal encounters with the decision makers. In 2011, the IMC and EMC joined forces for the 4th IMC World Forum on Music that took place in Tallinn, Estonia and had its focus on “music and social change”. Among others the sessions dealt with the potential of music for poverty reduction in the African and Latin American. www.worldforumonmusic.org. Keynote speaker was Youssou N’Dour. One day was dedicated to music and development – which is also in line with the IMC’s music sector development programme, that seeks to make full use of the potential of music for developing regions http://www.imec-cim.org/index.php?option=com_content&task=view&id=200&Itemid=215.

3/The EMC is in close contact with its national UNESCO Commission and it is invited to give input and advice to issues concerning the convention as well as other UNESCO related issue, such as the Road Map for Arts Education or lately the Seoul Agenda for the Development of Arts Education. The EMC constantly encourages its members to get involved with advocacy work on a national level and to work on the ratification of the convention. Together with the IMC it developed a tool kit for the convention as well as a sample letter to be used. <http://www.emc-imec.org/cultural-policy/unesco-convention/> http://www.imec-cim.org/index.php?option=com_content&task=view&id=199&Itemid=214 In 2007, the EMC organised a seminar on music advocacy work for the UNESCO Convention in http://www.emc-imec.org/fileadmin/user_upload/Summary_Round_Table.pdf The EMC was invited to give a speech in the frame of the Parliamentarian Enquete on music in Austria on 3 June 2008 on international frameworks: Europe and cultural diversity. In 2009, the EMC organized a capacity building workshop for music organisations of North, Central and Southern Eastern Europe to explore the possibilities of advocating for music and cooperation possibilities on a national and international level. <http://www.emc-imec.org/events-conferences/pomaz-seminar/> Furthermore, the EMC developed a reader with basic documents for cultural policy work concerning the Convention (and other policy fields) to be used by its members <http://www.emc-imec.org/cultural-policy/emc-reader/>.

4/Please be aware that this is the same information as given to question 3. The EMC is in close contact with its national UNESCO Commission and it is invited to give input and advice to issues concerning the convention as well as other UNESCO related issue, such as the Road Map for Arts Education or lately the Seoul Agenda for the Development of Arts Education. The EMC constantly encourages its members to get involved with advocacy work on a national level and to work on the ratification of the convention. Together with the IMC it developed a tool kit for the convention as well as a sample letter to be used. <http://www.emc-imec.org/cultural-policy/unesco-convention/> http://www.imec-cim.org/index.php?option=com_content&task=view&id=199&Itemid=214 In 2007, the EMC organised a seminar on music advocacy work for the UNESCO Convention in http://www.emc-imec.org/fileadmin/user_upload/Summary_Round_Table.pdf The EMC was invited to give a speech in the frame of the Parliamentarian Enquete on music in Austria on 3 June 2008 on international frameworks: Europe and cultural diversity. In 2009, the EMC organized a capacity building workshop for music organisations of North, Central and Southern Eastern Europe to explore the possibilities of advocating for music and cooperation possibilities on a national and international level.

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