

The Implementation of the UNESCO Convention on the Diversity of Cultural Expressions in the EU's External Policies

Executive Summary by Jordi Baltà Portolés

The UNESCO Convention on the Protection and Promotion of the Diversity of Cultural Expressions (hereinafter referred to as 'the Convention') places emphasis on the 'connected' nature of contemporary cultural diversity. Where previous paradigms on cultural expressions under threat may have sought to safeguard or isolate them from external influences, the focus now lies on the ability of cultural expressions to develop through a range of measures including exchange, cooperation and access to the global markets. In this context, policies and measures taken at local, national and regional level all have an impact on the international protection and promotion of the diversity of cultural expressions. Beyond the traditional realm of cultural policies, attention should be paid to the role of foreign or external policies, including those in the areas of trade, development and human rights.

The European Union ratified the Convention in December 2006. As a Party to the Convention, its policies, including those in the area of external relations, should be influenced by the commitments and objectives established in the text.

In this respect, the coming into force of the Convention in March 2007 and the early stages of its implementation have gone hand-in-hand with a series of milestones in the EU's cultural and external affairs policy, which could ultimately lead to a proper external cultural policy. They include the European Agenda for Culture (2007) and the Council's 'Conclusions on the promotion of cultural diversity and intercultural dialogue in the external relations of the Union and its Member States' (2008). Although several factors have contributed to this, including globalisation, the European Year of Intercultural Dialogue 2008, the coming into force of the Treaty of Lisbon and the increasing recognition of the role which creativity and the cultural and creative industries play in Europe's growth, reference to the Convention is recurrent in these documents.

The analysis of the impact of the Convention in specific EU policies shows that, given that the pre-existing legislative framework already allowed for the natural integration of the Convention principles, changes have generally occurred at the level of policies, programmes and working methods, as well as in declarations and partnership documents, rather than at the legislative level.

In the field of trade, the integration of Protocols on Cultural Cooperation in the Economic Partnership Agreement (EPA) signed by the EU with the CARIFORUM in 2008 and the Free Trade Agreement (FTA) initialled by the EU and South Korea in late 2009 has been presented as a way to promote the principles of the Convention and implement them in bilateral trade negotiations. However, improvements should still be made as regards the

procedure, by increasing participation of cultural stakeholders, and content, by ensuring that measures are tailored to the specific needs identified within each partner country or region and that expert knowledge is taken into account. Steps in this field should always be placed in the broader context of measures contributing to the development of cultural industries and cultural policies, ultimately generating the 'enabling environment' where cultural expressions can thrive.

In the area of international development, the coming into force of the Convention has inspired the EU to increasingly address cultural aspects in its own development policies – an area where the European Commission clearly lagged behind several Member States. The traditional preference for short-term artistic exchanges and heritage preservation appears to give way to a more structural understanding of the implications of culture for development (support to the design and implementation of cultural policies, mainstreaming of cultural aspects in other policy areas, support to the development of the creative industries, etc.) and to new initiatives in several regions, including the relations with ACP countries (Africa, Caribbean and Pacific) and in the Mediterranean region.

As regards human rights, recent EU documents in this area have generally failed to take account of the Convention and its human rights implications. It is worth noting that a full implementation of the Convention should not focus exclusively on technical and financial aspects (e.g. capacity-building, co-production, funding of significant creative industries, etc.) but embrace its political dimension as well, including strengthening civil society, freedom of expression, access to the media, the place of independent creativity in the public realm, etc.

Although trade, development and human rights can be seen as the core areas of the EU's external relations in which the implications of the Convention should be felt, the text should also be taken into account in other domains, such as relations with Enlargement countries and with emerging and industrialised countries. Some evidence exists that this is currently being taken into account, at least in some policy declarations and in the integration of an external dimension to 'internal' funding programmes such as MEDIA and Culture (2007-13).

The observation shows that an increasing number of initiatives in the field of the EU's external cultural relations have arisen in recent years, often covering several areas relevant to the Convention. Given that these initiatives emerge in a wide range of institutional contexts and policy fields, the dispersal of efforts and a certain lack of consistence in approaches was foreseeable. In this respect, initiatives in the field of governance are also necessary, in order both to increase effectiveness and policy coherence and to respond to several Convention objectives, including the involvement of civil society and the development of innovative partnerships. Developments in this area can also be identified, although more efforts seem necessary, not least by ensuring the appropriate integration of cultural aspects in the future European External Action Service (EEAS), the exploration of synergies with Member States and the implementation of awareness-raising and capacity-building initiatives both in the EU and in third countries.

The paper closes with a set of conclusions and recommendations, including the need to further develop a cohesive EU strategy in this field; the strengthening of efforts in the multilateral trade scene (i.e. at the WTO); the integration of cultural aspects in the internationally-agreed development goals, including in the context of the forthcoming review and follow-up to the Millennium Development Goals (MDGs); the facilitation of mobility; the encouragement of contributions to the International Fund for Cultural Diversity set up in the context of the Convention; and the promotion of further ratification of the Convention.

The document on which this summary is based was requested by the European Parliament's Committee on Culture and Education (CULT). The complete text is available on the European Parliament's website. The paper has been produced by Mr Jordi Baltà Portolés, Project Coordinator at the Interarts Foundation, Barcelona.