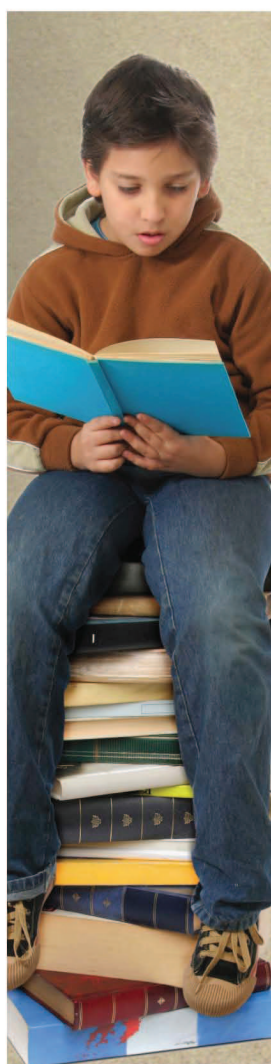


DIRECTORATE-GENERAL FOR INTERNAL POLICIES

**POLICY DEPARTMENT**  
STRUCTURAL AND COHESION POLICIES **B**



Agriculture and Rural Development

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**IMPLEMENTING THE  
UNESCO CONVENTION  
IN EU'S INTERNAL  
POLICIES**

NOTE



**DIRECTORATE GENERAL FOR INTERNAL POLICIES**  
**POLICY DEPARTMENT B: STRUCTURAL AND COHESION POLICIES**

**CULTURE AND EDUCATION**

# **Implementing the UNESCO Convention in EU's Internal Policies**

**NOTE**

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**DIRECTORATE GENERAL FOR INTERNAL POLICIES**  
**POLICY DEPARTMENT B: STRUCTURAL AND COHESION POLICIES**

**CULTURE AND EDUCATION**

# **Implementing the UNESCO Convention in EU's Internal Policies**

## **NOTE**

### **Abstract**

The briefing note provides an analysis of how the existent EU internal policies reflect the spirit and the letter of the UNESCO Convention on Cultural Diversity. The note suggests further ideas on how the EU may calibrate current practices and explores in a forward-looking manner the possibilities for the Convention's implementation in future internal policies, understood both as hard and soft EU legal instruments. Particular attention in this query is paid to digital media and their regulatory implications.

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## EXECUTIVE SUMMARY

### Background

In October 2005, the 33rd General Conference of the United Nations Educational, Scientific and Cultural Organization (UNESCO) adopted the Convention on the Protection and Promotion of the Diversity of Cultural Expressions. On 18 March 2007, the UNESCO Convention entered into force and states that have ratified it, are now committed to implementing it. This commitment is valid for the European Union (EU) and its Member States, who have become State Parties to the Convention.

The wording of the Convention is fairly open-ended and allows different degrees of implementation. The discussions on the appropriate transposition designs are nascent, both in the political and in the academic discourses. The implementation model of the EU and its Member States could thus set an important example for the international community and for the other State Parties that ratified the Convention, as the Community and the EU Member States, acting individually, played a critical role in the approval of the Convention, and in the longer process of promoting cultural concerns on the international scene that ultimately led to the UNESCO Convention.

An implementation model will normally have, pursuant to the Convention, external (i.e. international) and internal (domestic) dimensions.

### Aim

It is the objective of this briefing note to focus on the latter dimension and to analyse in how far the EU's "internal policies" are taking account of the spirit and letter of the UNESCO Convention on Cultural Diversity. The term "internal policies" is understood broadly and captures the Single Market, intellectual property and competition law, as well as "soft law" instruments, such as the Open Method of Coordination (OMC), funding programmes on culture and education, diverse policy guidelines (recommendations and communications) and procedural activities involving the consultation of civil society groups.

Building upon this, the note provides ideas on how the EU may calibrate current practices and take up new ways to apply the Convention in its internal policies in the future. Considering the vast number of EU activities that more or less immediately impinge on culture and cultural diversity, the briefing note concentrates on some core policies in the field of media. In its forward-looking analysis, it takes into account the impact of digital technologies and the challenges and opportunities for better governance for the protection and promotion of cultural diversity that digital media bring about.