

## **International framework: Europe and cultural diversity**

Dear Members of Parliament, dear colleagues,

First, I would like to express my sincere thanks for the invitation to highlight the international framework for Music, Arts and Culture at the Parliamentary Enquiry today. For the European Music Council (EMC), an umbrella organisation and network for a variety of European music organisations, the support and protection of cultural diversity is central to our work – in the spirit of the five musical rights presented by Peter Rantasa.

In this context I would like to present three much discussed conventions or papers:

1. The 2005 UNESCO convention on cultural diversity 'Convention on the Protection and Promotion of the Diversity of Cultural Expressions' (in the background)
2. The European Agenda for Culture in a Globalizing World (continuation and first step to the implementation of the UNESCO convention)
3. A communication on 'Creative Content Online in the Single Market' (for the review of the implementation of the two other conventions through concrete actions)

The 2005 UNESCO Convention on Cultural Diversity can be seen as a 'Magna Charta' of the international cultural policy, since it defines the human right to cultural self-determination by international law. Its main issue is the acknowledgement of the right of all nations to an independent cultural policy. The UNESCO convention is related directly to the WTO's General Agreement on Trade in Services, closed in 1994. On the basis of the GATS, negotiations are being held for further liberalisation in the cultural sector. On the contrary, the UNESCO convention enables regulation and financial arrangements to preserve national cultural goods and markets as well as services. Arts and culture are not only trade goods but also carriers of identities, values and meanings; they have a double character and should not be viewed as industrial produced goods only.

The EMC is very pleased with the UNESCO convention and is itself actively involved in a working group to set up concrete actions aiming to speed up the implementation process.

The EU ratified the UNESCO convention on the same day as Austria. For the first time in history the EU spoke with one voice. The EU signed the convention as an independent contractual partner.

The next step for the implementation of the UNESCO-convention on the European level was the definition of a European cultural policy entitled 'European Agenda for Culture in a Globalizing World' and voted by the European Council of Ministers in November 2007.

The three main objectives of the European Agenda for Culture are:

- The promotion of cultural diversity and intercultural dialogue
- The promotion of culture as a promoter of creativity in the framework of the Lisbon strategy to favour economic growth and increase employment, and
- The promotion of culture as an essential part of the Union's international relations.

The EMC endorses the European Agenda for Culture, and paragraph 4.4 in particular, which furthers Article 151.1 of the Treaty of Amsterdam calling for 'culture mainstreaming', aiming to include culture into various other fields of politics.

As the protection and advancement of cultural diversity and the compliance with the five musical rights are part of the EMC's main challenges, it is our central concern to watch closely the enforcement of the two papers at various political levels (in terms of 'culture mainstreaming').

As for the actual practical implementation, I would like to go back over the example of communication on 'Creative Content Online in the Single Market', published by the EU Information Society and Media Directorate-General early this year.

The communication focuses on European consumers on the one hand, for whom access to online contents should be made easier, and on copyright societies on the other hand, endeavouring to make licences more flexible for some or all EU member states. The communication stands on the same ground as the Lisbon strategy, with the view of making the EU a competitive and dynamic on knowledge-based economy.

Cultural Diversity is an important and trend-setting economic factor for the economic development of the EU. Nevertheless, music, arts and culture should never be reduced to their economic profit. The present orientation of the cultural market is in danger of losing sight of the persons engaged in the cultural sector. Furthermore, in the communication on online contents artists are just briefly mentioned. Compliance with cultural human rights for

the preservation of cultural diversity is indispensable to ensure long-term creativity and artistic creation.

The request for sectoral licences for creative contents by the Communication clashes with the central argument of the Lévai Report approved by the European Parliament: a handful of big copyright collectives may cause a loss of cultural diversity, especially in the local repertoire and that of minority cultures.

It is particularly disappointing that the UNESCO Convention on Cultural Diversity would not be mentioned at all, even though it was signed unanimously by all EU countries. This demonstrates clearly that 'culture mainstreaming' had not yet been implemented in this communication.

In various reactions regarding the communication on creative online contents, these issues have already been criticised, including by the Austrian UNESCO commission. Commissioner for Information Society and Media Viviane Reding, as a former Commissioner for Education and Culture, might have been particularly open to those requests.

Finally, I would like to highlight future prospects for next year: the EU has declared 2009 the European year of Creativity and Innovation. It can be interestingly interpreted as follows: for some it is the year of 'creative industries', while for others it is the year of 'artistic education, with creativity and innovation promoted by education and training'.

The interpretations of the terms 'creativity and innovation' are manifold, thus both the latter are possible. We should avoid picking a narrow interpretation and thus lose the essential from sight, which for the EMC too will remain cultural diversity throughout the year 2009!