Enlargement, cultural diversity: role of European regions and of international organisations

2002/2269(INI) - 27/08/2003 - Document attached to the procedure

PURPOSE : to open the debate on the issue of an international instrument on cultural diversity.
CONTENT : cultural diversity has become one of the major issues of the international debate taking place among international and regional organisations since 1998, such as the G8, the Council of Europe and UNESCO. Such progressive affirmation of cultural diversity at international level is a contributing answer to growing concerns of civil society and governments regarding the preservation of cultural diversity (as a common heritage of humankind, in a similar manner to biodiversity) as well as the promotion of living cultures and creative capacity. In response to this statement, the Universal Declaration on Cultural Diversity and the supporting Action Plan, adopted unanimously by UNESCO in November 2001, met with the European Community and its Member States' approval. The first item under the Action Plan mentions the objective of taking forward notably consideration of the opportunity of an international legal instrument on cultural diversity. A decision on this issue should be taken at the forthcoming General Conference. The Commission considers that a legally binding instrument to preserve and promote cultural diversity would be necessary, in order to consolidate certain cultural rights, commit Parties to international co-operation, create a forum for debate on cultural policies and establish a global monitoring on the state of cultural diversity world-wide. Such an approach should recognise the need for a balanced understanding of both the opportunities offered and threats posed by globalisation and the development of ICTs. In order for an international instrument on cultural diversity to gather the EC support and reflect the European approach, the Commission considers that the instrument should be based on and fully respect human rights. Beyond the recognition of cultural rights, notably the right to participate freely in the cultural life of the community, the Universal Declaration of Human Rights establishes an approach on culture based on the concepts of human dignity, equality and freedom. Such principles are developed in the UNESCO Universal Declaration on Cultural Diversity, forming both its foundations and its boundaries. Within the EU, the Treaty (Article 151) constitutes the legal basis for the promotion of cultural diversity, notably through the obligation to the Community to take into account culture in its action, including in international co-operation. In addition, the instrument should have the following objectives and meet the following conditions: - Promote cultural diversity; - Contribute to the dialogue between cultures and to mutual understanding and respect; - Develop international cultural co-operation, aimed at boosting the exchanges of cultural goods and services, including those in provenance of developing countries. In this respect, regular meetings between professionals of Parties should take place in order to contribute to the definition and elaboration of instruments and frameworks of co-operation at international level (regional and/or bilateral). The cultural dimension of co-operation actions will be promoted, including the need through education to foster mutual knowledge of cultural identities as a condition for the intercultural dialogue; - Favour the development of cultural policies and instruments at national, regional and international level; - Provide a focal point and a forum for Members to discuss and debate cultural policies, increase knowledge in this respect and exchange best practices; - Provide technical assistance and expertise to the Members, with a view to the development of cultural policies adapted to each specific situation; - Establish an institutional framework to monitor the state of cultural diversity in the world. Such instrument would not affect and be without prejudice to the international legal framework applicable to exchanges of cultural goods and services - in particular as regards their trade and intellectual property rights aspects. In view of the above, it is important and useful to develop an international instrument on cultural diversity. All stakeholders, including professional organisations in the cultural field, should be fully involved into the process of the development of the legally binding instrument. The Commission considers important that the European Community and its Member States confirms at international level their commitment towards cultural diversity - the core of which is a shared commitment by all Member States. It is therefore the Commission's intention that the EC play an active role in the forthcoming UNESCO General Conference. The Commission will seek consistency between

European internal and international action regarding cultural diversity, and in doing so will fully reflect the existing EC acquis. The Commission will co-operate with the Member States and develop common positions in order for the EC to be united in its proposal and conduct at the General Conference. Should the General Conference result in the launch of negotiations on an international instrument on cultural diversity, the Commission would propose in a timely manner a recommendation to the Council for a decision to authorise the Commission to negotiate in UNESCO on the issue related to an international instrument on cultural diversity, and conduct these negotiations on behalf of the EC and its Member States.