

# Protecting cultural diversity...

Second international meeting of Cultural Professional Organisations, Paris 2-4 February 2003

More than 400 delegates from 35 countries and over 100 organisations attended the meeting of Cultural Professional Organisations that was held, appropriately, in a conference room underneath the Louvre Museum in Paris. The Australian delegation included Jose Borghino from the Australian Society of Authors, Richard Harris from the Australian Screen Directors Association, Megan Elliott from the Australian Writers Guild and Nick Herd on behalf of the Screen Producers Association. The delegation made an important contribution over the course of the meeting, informing the other countries present about the state of the impending US-Australia bi-lateral negotiations and calling for urgent action on an international level.

The meeting had the strong support of the French and Canadian governments, for whom the support of cultural diversity and freedom of cultural expression are significant national policies. Consequently there were a series of political speeches to the

meeting by French, Canadian and other Ministers from the francophone countries, as well as representatives of the European Union.

The tone for much of the three days was set by French President Jacques Chirac's impressive opening speech to conference delegates. In a wide-ranging speech, he noted:

*...culture must never bow under to trade. Culture will give us the weapons we need to deal with globalisation, this new challenge in the adventure of the human race. It will enable us to set respect for our fellow-beings and human dialogue against the adepts of the clash of civilisations, or the obsolete ethnic, nationalistic and religious dogmatisms that are still so painfully illustrated in the world.*

If there were two major themes to the meeting they were first the development of an international instrument on cultural

diversity, and second the increasing and urgent importance of bilateral negotiations as precedent setting events. A sub-theme was the ongoing development of national cultural coalitions, and enhancing the communication and co-operation between the coalitions that currently exist.

The political agenda for the French and Canadian governments is persuading UNESCO to take up the work of developing and hosting the international instrument on cultural diversity. The meeting was followed by a meeting of the International Network on Cultural Policy ministerial group (INCP) and a formal meeting of this group with UNESCO to press for this work to be done.

What was not said explicitly at the meeting is that there are some obstacles to UNESCO proceeding with this work, or doing it in a timeframe that matches the World Trade Organisation (WTO) timeframe. The first is that UNESCO has already commenced work on a Convention on Intangible Cultural Heritage, a personal project of the UNESCO director-general, and there is some question over the resources available and how the cultural diversity instrument would relate to this work. Second, is that UNESCO is committed to fully engaging the United States again as a member and it remains unclear what the US reaction will be to UNESCO undertaking this work.

On the bi-lateral front the meeting heard from Chilean representatives on the experience of dealing with the United States on their recently completed Free Trade Agreement. The news was not encouraging as the Chilean government has agreed to give the United States complete market access in audio-visual and in e-commerce, but reserved the right to retain existing measures in areas such as a quota for Chilean content on free-to-air television. The Chilean Coalition for Cultural Diversity still has considerable work to do on the detail of how these measures will work and is seeking assistance from Australia.

On the other hand the meeting heard from the Korean Coalition how they had successfully worked with the Korean government to resist the pressure of the US to abandon the cinema quota system that has had such a revitalising effect on the Korean cinema. But they admitted that the pressure would continue in the light of ongoing bi-lateral trade discussions with the United States.

## The Paris Declaration

The ultimate outcome of the meeting was a resolution (the 'Paris Declaration' see

## Paris declaration

*Cultural professional organisations from over 30 countries, representing all aspects of artistic creation, met in Paris from 2nd to 4th February 2003. They agreed on the following principles:*

- *works of the human spirit must not be reduced solely to their market value;*
- *the right of all peoples to cultural diversity is a fundamental human right;*
- *diversity of expression cannot exist without freedom of expression;*
- *cultural and economic domination of any kind threatens the intellectual and artistic expression of this diversity;*
- *countries have the right and the duty to pursue the cultural policies of their choice, free from external constraints, providing they respect human rights and freedom of expression.*

*Considering that culture is guardian of the collective memory of all peoples, the participants call on each country to:*

- *oppose liberalisation commitments of any kind relating to goods and services in all fields of culture;*
- *pursue an ambitious policy of supporting its own culture;*
- *promote the balanced international circulation of all creative works;*
- *implement an active program of solidarity with developing countries through policies of cooperation;*
- *participate in the development of a binding international convention, independent of the World Trade Organization (WTO) or any other international trade body, whose purpose will be to maintain and develop cultural diversity.*

*In light of WTO trade deadlines as well as regional and bilateral negotiations now underway, it is imperative that a Treaty be developed and adopted on an urgent basis to provide a legal foundation for the fundamental right of States and governments to freely establish their own cultural policies. It is essential that this process be transparent and reflect the real needs of cultural professionals. For this reason, the process for developing a Treaty at UNESCO must fully involve professional organizations from the cultural sector.*

*The professional organizations at the Paris Meeting urge the creation of coalitions for cultural diversity in all countries and call on governments to implement such a Treaty.*

box) affirming the rights of nations to develop policies to support cultural expression, and supporting the development of an international instrument on cultural diversity. The resolution also established an informal liaison committee comprised of established national coalitions, which will foster exchange between existing coalitions and provide advice and assistance to emerging coalitions around the world.

At the conclusion of the meeting, the professional organisations decided to establish a liaison committee, composed of existing and emerging coalitions, in order to coordinate their activities and to support the creation of coalitions in other countries.

#### The Australian Declaration

Australia made a further important intervention, focusing the meeting on the crucial importance of bi-lateral negotiations and pointing out that the forthcoming negotiations between Australia and the USA would be a test of the principles of cultural diversity in trade negotiations. To that end Australia got the support of the meeting for the following resolution:

*We, representatives of the cultural organisations present at the Second International Meeting of Cultural Professional Organisations support the rights of all governments to assert their own cultural policy and promote cultural diversity. Ac-*

*cordingly, we support the right of all states to insist on the broadest of cultural exemptions in bi-lateral trade negotiations without fear of retaliatory measures in any area.*

*This meeting recognises the struggle of cultural industries whose Governments are to commence bi-lateral negotiations and supports their submissions to Government which ask for cultural exemptions.*

*In particular, this meeting supports the statements put forward by the Australian Coalition for Cultural Diversity to the Australian Government in regard to the Australia - USA free trade negotiations which insist that the Australian government maintain its right to assert its own cultural policy, exempt all cultural services and industries from negotiations and continue to support and foster the diversity of Australian cultural expression.*

*It is the opinion of this meeting that any commitment made in the Australia USA bi-lateral negotiations with regard to cultural services may set a precedent of aggressive liberalisation of cultural services in future bi-lateral agreements with the USA, which could have dire consequences for bi-lateral, regional and multi-lateral negotiations.*

#### Liaison committee

There are now eight coalitions around the world and the meeting served to form links between these groups and a resolve to use the links to form a network that will provide information, assistance and solidarity in the work ahead of us.

These linkages will be formally pursued through the liaison committee established by the Paris declaration, and the Australian Coalition for Cultural Diversity (ACCD) will be looking to take a leading role in this forum.

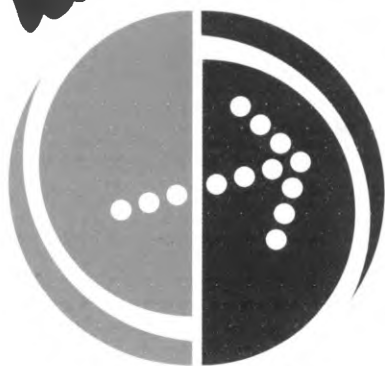
The first action of the committee was to present the Paris declaration to the meeting of the INCP. At this meeting, the ACCD's representative Richard Harris thanked the Cultural Ministers for their work to date and emphasised the importance of the INCP's proposed international instrument on cultural diversity. He noted that the development of this instrument was particularly urgent for Australia in light of the upcoming bi-lateral negotiations with the USA. He encouraged the INCP to liaise with the professionals from the cultural sectors around the world as it continues to develop this instrument, and said that both the ACCD and the liaison committee would be prepared to give as much assistance and advice as was needed.

**Nick Herd and Richard Harris**

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