

Culture and Audiovisual

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(Published in a shortened version in “Unity in Diversity”2001, EQP)

A. Introduction

At the dawn of the third millenium, one of the biggest challenges facing the European venture is that of helping to bring forth active European identity and active citizenship. What Europe still lacks today is an identity and a shared cultural area to which the public could feel a sense of belonging and which would encourage them to believe in the European utopia. Such an ambitious target is vital and requires sufficient time, during which a given (the european) society manages to identify a core of common values among many diverse others which gradually form its specific identity as a whole sustained by their diversities.

Europe can not be reduced to a community of traders; it is also a product of the mind. It is made of stones, paintings, music, books and languages. It is a civilization with roots going deep into the individual cultures of Europe’s nations and regions. It is at a crossroads, but it also forms a single cultural area for a dialogue between culture.

Nobody questions the fact that Europe’s cultural and linguistic diversity needs to be promoted and safeguarded as one of its most valuable assets. The task is more complex and of outmost importance and delicacy: that of developing a multiple identity with due respect for local, regional and national diversity. In this enterprise, the following factors must be taken into account:

- a. Globalisation, which brings with it the danger of cultural standardisation, is the source of a risk of the European dimension being lost in the « global village » and a risk of retreat into anti-European nationalism and regionalism within the Union.
- b. The forthcoming enlargement will require the restoration of a link of identity common to Europeans in the East and the West, a link which has been loosened by the economic and cultural disparities revealed by the collapse of the communist regimes. It will also pose in acute terms the questions connected with the existence in Europe of a variety of languages and cultures, including the treatment of linguistic, ethnic, religious and other minorities.
- c. Keeping the audiovisual within culture interacting with education is crucial :

After all, European Culture and European Audiovisual production are the two sides of one coin: that of European identity. Moreover, since the latter is a matter of “education” i.e. of the way of thinking and of the way of living rather than of the unity of race (Isocrates, Panygerique, IY, 50), audiovisual should be kept as an inseparate part of culture, ensuring thus that technology remains at the service of content and not vice- versa and culture including audiovisual should interact with education in a systemic manner.

B. Culture

1. Le Parlement européen a été la première institution à inviter, dès 1974, la Communauté à s'engager dans le domaine culturel. Il n'a cessé depuis lors de soutenir et de proposer des initiatives spécifiques en la matière. Il a également favorisé l'attribution d'un budget réservé aux actions culturelles.

Depuis 1986, le Conseil a également tenu à manifester son intérêt pour les initiatives développées en faveur de la culture au niveau communautaire. Grâce à ses travaux, il a permis d'assurer un meilleur suivi et une plus grande continuité de cette action.

2. Développé depuis presque 25 ans, l'action culturelle de la Communauté peut être appréciée au regard des périodes suivantes.

a. 1977/82: Appliquer le traité de CEE au secteur culturel: Par le biais d'une communication de la Commission au Conseil, il a été mis en évidence que la Communauté doit s'intéresser aux aspects économiques et sociaux dans le domaine de la culture.

b. 1982/86: Faire place à l'action de la Communauté dans le domaine culturel: Par le biais d'une communication de la Commission au Conseil et au Parlement Européen, l'action communautaire en matière culturelle se veut complémentaire de ce qui est entrepris au plan international, limitée aux compétences qui découlent du traité CEE et subsidiaire par rapport aux politiques culturelles des Etats membres.

Pendant cette période, des actions emblématiques sont engagées au niveau communautaire, à l'initiative du Parlement Européen: il s'agit de la création et du soutien de l'Orchestre des Jeunes de l'UE, de l'Orchestre Baroque de l'UE, de l'action de conservation-restauration de l'Acropole et des monastères du Mont Athos...

c. 1986/1992: Annoncer une action structurée pour le secteur culturel:

*avec la tenue régulière du Conseil des Ministres des 1985;

*avec la création d'un Comité des Affaires Culturelles, auquel participent les représentants des Etats membres et de la Commission pour préparer les travaux du Conseil;

*avec la présentation de deux communications de la Commission proposant un cadre général pour le développement de l'action culturelle de la Communauté.

Par ailleurs, de plus en plus pendant cette période, avec l'accroissement relatif de son budget, l'action culturelle a progressivement commencé à prendre forme concrète. Les initiatives développées ont suscité un intérêt croissant auprès des professionnelles et des Etats membres et ont permis de confirmer l'intérêt et l'importance de développer des approches communes.

d. 1992/1999 *Developper l'action culturelle au regard des objectifs du traité CE.*
L'entrée en vigueur du traité de Maastricht, establishing the european Community (EC) représente une étape essentielle pour la culture.

D'abord dans le préambule du Treaty on European Union (TEU) on retrouve:
"...rappelant ...la nécessité d'établir des bases solides pour l'architecture de l'Europe future..."

"...désireux d'approfondir la solidarité entre leurs peuples dans le respect de leur histoire, de leur culture et de leurs traditions..."

"...résolus à poursuivre le processus créant une union sans cesse plus étroite entre les peuples de l'Europe..."

Dans son art F§1 "...l'Union respecte l'identité nationale de ses Etats memebres..."

Par ailleurs, selon le premier paragraphe du Préambule du Traité CE, les Etats membres sont "...déterminés à établir les fondements d'une union sans cesse plus étroite entre les peuples européens..." tandis que dans l'art. 3 alinea "n" on retrouve parmi les objectifs de la CE "... une contribution ...à l'épanouissement des cultures des états membres..."

Il est intéressant de constater que le Traité a déjà, au niveau des dispositions du préambule, clairement identifié une action de rapprochement des peuples de l'Europe par le biais de leur histoire et de leur culture, dans le respect de leur identité nationale. Ce qui, en fait est repris par l'art. 128 dans son 1er paragraphe, qui y ajoute le respect de la diversité régionale. Par ailleurs, il est à souligner que ce 1er paragraphe énonce clairement la nature de l'intervention communautaire, au sens où il s'agit d'une contribution à l'épanouissement des cultures des Etats membres.

En d'autres termes, il ne s'agit pas d'une politique propre de la Communauté, c'est le cas pour d'autres politiques communautaires (avec pouvoir d'intervention autonome), mais d'une politique-contribution communautaire liée aux cultures nationales et dépendant de celles ci, c'est-à-dire une contribution essentiellement respectueuse des politiques nationales en la matière. L'action communautaire présuppose donc des politiques nationales auxquelles elle ne se substituera pas. Par ailleurs, selon le premier alinéa du §5 du même article, cette action communautaire exclut "toute harmonisation des dispositions législatives et réglementaires des Etats membres". Des lors, le principe de subsidiarité qui conférerait un certain pouvoir à la Communauté et qui pourrait, le cas échéant, amener à l'exclusion des Etats membres, se voit dans l'art.128 limitée par la précondition des politiques nationales pour la culture. En effet, le rôle de la Communauté, selon le §2 de l'art. 128, s'identifie et se limite à un encouragement de la coopération entre Etats membres et, si nécessaire, à l'appui et en complément de leur action dans certains domaines énumérées restrictivement. Néanmoins, leur formulation et contenu vastes permettent, me paraît il, une action culturelle de soutien en réalité illimitée de la Communauté (par exemple: -"...l'amélioration de la connaissance et la diffusion de la Culture et de l'histoire des peuples européens...". Or la définition de la Culture, comme déjà indiqué, pourrait justifier une action aussi horizontale que possible.-"...La conservation et la sauvegarde du patrimoine culturel d'importace européenne...". Bien que mieux circonscrites, tant la définition du patrimoine culturel que son importance européenne laissent une large marge d'appréciation à la Communauté, - "Les échanges culturels

non-commerciaux” ce qui pourrait vraiment couvrir d’innombrables cas. -“La création artistique et littéraire, y compris dans le secteur de l’audiovisuel”, qui de nouveau ne posent pas de vrais problèmes de limitation). Ainsi, “...depuis le Traité de Maastricht, l’art.128 du Traité CE...ne confère à la Communauté aucune compétence pour mener une politique propre.... ne confère à la Communauté de compétences législatives à la Communauté...

...En d’autres termes, la politique culturelle reste une responsabilité des Etats membres”. (Ulrich Everling, Fixation des prix du livre dans l’espace germanophone et le droit communautaire européen. Nomos Verlagsgesellschaft, Baden- Baden 1977, p.149).

Or, si tel est le cas, il ne faut pas minimiser le rôle de la Communauté. Au contraire, son rôle, en l’espèce est au moins aussi important que si la Communauté disposait de compétences législatives. Dans un certain sens, je dirais même que c’est avantageux parce qu’ainsi on passe directement à l’action sans devoir passer par un stade de légifération. L’art 128 n’est-il pas finalement une disposition d’application directe par la Communauté? La seule entrave étant le besoin d’adoption, à l’unanimité par le Conseil des actions d’encouragements selon la lourde procédure de l’art 189B.

C’est sur cette base légale que la Commission a lancé la communication sur “l’action de la Communauté européenne en faveur de la culture” qui visait à définir l’action communautaire en fonction des finalités, des domaines et des modalités d’intervention énoncées par le traité. Les programmes et les travaux entrepris pendant cette période ont à nouveau démontré l’importance d’un engagement commun en faveur de la culture pour les citoyens et les professionnels.

Les axes de travail concernaient d’une part la mise en oeuvre d’actions d’encouragements basées sur décisions du Conseil et du Parlement Européen- le programme Kaléidoscope destiné à soutenir les activités artistiques et culturelles de dimension Européenne (1996-98), le programme Ariane pour le soutien, par le biais de traduction, au livre et à la lecture (1997-98) et le programme Raphaël établi dans le domaine du patrimoine culturel (1997-2000) – et d’autre part la mise en application de l’art.128 §4 TCE, sur la prise en compte des aspects culturels au titre des autres politiques et actions communautaires, et la coopération avec les pays tiers.

La Commission a également présenté des propositions inspirées par Melina Mercouri dès 1985 en faveur de l’établissement d’un programme communautaire “Capitale Culturelle Européenne” qui ont été adoptées le 17 mai 1999.

f: 1999-2000/2004 *Mise en oeuvre d’une approche globale et structurante pour l’action culturelle:* Face aux nouveaux défis contemporains de la mondialisation, de la construction européenne, de l’informatisation, de la cohésion sociale et de l’emploi, le rôle de la culture ne cesse de s’affirmer dans nos sociétés et les actions communautaires développées jusqu’à présent tout en présentant des aspects positifs, se sont avérées insuffisantes pour accompagner et compléter de manière cohérente l’évolution actuelle.

A la demande du Conseil et du Parlement Européen, la Commission a adopté, le 6 mai 1998, une communication et une proposition de décision du Parlement et du Conseil établissant un instrument unique de financement et de programmation pour la

coopération culturelle " Programme Culture 2000-2004" Ce programme cadre vise à mettre en oeuvre une nouvelle approche pour l'action culturelle de la Communauté lui permettant de répondre aux défis contemporains et aux aspirations des citoyens et des opérateurs culturels.

Ces propositions , modifiées suite aux amendements du Parlement Européen, ont fait l'objet d'une position commune du Conseil le 28 Juin 1999, après la levée de la réticence néerlandaise sur le budget (167 millions) qui a finalement abouti à l'adoption du programme cadre " Culture 2000" (Decision No 508/2000/EC of the European Parliament and of the Council of 14 February 2000 establishing the Culture 2000 programme).

3. Entre la demande du P.E et du Conseil et l'adoption du programme cadre; le Titre XII Article 151 du Traité d'Amsterdam (ex art.128 du traite CE) est entré en vigueur. En effet la base juridique de la culture est identique avec un accent mis sur la diversité des cultures (151 4). Le nouveau donc programme pour la Culture a été adopté sous le règne du Traité d' Amsterdam.

Son objectif, vise à mettre en oeuvre une *nouvelle approche pour l'action culturelle de la Communauté* lui permettant de répondre aux défis contemporains et aux aspirations des citoyens et des opérateurs culturels. Il vise la mise en oeuvre d'un *espace culturel commun aux européens*, en favorisant la *coopération* entre les créateurs, les acteurs culturels des Etats membres, en vue d'atteindre les objectifs suivants:

- a. promotion of cultural dialogue and of mutual knowledge of the culture and history of the European peoples;
- b. promotion of creativity and the transnational dissemination of culture and the movement of artists, creators and others cultural operators and professionals and their works, with a strong emphasis on young and socially disadvantaged people and on cultural diversity
- c. the highlighting of cultural diversity and the development of new forms of cultural expression;
- d. sharing and highlighting, at the European level, the common cultural heritage of European significance ;
- e. taking into account the role of culture in socioeconomic development
- f. the fostering of intercultural dialogue and mutual exchange between European and non-European cultures;
- g. explicit recognition of culture as an economic factor and as a factor in social integration and citizenship;
- h. improved access to and participation in culture in the European Union for as many citizens as possible

The Culture 2000 program shall further an effective linkage with measures implemented under other Community

3. Les actions: Pour atteindre ces objectifs, le programme cadre prévoit trois types d'actions:

- a. *Specific innovative and/or experimental actions;*

Sont éligibles les projets de coopération culturelle ou artistique émanant d'acteurs culturels de plusieurs Etats membres différents et comportant un ou plusieurs des aspects suivants: meilleur accès à la culture, meilleure participation des citoyens à la culture, émergence de nouvelles formes d'expression culturelle, mise en valeur et sauvegarde du patrimoine culturel européen, intégration des jeunes, création de produits multimédias et utilisation des nouvelles technologies pour favoriser la diffusion d'événements culturels.

b. Integrated actions covered by structured, multiannual cultural Cooperation Agreements;

Il s'agit là d'une nouveauté introduite par le programme cadre. Un accord de coopération regroupe des opérateurs culturels issus de plusieurs Etats membres en vue de réaliser ensemble des actions de coopération basées sur un programme structure et pluriannuel. Par cette action, la Communauté entend favoriser la création de grands espaces de coopération culturelle et artistique, laissant aux opérateurs culturels la responsabilité de la mise en oeuvre des différentes actions spécifiques contribuant aux finalités de l'accord. Un accord de coopération concerne un seul ou plusieurs domaines culturels, auxquels peuvent être associés d'autres secteurs non culturels. Ils doivent inclure des actions telles que la mobilité des artistes, le perfectionnement, la coproduction et la circulation d'oeuvres, l'utilisation des nouvelles technologies, la diffusion des connaissances et de la diversité culturelle, la recherche.

c. Special cultural events with a European and /or international dimension

Ces actions visent à contribuer, auprès des citoyens européens, à une meilleure prise de conscience de l'appartenance à une même communauté, ainsi qu' à la sensibilisation, à la diversité culturelle des pays de la Union européenne et au dialogue interculturel et international. Sont éligibles, les grands événements culturels et artistiques, accessibles aux citoyens en général, mettant en valeur les talents artistiques européens, notamment chez les jeunes et encourageant le dialogue interculturel. La Ville européenne de la culture fait partie de cette action.

C. Audiovisual Policy

1. The European Union's audiovisual market is the largest in the world. Moreover, it is set to grow by about 70% over the next ten years. This rapid expansion presents enormous opportunities and challenges for the industries concerned.

Driven by the proliferation and diversification of audiovisual products and services made possible by digital technology, demand for film television programmes and multimedia products is rapidly on the increase.

2. EU Audiovisual policy objectives:

The European Union's audiovisual policy has two basic objectives:

- To create a genuine European audiovisual and to make it work;
- To implement a strategy for strengthening the competitiveness of European audiovisual production industries

Measures taken under this policy are pursued taking full account of the cultural aspects of the audiovisual industry, in accordance with Treaty Article 151 (4), and also contribute to the development of the Information Society, in which European industry has a keen interest.

In view of the first objective the 1989 Television without Frontiers Directive was recently amended to bring it up to date and make it more effective.

As regards the 2nd objective, proposals for the new MEDIA PLUS programme (European measures for the development of the audiovisual industry) have been put forward to encourage film and television production.

All these measures contribute to boosting European programming industries, either through legal measures to strengthen the industry or through financial encouragement.

3. The new Television without Frontiers Directive was adopted in 1997 (97/35/EC) and has entered into force. It is the cornerstone of the European audiovisual area. The Television Without Frontiers is essentially a Single Market measure, which guarantees the free movement of television broadcasts within the Community. To do this, it harmonises certain public interest objectives related to matters such as advertising standards and, more famously European content requirements. The Directive requires broadcasters to devote at least 50% of their scheduled transmission time, excluding news, sports, games and advertising, to works of European origin. The 1997 TWF directive is more up-to-date, clearer and more comprehensive than the 1989 directive. In the age of digital technology, it provides a sound legal framework for television broadcasters to be able to expand their activities in the European Union, in particular thanks to the consolidation of the principle whereby broadcasters fall under the exclusive jurisdiction of the country in which they are based. The rules on protection of minors have been strengthened. An innovation is the possibility provided for Member States to ensure that events of major importance for society – such as major sporting fixtures – are accessible to the public on TV. The new directive has brought the whole system up to date and improved it. It represents an important step towards the liberalisation of the broadcasting sector by coordinating national rules to the extent that it is necessary to ensure the free circulation of television broadcast services in the Community. The rules in question are those that are designed to achieve legitimate public interest objectives, in fields such as advertising, sponsorship, teleshopping, protection of minor, public order, promotion of European programmes. The changes in 1997 concerned the introduction or modification of certain definitions (including “broadcaster”, “television advertising”, “teleshopping” and “European works”), clarification of the rules of jurisdiction over TV channels, new rules on teleshopping programmes and channels and measures to protect minors. The directive should have been transposed into national legislation by the end of 1998 and a further review, covering the period up to the end of the year 2000, is provided by the directive itself.

4. In the new digital environment there is a need to meet public interest objectives effectively and efficiently, as if these interests are not safeguarded, future initiatives are unlikely to succeed. In this respect, on the proposal of the Commission the Council adopted a Recommendation on the Protection of minors and Human Dignity. This type of initiative that is independent of the means of conveyance is one way in which important public interest objectives will be met and constitutes the first ever horizontal legal measure covering all traditional and new audiovisual services.

5. More recently the Commission published a Communication, (COM (1999) 657 final, 14.2.1999) on the principles and guidelines for the Community's audiovisual policy in the digital age. The audiovisual media play a major role in the transmission of social and cultural values with major public interests at stake, such as cultural and linguistic diversity, questions of access to audiovisual content and the related issue of protection of both minors and the consumer. With regard to regulation the Commission proposes separate approaches to the regulation of transmission infrastructure and content: services providing audiovisual content should be regulated according to their nature and not according to their means of delivery.

6. The development of digital technologies amounts to a revolution which will lead not only to a radical change in the economics of the audiovisual sector, but also to new methods of creation involving new players and new contents and services. Against this background of proliferation of the methods of distribution, all those involved are agreed that the production of content, and in particular audiovisual content, will be a major value-added sector in the 21st century capable of strengthening economic growth and cultural diversity in the European Union. For producers and distributors, the advent of the digital age offers new opportunities with the diversification of direct and derived modes of exploiting works. It also presents challenges because of the reduction and fragmentation of the returns from each distribution, making it essential for the authorities –including the European authorities- to back these initiatives with specific, complementary financial support measures aimed at strengthening the presence and share of European content producers. The Commission's proposal for a MEDIA Plus programme- follow up of MEDIA I (1991-1995) and MEDIA II (1996-2000) (MEDIA= Mesures pour Encourager le Développement de l' Industrie Audiovisuelle) covering the field of training with 45 M. Euros as well as the fields of development and distribution with 265 M Euros- is a product of this approach. Faced with a new environment marked by the *de facto* globalisation of the methods of exploitation, the European audiovisual content industry, because of its fragmentation, is not yet fully able to stand up to the growing world-wide competition. The Commission's proposals are intended to establish optimum conditions based on a coherent strategy and clear objectives, with a view to overcoming these difficulties and allowing European operators to position themselves as best possible in these new, markets while exploiting European cultural diversity.

7. The two main features of the Uruguay Round (substantially concluded in December 1993 and formalised in Marrakech in April 1994) were: the establishment of WTO including a thorough and effective dispute settlement mechanism and the establishment of the first multilateral framework of disciplines for trade in services and for the protection of trade related intellectual property rights. In what concerns

audiovisual services two features of the GATS negotiations should be borne in mind: first, audiovisual services are covered by GATS however only 12 countries made commitments in respect of such services and second, there is no agreed definition of the scope of “audiovisual services” within GATS although in what concerns new services, a first element, as part of a possible future definition, has been the distinction between transport and content. The new comprehensive WTO round which should have started in January 2000 resulted in the scenes at Seattle.

The new round will inevitably call into question the EC GATS “acquis”. Some of the more powerful WTO members expect to have more clarity and legal certainty of commitments, i.e. defining more precisely the economic activities which are covered by the term “audiovisual” The e-commerce work programme within WTO will certainly also affect the scope and legal regime of some audiovisual services. The choice of negotiating approach will have an impact in that, for instance, it will force the EC to define precisely the activities that should be exempt from a specified rule or discipline (like in the ill-fated MAI exercise). Last but by no means least the in-built pressure for more market access and further liberalisation will also impact on the acquis. In what concerns the rather high level of protection of intellectual property in the EU, the audiovisual industry has a clear interest in strengthening the TRIPS Agreement.

8. A Directive on e-commerce was presented in November 1998 and amended in August 1999 in the light of the European Parliament’s Opinion (delivered in May 1999). The proposal covers all Information Society services, both business to business and business to consumer, and services provided free of charge to the recipient-e.g. funded by advertising or sponsorship revenue and services allowing for on-line electronic transactions such as interactive teleshopping of goods and services and on-line shopping malls. The Directive would ensure that Information Society services benefited from the Internal market principles of free movement of services and freedom of establishment and could be provided throughout the European Union (EU) if they complied with the law in their home Member State Political agreement was reached on 7 December 1999 by the Council of Ministers on a common position for the Directive. The European Parliament has just approved it (4 May 2000), which clears the way for this important measure to become law within the next 8 months.

9. The European Council held in Lisbon on the 23/24 March 2000 set the ambitious objective for Europe to become the most competitive and dynamic economy in the world. It recognised an urgent need for Europe to quickly exploit the opportunities of the new economy and in particular the Internet. To achieve this, the Heads of State and Government invited the Council and the Commission to draw up “...a comprehensive eEurope Action Plan...using an open method of co-ordination based on the benchmarking of national initiatives, combined with the Commission’s recent eEurope initiative as well as its Communication ‘Strategies for jobs in the Information Society’ ”.

A Draft Action Plan is the Commission’s response to this request. The aim of this Action Plan is to ensure that the targets set by the Lisbon Summit are reached by defining the necessary measures. eEurope initially identified 10 areas where action at European level will add value. For this Action Plan, the key target areas have been revised in the light of the Lisbon Summit conclusions and the numerous reactions the

Commission has received, especially from the European Parliament and member States and during the Informal ministerial Conference on the Information and Knowledge Society held in Lisbon on 10-11 April 2000.

The issue of risk capital for high tech SMEs was included in eEurope in order to address the problem of lack of funding for innovative start-ups. In recent months major progress has been made in new capital markets in Europe and two relevant Action Plans, one on financial services (to be completed by 2205), the other on risk capital (to be completed by 2003)- have been endorsed by the Lisbon Summit and are now underway. Therefore the aims of eEurope in this area will be dealt within these contexts.

10. The legislation to establish the Fifth Framework Programme in the field of the Information Society Technologies, the specific programmes established under it and the rules for participation in the new programme was adopted by the European Council on 22 December 1998. “User-friendly information society” is the second thematic programme of the Fifth Framework Programme’s first activity. The first activity covers the research, technological development and demonstration programmes.

The programme’s context is the fundamental transformation from an industrial society to an information society where European industrial competitiveness, jobs quality of life and the sustainability of growth and cohesion depend on it being at the leading edge of the development and take-up of information society technologies. At the same time, the technologies underpinning the development of the information society unless they improve and develop their usability, dependability, interoperability and affordability. They will also need to address issues such as access, ease of use, cost-effectiveness, interoperability and standardisation as well as the socio-economic impact.

11. If there is one issue on which the radio industry agrees it must be the fact that Audiovisual policy does not, for the moment, cover radio. There is a very good reason for this: the radio sector has managed to operate without the deficits, which have existed in the video part for the market. That is the reason why the radio sector has not been somehow included in the MEDIA Plus programme.

However, in a world going digital at an ever-increasing rate it is unlikely that the situation will remain unchanged. Analogue equipment is for the moment relatively inexpensive, contrasting with the digital equivalent whose cost remains prohibitive. With time the situation will be reversed and over the next ten years, when television has switched over to digital, radio stations operators, with shoestring budgets at their disposal, will be confronted with not only equipment costs but also the costs of simulcasting. The situation will threaten the very existence of a great number of the 9.500 stations currently operating in the EU, with incalculable cultural and industrial consequences.

D. Conclusion:

1. Despite the new momentum for both culture and audiovisual, due in particular to the phenomenon of globalisation as well as the consciousness of the need to couple EMU with political and cultural integration, European policy in this field remains embryonic, at worst, a direct prolongation/extension of the poor cultural policy in Member States. In fact, in all of them culture lies at the bottom of list of governmental priorities and subsequently it occupies the last rank in the relevant budgets. Consequently, cultural policy at the European level instead of becoming an example for member States, instead of militating for the formation of a European cultural space, instead of contributing to the creation of a European identity based on diversity, is almost a cosmetic operation for the sake of excusing that culture is taken into account. One paradox is that while the accent is put on diversity, the Community, when supporting projects that have to meet the formal criteria of cooperation among partners coming from a number of member States, risks to stimulate, without other consideration, collaboration which could be fatal for the preservation of diversities in the absence of other qualitative objectives they could give to the action a substantial reason for justified European being. Another paradox is that the European Parliament and the Council advised the Commission “small is beautiful”, i.e. the continuation of support to small projects. However, what is lacking are not the numerous small projects, which in any event pursuant to the principle of subsidiarity should depend exclusively on the Member States. What is lacking is an overall remote European objective with an anthropocentric dimension and large, symbolic projects, like, for example, the creation of a European University for the History of European Civilisation, for Culture and Arts, or the creation of a European School of Sculpture, or the setting up of a kind of Council of Arts like in the UK, etc. On the contrary small projects based on cooperation as already explained constitute a possible danger of gradually and unconsciously watering down diversities.

Unless there is such a change in policy, the fragmentation, or so-called “saupoudrage” will continue to keep culture incapable of reaching any decisive results. On the contrary in the case of audiovisual, the objectives and the policy are there, without however the necessary budget. Both form and priority policy for the future of the EU and they deserve more attention in order to be converted from a drop in the basket to a basket full of European content capable to face the race of globalisation.

2. To build such a common “cultural” area the following factors must be taken into account:

- Citizenship has been highlighted in its legal dimension (a collection of citizen’s/consumer’s rights) with no attention being paid to the sociological (attitude of the citizen) and cultural (recognition of specific features)

dimensions. There is need to change from a passive to an active view of European citizenship.

- Knowledge of each other among European peoples (languages, cultures, lifestyles, etc) has not yet been given the recognition it deserves as a decisive factor in mutual understanding and European cohesion.

There are various ways and means of meeting this objective/challenge of developing a shared cultural area in order to promote active European citizenship. In this regard the following tasks, should be undertaken:

a. Exploring possibilities, analyzing and looking to the future

- **Listening to the ordinary citizen:** keeping abreast of contemporary issues, particularly problems of identity associated with the facts of life at the local, regional and national levels, age, ethnic and linguistic minorities, immigration, religion, beliefs and customs.
- **Stimulating serious thought about what it means to be European:** encouraging research and discussion about the various aspects of the European identity and the problems associated with promoting the idea.
- **Familiarity with cultural traditions:** developing the statistical tools to monitor changing patterns in European citizens' cultural habits and the growth in culture-related industries and markets. (including the effects on employment)
- **Setting up networks** among the researchers working in this field and capitalizing on their findings.

b. Education and democratization

- **Educating, training, promoting and spreading common values:** using pilot educational projects for all ages (from nursery school to adult education) to promote European citizenship. At the primary and secondary education levels, the experience of the European Schools, the prime example of multilingual and multicultural areas, must be taken further. At the university level, the Jean Monet scheme, the role of the European University in Florence and the projects to set up European study centers in various EU towns and cities deserve special attention and have a multiplying effect. In adult education, the cultural aspect needs to be further developed. And, lastly we must not forget cooperation between universities and the setting up of networks of researchers and academics to develop a (future-oriented) scientific culture, a technical culture (which sees itself as involving the amassing of knowledge and the conduct of research into societies themselves).
- **Democratizing culture:** intellectual and artistic culture is often elitist and therefore exclusive. We need to attract European citizens and stimulate a willingness, an intellectual curiosity, though without tailoring culture to fit the tastes of a broader section of the public. This can be achieved by using new settings for creative work, new methods (new technology) and new ways of distributing cultural output and identifying audiences (on the basis of age, sex, ethnic origin and linguistic or religious affinity).
- **Creating favorable conditions for exchange:** Europe also has to be built from the bottom up. There are many ways of helping to create this shared cultural area: through transfrontier workers, student and youth exchanges, language-learning

visits and tourism within Europe, as well as establishing interregional cultural events and setting up networks of associations active in civil society (NGO's) and of towns or cities (town-twinning schemes, interregional cooperation).

- **Dialogue with representatives of employers and labor** on the vocational and social dimension of culture (training, dialogue concerning social status and job creation in that sector).

c. International aspects of cultural policy

- **Promote European cultures and European Identity** outside Europe by building up a network of cooperation agreements with non- Community countries.
- **Develop cultural diplomacy** in order to assert Europe's point of view on the special status of culture and the need to foster cultural diversity (working within the international organizations such as the WTO, Unesco, the Council of Europe, etc.)

d. Preserving and promoting Europe's heritage

- **Encourage a broad view of the concept of cultural and linguistic heritage** by raising the profile of Europe's shared heritage. Highlight the added value of Community action and its structural impact (networks, flagship projects, specialized training, etc). Protect, promote and raise awareness of our heritage together with the contemporary arts (linking the past with the future). Foster expertise and the exchange of good practice, in particular through networks of national, regional and local institutions capable of establishing an ongoing dialogue with Community bodies.
- **Encourage cultural exchanges** and access to other cultures, taking into account linguistic diversity.

e. Encouraging the audiovisual industry

- **Stimulate the production and distribution of European audiovisual content**, maintaining the delicate balance between an industrial policy approach to the audiovisual sector and the need to take account of its special status. Encourage a more forward-looking approach and make the market more transparent, working closely with industry. Encourage self-regulation and cooperation between the different players at European level in tackling the problems posed by the new services (e.g. MOU). Foster expertise and the exchange of good practice (e.g. as regards support for the cinematographic industry), in particular through networks of institutions capable of establishing an ongoing dialogue with Community bodies.

Finally, there is an absolute must to draw up a **European Charter for Culture** to protect and promote the linguistic and cultural diversity of the Union, for the only way to counter the danger of cultural uniformity and strengthen the Community's cultural dimension is by developing the many facets of European cultural identity.

