



# STEERING COMMITTEE FOR CULTURE, HERITAGE AND LANDSCAPE (CDCPP)

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## Session 1 STATE OF THE ART

The role of governments and, specifically, Ministries of Culture, in promoting access to and participation in culture as a vector for vibrant democracy, and considering the challenges of today's society (such as the digital shift, demographic changes and the economic crisis).

- In spite of efforts and successes to expand the access to culture, inequalities prevail in every country, in various forms and degrees, but often at a disturbing level. In Western Europe non-participation is particularly acute among urban migrant population, while in the Eastern member states cultural exclusion is primarily a rural and post-industrial phenomenon.
- Culture policy debates and cultural participation surveys usually focus on what exists (e.g. in terms of cultural participation), while the extent and nature of non-participation receive much less attention.
- Statements and pledges on culture's role in democracy are many, but empirical evidences, measurement tools and accepted proofs are scarce.
- Cultural policies need to be re-conceptualised to meet today's challenges. A multi-stakeholder approach is required towards a shared governance of culture. This requires effective alliances with the spheres of education, social policies, health, environment, and the economy. The involvement of citizens and their associations is a basic rule of European democracy.
- Cultural practices such as creation, curation and aggregation that can come under the term of "mediated culture" should make the object of study and cultural policy lines and be introduced as a priority area in the way cultural access is today understood.
- Creative industries and digitisation are disturbing the pre-digital relations between cultural industries and cultural institutions. Cultural policies should integrate economic models that foster public interest access to culture and help pre-digital institutions make a coherent transition to preserve heritage and foster contemporary creation
- Industrial practices that affect the nature and status of original content (versioning, merchandising and windowing) are likely to affect arts and cultural institutions considerably, which may imply a multi-layered approach to copyright and intellectual property issues.
- The online challenge for cultural diversity and pluralism is not only the protection and promotion of legacy arts and broadcast content, it is also the fostering of user-generated contents and comments that moves the public from consumption to participation, with increased agency, away from pre-formatted portals and away from increased collusion between content, advertising and e-commerce. Another risk is that some cultures and languages, considered as not generating enough traffic or revenue, may be marginalized and lose visibility on the digital networks.

## Session 2 BEST PRACTICES AND INNOVATION

Good practices and innovative action on enhancing access to and participation in culture for democracy – seizing opportunities and facing challenges of today's society (digital era, demographic changes such as aging societies, mobility and migration, and new models for the financing of culture).

- The concept of “cultural democracy” with an accent on involvement, equality and diversity has been gaining ground over top-down strategies of democratisation of culture.
- Best results in cultural democracy programmes are born by the combination of local initiative and central promotion. The initial thrust may come from below: authorities identify a successful local project and find it appropriate to generate reproductions on a larger scale. Policy aims and the frames are specified by the national, regional or municipal administration, leaving scope for adaptation to local conditions.
- Legacy arts can transition interestingly into broadband mode and increase democratic access to younger and poorer generations as exemplified by the festival Viva l’Opéra! started in 2010. This initiative connects the most prestigious European opera houses (Scala, Liceu, Paris Opera...) and UGC distribution company, to deploy live representations of heritage opera classics in movie houses.
- Digital era tools and platforms can enhance participation and creation of culture, as evinced by examples of crowd-sourcing and open-sourcing such as Wikipedia or iStockphoto (open calls for royalty-free stock photography, animations, and video clips). Such alternative ways of producing cultural content, away from mainstream fashion and top-down design values can encourage new entrants in cultural production, especially from communities not often given a voice in legacy arts.
- New ways of creating, recording and disseminating original content are emerging, and need to be recognized and rewarded by mainstream culture, via micro-credit, micro-payment and all sorts of public sponsorship (“mécenat”) and state aids (to compensate for market distortions created by concentration of ownership among private sector digital pure players).
- Private sector and media professionals can benefit from user participation and empowerment. Their social responsibility can be called upon so as to ensure that the design of the digital tools is culture-friendly from the start, and embraces human rights principles as in the case of the European Internet Services Providers Association (EuroISPA) “Human rights guidelines for Internet service providers” (2008) and the Interactive Software Federation of Europe (ISFE) “Human rights guidelines for online games providers” (2008).
- Civil society initiatives for equity of access to culture and to public interest content show the possibility of modifying current asymmetries. The International Federation of Library Associations (IFLA) together with the International Council on Archives (ICA), the Electronic Information for Libraries (EIFL) and Corporacion Innovarte is engaged in negotiations with member states of WIPO, urging them to provide an internationally binding instrument on copyright limitations surrounding licensing of online content.

- Some nation states have challenged private sector strategies to privatize culture and the revenues of cultural content, in order to expand or to finance public interest cultural outlets and services. The case of the 2013 dispute between France and Google over commercial pricing and advertising of news content shows innovative ways of financing culture with a combination of industry self-regulation and State pressure and supervision.
- The regulation and governance of cultural diversity can work at a transnational level, ensuring that compatibility and interoperability exist, that conflicts of jurisdiction are addressed and that problems of enforceability are taken into account, within a multi-stakeholder framework. The controversial global debate on the ACTA Agreement is an example of a growing awareness of the political, social and cultural implications that surround the technical layers of the Internet. These technical elements cannot be dissociated from the social and cultural implications and human rights values.
- In order to ensure pro-poor policies of access and participation, it is essential to define the perimeter of the digital commons, so as to defend them and contrast them to paid-services and individualized, incremental billing, At the moment, the Internet as a digital commons is not well equipped to detect ill-use of the resource and does not have a governance mechanism that mediates between competing demands regarding access and applications. It does not monitor fair use and it does not have real means of sanctioning abuse. It remains at the mercy of the fragile nature of social capital. Artists, amateurs, pro-ams and content-aggregators have to be sensitized to the fact that abusing the commons or letting them be enclosed leads to less efficiency of the collaborative system and alienation of the public value of the digital networks.
- In order to ensure pro-poor empowerment, education needs to be upgraded to ensure full understanding of and participation in the digital environments. The transborder capacities of broadband media are offering new opportunities for making top education available to under-equipped locations and under-served populations, with models such as Massive Open Online Courses (MOOCS) or Khan Academy. Transliteracy, as a means of bundling together Media and Information Literacy (MIL) and computer and digital literacies, offers some options for creating a digital culture savvy population that can then make full use of the network opportunities.

### Session 3 PERSPECTIVES FOR THE COUNCIL OF EUROPE

Perspectives for the Council of Europe:

as a pan-European intergovernmental forum on culture and laboratory of democratic governance: opportunities and challenges;

towards most effective co-operation in the cultural field with other international organisations: UNESCO, the European Union and other international organisations.

- As demand for evidence-based policies is on the rise, European governments should intensify and co-ordinate their efforts in this regard. Council of Europe's Culture Watch Europe came forward with the proposal to select a set of key indicators to be applied by all member states.
- The Council of Europe should strive for reaching consensual minimum of shared European standards in terms of nature and degree of access to culture, indicators of access and participation, desired effects expected from improved and increased access, as well as basic criteria of democratic governance of culture.
- The Council of Europe should draft guidelines for the governance of culture in the digital era, with principles such as equity of access (universal, effective and sustainable), openness, net neutrality, participation and accountability. They should be addressed in terms of cultural content and around fundamental freedoms and human rights.
- The role played by the Council of Europe in the harmonization and constant updating of cultural policy reviews has today to go to a more complex level, integrating the newly appeared actors of participative policy making and a new dynamics that puts producers and users of culture at the same level. The notion of democratic governance, as a key notion to which the Council of Europe wants to dedicate further attention, is therefore strongly related to these developments and there are ways to be found in which the Council can confirm its role as a main guiding institution for the socio-political field in Europe.
- Integrated legislation, coordinated policies, advocacy as a tool for the Council of Europe visibility, promotion of its role as a connector, encouraging research as a critical instrument for making a better case for culture
- Training for transliteracy should become a key preoccupation of the Council of Europe, as a long term strategy to socialize young people into developing and maintaining a sustainable culture. Transliteracy education policies need to add online resources and courses to the technical access of computers. They need to provide support for the training of teachers and students in information and communications technology skills, to master code for innovative and participatory purposes (being able to upload content...). The Council of Europe can put them in practice via its Pestalozzi programme, encouraging trans-sectorial collaboration between education, youth, information society divisions for enhanced cooperation.
- The Council of Europe could commission a series of multi-stakeholder public hearings about the promotion of culture in the digital era and the protection of its cultural heritage. Among the themes to be addressed: a credible remuneration of creativity via alternative

compensation mechanisms, where traditional IP rights do not apply; user-aggregated content and labour, role of states in digital cultural policies; concentration of ownership and risks to pluralism in media diversity; digital commons and role of open source and non-proprietary.

- The council of Europe could shape recommendations or revise existing recommendations in a number of policy actions:
  - The devolution to municipalities of the infra-national responsibilities for cultural development, through Creative Cities, European Capitals of Culture, to decentralize the notion of culture;
  - The gradual inclusion of the public and of civil society in the new modes of cultural governance, to increase their involvement in the implementation process (see role of Rainbow Platform on Inter-cultural Dialogue, grown out of Culture Action Europe and the European Cultural Foundation)
  - The Intercultural dialogue by encouraging mobility among artists and the circulation of all forms of artistic expression as well as strengthening intercultural skills and intercultural dialogue.
- The Council of Europe should carry its proposals and good practices in other forums where the governance of culture is being discussed, especially in relation to digital evolutions. It should extend invitations to other Inter-governmental organisations such as WIPO, ITU and UNESCO, to foster international dialogue on cultural issues.